

REORGANIZATION PLAN NO. 4 OF 1970
(NATIONAL OCEANIC AND ATMOSPHERIC
ADMINISTRATION)

HEARINGS
BEFORE A
SUBCOMMITTEE OF THE
COMMITTEE ON
GOVERNMENT OPERATIONS
HOUSE OF REPRESENTATIVES
NINETY-FIRST CONGRESS
SECOND SESSION

JULY 28 AND 29, 1970

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REORGANIZATION PLAN NO. 4 OF 1970 (NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION)

TUESDAY, JULY 28, 1970

HOUSE OF REPRESENTATIVES,
EXECUTIVE AND LEGISLATIVE REORGANIZATION SUBCOMMITTEE
OF THE COMMITTEE ON GOVERNMENT OPERATIONS,
Washington, D.C.

The subcommittee met at 10 a.m. in room 2154, Rayburn House Office Building, Hon. John A. Blatnik (chairman of the subcommittee) presiding.

Present: Representatives John A. Blatnik, Chet Holifield, Benjamin S. Rosenthal, and John N. Erlenborn.

Staff members present: Elmer W. Henderson, subcommittee counsel; Herbert Roback, staff administrator, Military Operations Subcommittee; James A. Lanigan, general counsel; and J. P. Carlson, minority counsel, Committee on Government Operations.

Mr. BLATNIK. The Subcommittee on Executive and Legislative Reorganization of the House Government Operations Committee will come to order.

These hearings have been called to consider President Nixon's Reorganization Plan No. 4 of 1970 to create a National Oceanic and Atmospheric Administration in the Department of Commerce. Last week, you recall, we heard testimony on Reorganization Plan No. 3 to create an Environmental Protection Agency.

NOAA, as it is popularly called, will have as its corps the Environmental Science Services Administration, which is already a part of Commerce and which was created by Reorganization Plan No. 2 of 1965 after approval by this committee. ESSA contains the Weather Bureau and the Coast and Geodetic Survey, among other functions.

Added to these units will be the Bureau of Commercial Fisheries, the marine sport fish program, and the Marine Minerals Technology Center of the Bureau of Mines, all from the Department of the Interior, the Sea Grant program from the National Science Foundation, and elements of the Lake Survey from the Corps of Engineers.

The President has also said that he will transfer into NOAA by Executive order the Oceanographic Data and Instrumentation Centers from the Navy Department and the Data Buoy Project from the Coast Guard.

This reorganization plan was based on a recommendation by the Commission on Marine Science, Engineering, and Resources, headed by Julius A. Stratton, that was appointed by President Lyndon B. Johnson and which made its report to him just before the end of his administration.

One key difference between the Stratton Commission proposal and Reorganization Plan No. 4 is that the Stratton Commission would set up NOAA as an independent agency. One of the issues to be considered by this subcommittee, then, is why the new agency is to be made a part of an existing department in the face of the conclusion drawn by the distinguished panel which made up the Stratton Commission.

The Stratton Commission also recommended that the Coast Guard be included in the new agency but, we see, this was not made part of the plan. Why was this not done?

Another question of great importance is why this agency is being placed in the Department of Commerce, not heretofore noted for its environmental concern, rather than in the Department of the Interior, for example, which has had a long interest in the conservation of both biologic and physical resources. A number of conservation-minded organizations have protested aspects of this plan for that basic reason. Some of these groups will testify tomorrow.

Today, our main purpose is to obtain from the representatives of the administration a full explanation of the plan and the justification for it. Unlike Reorganization Plan No. 3, we have been informed that the Ash Council had no significant part in the formulation of Reorganization Plan No. 4 and we have, therefore, not asked Mr. Ash to return.

I must say that we feel somewhat more comfortable in dealing with this plan, because the rationale behind NOAA has been laid out so explicitly by the Stratton Commission in its report. The justification for EPA, as presented to us, was very weak indeed. I believe my colleagues would agree that any significant future reorganization of the executive branch should be based on a study that shows clearly the deficiencies of the existing structure and the advantages of the proposed one. If the Ash Council ever made such a study they refused to release it to the Congress which, in the final analysis, must accept or reject the plan. We should not have to accept these plans on faith—particularly when those who propose them have not labored with the issues involved as some of us in Congress have done for many years.

We are pleased to have as our first witnesses our two distinguished colleagues—good friends of ours who have worked for some years in the field of oceanographic research. We have our very good friend who is chairman of the Subcommittee on Oceanography, the Honorable Alton Lennon; and my good friend and neighbor, the Honorable Charles A. Mosher.

Congressmen, do you want to appear jointly and present your statement? I have read your statement and we have had the opportunity to discuss it. We appreciate your willingness to testify before us, and we express our appreciation for the very thoughtful statement which will open these hearings and which will be the first statement in the record of the hearings.

(H. Docs. 91-366 and 91-365 follow:)

[H. Doc. 91-366, 91st Cong., second sess.]

REORGANIZATION PLANS NOS. 3 AND 4 OF 1970

To the Congress of the United States:

As concern with the condition of our physical environment has intensified, it has become increasingly clear that we need to know more about the total environment—land, water and air. It also has become increasingly clear that only by

reorganizing our Federal efforts can we develop that knowledge, and effectively ensure the protection, development and enhancement of the total environment itself.

The Government's environmentally related activities have grown up piecemeal over the years. The time has come to organize them rationally and systematically. As a major step in this direction, I am transmitting today two reorganization plans: one to establish an Environmental Protection Agency, and one to establish, within the Department of Commerce, a National Oceanic and Atmospheric Administration.

ENVIRONMENTAL PROTECTION AGENCY (EPA)

Our national government today is not structured to make a coordinated attack on the pollutants which debase the air we breathe, the water we drink, and the land that grows our food. Indeed, the present governmental structure for dealing with environmental pollution often defies effective and concerted action.

Despite its complexity, for pollution control purposes the environment must be perceived as a single, interrelated system. Present assignments of departmental responsibilities do not reflect this interrelatedness.

Many agency missions, for example, are designed primarily along media lines—air, water, and land. Yet the sources of air, water, and land pollution are interrelated and often interchangeable. A single source may pollute the air with smoke and chemicals, the land with solid wastes, and a river or lake with chemical and other wastes. Control of the air pollution may produce more solid wastes, which then pollute the land or water. Control of the water-polluting effluent may convert it into solid wastes, which must be disposed of on land.

Similarly, some pollutants—chemicals, radiation, pesticides—appear in all media. Successful control of them at present requires the coordinated efforts of a variety of separate agencies and departments. The results are not always successful.

A far more effective approach to pollution control would:

- Identify pollutants.
- Trace them through the entire ecological chain, observing and recording changes in form as they occur.
- Determine the total exposure of man and his environment.
- Examine interactions among forms of pollution.
- Identify where in the ecological chain interdiction would be most appropriate.

In organizational terms, this requires pulling together into one agency a variety of research, monitoring, standard-setting and enforcement activities now scattered through several departments and agencies. It also requires that the new agency include sufficient support elements—in research and in aids to State and local anti-pollution programs, for example—to give it the needed strength and potential for carrying out its mission. The new agency would also, of course, draw upon the results of research conducted by other agencies.

Components of the EPA

Under the terms of Reorganization Plan No. 3, the following would be moved to the new Environmental Protection Agency:

- The functions carried out by the Federal Water Quality Administration (from the Department of the Interior).
- Functions with respect to pesticides studies now vested in the Department of the Interior.
- The functions carried out by the National Air Pollution Control Administration (from the Department of Health, Education, and Welfare).
- The functions carried out by the Bureau of Solid Waste Management and the Bureau of Water Hygiene, and portions of the functions carried out by the Bureau of Radiological Health of the Environmental Control Administration (from the Department of Health, Education and Welfare).
- Certain functions with respect to pesticides carried out by the Food and Drug Administration (from the Department of Health, Education and Welfare).
- Authority to perform studies relating to ecological systems now vested in the Council on Environmental Quality.
- Certain functions respecting radiation criteria and standards now vested in the Atomic Energy Commission and the Federal Radiation Council.
- Functions respecting pesticides registration and related activities now carried out by the Agricultural Research Service (from the Department of Agriculture).

With its broad mandate, EPA would also develop competence in areas of environmental protection that have not previously been given enough attention, such, for example, as the problem of noise, and it would provide an organization to which new programs in these areas could be added.

In brief, these are the principal functions to be transferred:

Federal Water Quality Administration.—Charged with the control of pollutants which impair water quality, it is broadly concerned with the impact of degraded water quality. It performs a wide variety of functions, including research, standard-setting and enforcement, and provides construction grants and technical assistance.

Certain pesticides research authority from the Department of the Interior.—Authority for research on the effects of pesticides on fish and wildlife would be provided to the EPA through transfer of the specialized research authority of the pesticides act enacted in 1958. Interior would retain its responsibility to do research on all factors affecting fish and wildlife. Under this provision, only one laboratory would be transferred to the EPA—the Gulf Breeze Biological Laboratory of the Bureau of Commercial Fisheries. The EPA would work closely with the fish and wildlife laboratories remaining with the Bureau of Sport Fisheries and Wildlife.

National Air Pollution Control Administration.—As the principal Federal agency concerned with air pollution, it conducts research on the effects of air pollution, operates a monitoring network, and promulgates criteria which serve as the basis for setting air quality standards. Its regulatory functions are similar to those of the Federal Water Quality Administration. NAPCA is responsible for administering the Clean Air Act, which involves designating air quality regions, approving State standards, and providing financial and technical assistance to State Control agencies to enable them to comply with the Act's provisions. It also sets and enforces Federal automotive emission standards.

Elements of the Environmental Control Administration.—ECA is the focal point within HEW for evaluation and control of a broad range of environmental health problems, including water quality, solid wastes, and radiation. Programs in the ECA involve research, development of criteria and standards, and the administration of planning and demonstration grants. From the ECA, the activities of the Bureaus of Water Hygiene and Solid Waste Management and portions of the activities of the Bureau of Radiological Health would be transferred. Other functions of the ECA including those related to the regulation of radiation from consumer products and occupational safety and health would remain in HEW.

Pesticides research and standard-setting programs of the Food and Drug Administration.—FDA's pesticides program consists of setting and enforcing standards which limit pesticide residues in food. EPA would have the authority to set pesticide standards and to monitor compliance with them, as well as to conduct related research. However, as an integral part of its food protection activities, FDA would retain its authority to remove from the market food with excess pesticide residues.

General ecological research from the Council on Environmental Quality.—This authority to perform studies and research relating to ecological systems would be in addition to EPA's other specific research authorities, and it would help EPA to measure the impact of pollutants. The Council on Environmental Quality would retain its authority to conduct studies and research relating to environmental quality.

Environmental radiation standards programs.—The Atomic Energy Commission is now responsible for establishing environmental radiation standards and emission limits for radioactivity. Those standards have been based largely on broad guidelines recommended by the Federal Radiation Council. The Atomic Energy Commission's authority to set standards for the protection of the general environment from radioactive material would be transferred to the Environmental Protection Agency. The functions of the Federal Radiation Council would also be transferred. AEC would retain responsibility for the implementation and enforcement of radiation standards through its licensing authority.

Pesticides registration program of the Agricultural Research Service.—The Department of Agriculture is currently responsible for several distinct functions related to pesticides use. It conducts research on the efficacy of various pesticides as related to other pest control methods and on the effects of pesticides on non-target plants, livestock, and poultry. It registers pesticides, monitors their persistence and carries out an educational program on pesticide use through the

extension service. It conducts extensive pest control programs which utilize pesticides.

By transferring the Department of Agriculture's pesticides registration and monitoring function to the EPA and merging it with the pesticides programs being transferred from HEW and Interior, the new agency would be given a broad capability for control over the introduction of pesticides into the environment.

The Department of Agriculture would continue to conduct research on the effectiveness of pesticides. The Department would furnish this information to the EPA, which would have the responsibility for actually licensing pesticides for use after considering environmental and health effects. Thus the new agency would be able to make use of the expertise of the Department.

Advantages of Reorganization

This reorganization would permit response to environmental problems in a manner beyond the previous capability of our pollution control programs. The EPA would have the capacity to do research on important pollutants irrespective of the media in which they appear, and on the impact of these pollutants on the total environment. Both by itself and together with other agencies, the EPA would monitor the condition of the environment—biological as well as physical. With these data, the EPA would be able to establish quantitative "environmental baselines"—critical if we are to measure adequately the success or failure of our pollution abatement efforts.

As no disjointed array of separate programs can, the EPA would be able—in concert with the States—to set and enforce standards for air and water quality and for individual pollutants. This consolidation of pollution control authorities would help assure that we do not create new environmental problems in the process of controlling existing ones. Industries seeking to minimize the adverse impact of their activities on the environment would be assured of consistent standards covering the full range of their waste disposal problems. As the States develop and expand their own pollution control programs, they would be able to look to one agency to support their efforts with financial and technical assistance and training.

In proposing that the Environmental Protection Agency be set up as a separate new agency, I am making an exception to one of my own principles: that, as a matter of effective and orderly administration, additional new independent agencies normally should not be created. In this case, however, the arguments against placing environmental protection activities under the jurisdiction of one or another of the existing departments and agencies are compelling.

In the first place, almost every part of government is concerned with the environment in some way, and affects it in some way. Yet each department also has its own primary mission—such as resource development, transportation, health, defense, urban growth or agriculture—which necessarily affects its own view of environmental questions.

In the second place, if the critical standard-setting functions were centralized within any one existing department, it would require that department constantly to make decisions affecting other departments—in which, whether fairly or unfairly, its own objectivity as an impartial arbiter could be called into question.

Because environmental protection cuts across so many jurisdictions, and because arresting environmental deterioration is of great importance to the quality of life in our country and the world, I believe that in this case a strong, independent agency is needed. That agency would, of course, work closely with and draw upon the expertise and assistance of other agencies having experience in the environmental area.

Roles and Functions of EPA

The principal roles and functions of the EPA would include:

- The establishment and enforcement of environmental protection standards consistent with national environmental goals.
- The conduct of research on the adverse effects of pollution and on methods and equipment for controlling it, the gathering of information on pollution, and the use of this information in strengthening environmental protection programs and recommending policy changes.
- Assisting others, through grants, technical assistance and other means in arresting pollution of the environment.
- Assisting the Council on Environmental Quality in developing and recommending to the President new policies for the protection of the environment.

One natural question concerns the relationship between the EPA and the Council on Environmental Quality, recently established by Act of Congress.

It is my intention and expectation that the two will work in close harmony, reinforcing each other's mission. Essentially, the Council is a top-level advisory group (which might be compared with the Council of Economic Advisers), while the EPA would be an operating, "line" organization. The Council will continue to be a part of the Executive Office of the President and will perform its overall coordinating and advisory roles with respect to all Federal programs related to environmental quality.

The Council, then, is concerned with all aspects of environmental quality—wildlife preservation, parklands, land use, and population growth, as well as pollution. The EPA would be charged with protecting the environment by abating pollution. In short, the Council focuses on what our broad policies in the environmental field should be; the EPA would focus on setting and enforcing pollution control standards. The two are not competing, but complementary—and taken together, they should give us, for the first time, the means to mount an effectively coordinated campaign against environmental degradation in all of its many forms.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

The oceans and the atmosphere are interacting parts of the total environmental system upon which we depend not only for the quality of our lives, but for life itself.

We face immediate and compelling needs for better protection of life and property from natural hazards, and for a better understanding of the total environment—an understanding which will enable us more effectively to monitor and predict its actions, and ultimately, perhaps to exercise some degree of control over them.

We also face a compelling need for exploration and development leading to the intelligent use of our marine resources. The global oceans, which constitute nearly three-fourths of the surface of our planet, are today the least-understood, the least-developed, and the least-protected part of our earth. Food from the oceans will increasingly be a key element in the world's fight against hunger. The mineral resources of the ocean beds and of the oceans themselves, are being increasingly tapped to meet the growing world demand. We must understand the nature of these resources, and assure their development without either contaminating the marine environment or upsetting its balance.

Establishment of the National Oceanic and Atmospheric Administration—NOAA—within the Department of Commerce would enable us to approach these tasks in a coordinated way. By employing a unified approach to the problems of the oceans and atmosphere, we can increase our knowledge and expand our opportunities not only in those areas, but in the third major component of our environment, the solid earth, as well.

Scattered through various Federal departments and agencies, we already have the scientific, technological, and administrative resources to make an effective, unified approach possible. What we need is to bring them together. Establishment of NOAA would do so.

By far the largest of the components being merged would be the Commerce Department's Environmental Science Services Administration (ESSA), with some 10,000 employees (70 percent of NOAA's total personnel strength) and estimated Fiscal 1970 expenditures of almost \$200 million. Placing NOAA within the Department of Commerce therefore entails the least dislocation, while also placing it within a Department which has traditionally been a center for service activities in the scientific and technological area.

Components of NOAA

Under terms of Reorganization Plan No. 4, the programs of the following organizations would be moved into NOAA:

- The Environmental Science Services Administration (from within the Department of Commerce).
- Elements of the Bureau of Commercial Fisheries (from the Department of the Interior).
- The marine sport fish program of the Bureau of Sport Fisheries and Wildlife (from the Department of the Interior).
- The Marine Minerals Technology Center of the Bureau of Mines (from the Department of the Interior).

- The Office of Sea Grant Programs (from the National Science Foundation).
- Elements of the United States Lake Survey (from the Department of the Army).

In addition, by executive action, the programs of the following organizations would be transferred to NOAA:

- The National Oceanographic Data Center (from the Department of the Navy).
- The National Oceanographic Instrumentation Center (from the Department of the Navy).
- The National Data Buoy Project (from the Department of Transportation).

In brief, these are the principal functions of the programs and agencies to be combined:

THE ENVIRONMENTAL SCIENCE SERVICES ADMINISTRATION

(ESSA) comprises the following components:

- The Weather Bureau (whether, marine, river and flood forecasting and warning).
- The Coast and Geodetic Survey (earth and marine description, mapping and charting).
- The Environmental Data Service (storage and retrieval of environmental data).
- The National Environmental Satellite Center (observation of the global environment from earth-orbiting satellites).
- The ESSA Research Laboratories (research on physical environmental problems).

ESSA's activities include observing and predicting the state of the oceans, the state of the lower and upper atmosphere, and the size and shape of the earth. It maintains the nation's warning systems for such natural hazards as hurricanes, tornadoes, floods, earthquakes and seismic waves. It provides information for national defense, agriculture, transportation and industry.

ESSA monitors atmospheric, oceanic and geophysical phenomena on a global basis, through an unparalleled complex of air, ocean, earth and space facilities. It also prepares aeronautical and marine maps and charts.

Bureau of Commercial Fisheries and marine sport fish activities.—Those fishery activities of the Department of the Interior's U.S. Fish and Wildlife Service which are ocean related and those which are directed toward commercial fishing would be transferred. The Fish and Wildlife Service's Bureau of Commercial Fisheries has the dual function of strengthening the fishing industry and promoting conservation of fishery stocks. It conducts research on important marine species and on fundamental oceanography, and operates a fleet of oceanographic vessels and a number of laboratories. Most of its activities would be transferred. From the Fish and Wildlife Service's Bureau of Sport Fisheries and Wildlife, the marine sport fishing program would be transferred. This involves five supporting laboratories and three ships engaged in activities to enhance marine sport fishing opportunities.

The Marine Minerals Technology Center is concerned with the development of marine mining technology.

Office of Sea Grant Programs.—The Sea Grant Program was authorized in 1966 to permit the Federal Government to assist the academic and industrial communities in developing marine resources and technology. It aims at strengthening education and training of marine specialists, supporting applied research in the recovery and use of marine resources, and developing extension and advisory services. The Office carries out these objectives by making grants to selected academic institutions.

The U.S. Lake Survey has two primary missions. It prepares and publishes navigation charts of the Great Lakes and tributary waters and conducts research on a variety of hydraulic and hydrologic phenomena of the Great Lakes' waters. Its activities are very similar to those conducted along the Atlantic and Pacific coasts by ESSA's Coast and Geodetic Survey.

The National Oceanographic Data Center is responsible for the collection and dissemination of oceanographic data accumulated by all Federal agencies.

The National Oceanographic Instrumentation Center provides a central Federal service for the calibration and testing of oceanographic instruments.

The National Data Buoy Development Project was established to determine the feasibility of deploying a system of automatic ocean buoys to obtain oceanic and atmospheric data.

Role of NOAA

Drawing these activities together into a single agency would make possible a balanced Federal program to improve our understanding of the resources of the sea, and permit their development and use while guarding against the sort of thoughtless exploitation that in the past laid waste to so many of our precious natural assets. It would make possible a consolidated program for achieving a more comprehensive understanding of oceanic and atmospheric phenomena, which so greatly affect our lives and activities. It would facilitate the cooperation between public and private interests that can best serve the interests of all.

I expect that NOAA would exercise leadership in developing a national oceanic and atmospheric program of research and development. It would coordinate its own scientific and technical resources with the technical and operational capabilities of other government agencies and private institutions. As important, NOAA would continue to provide those services to other agencies of government, industry and private individuals which have become essential to the efficient operation of our transportation systems, our agriculture and our national security. I expect it to maintain continuing and close liaison with the new Environmental Protection Agency and the Council on Environmental Quality as part of an effort to ensure that environmental questions are dealt with in their totality and that they benefit from the full range of the government's technical and human resources.

Authorities who have studied this matter, including the Commission on Marine Science, Engineering and Resources, strongly recommended the creation of a National Advisory Committee for the Oceans. I agree. Consequently, I will request, upon approval of the plan, that the Secretary of Commerce establish a National Advisory Committee for the Oceans and the Atmosphere to advise him on the progress of governmental and private programs in achieving the nation's oceanic and atmospheric objectives.

AN ON-GOING PROCESS

The reorganizations which I am here proposing afford both the Congress and the Executive Branch an opportunity to re-evaluate the adequacy of existing program authorities involved in these consolidations. As these two new organizations come into being, we may well find that supplementary legislation to perfect their authorities will be necessary. I look forward to working with the Congress in this task.

In formulating these reorganization plans, I have been greatly aided by the work of the President's Advisory Council on Executive Organization (the Ash Council), the Commission on Marine Science, Engineering and Resources (the Stratton Commission, appointed by President Johnson), my special task force on oceanography headed by Dr. James Wakelin, and by the information developed during both House and Senate hearings on proposed NOAA legislation.

Many of those who have advised me have proposed additional reorganizations, and it may well be that in the future I shall recommend further changes. For the present, however, I think the two reorganizations transmitted today represent a sound and significant beginning. I also think that in practical terms, in this sensitive and rapidly developing area, it is better to proceed a step at a time—and thus to be sure that we are not caught up in a form of organizational indigestion from trying to rearrange too much at once. As we see how these changes work out, we will gain a better understanding of what further changes—in addition to these—might be desirable.

Ultimately, our objective should be to insure that the nation's environmental and resource protection activities are so organized as to maximize both the effective coordination of all and the effective functioning of each.

The Congress, the Administration and the public all share a profound commitment to the rescue of our natural environment, and the preservation of the Earth as a place both habitable by and hospitable to man. With its acceptance of these reorganization plans, the Congress will help us fulfill that commitment.

RICHARD NIXON.

THE WHITE HOUSE, July 9, 1970.

REORGANIZATION PLAN NO. 4 OF 1970

To the Congress of the United States:

I transmit herewith Reorganization Plan No. 4 of 1970, prepared in accordance with chapter 9 of title 5 of the United States Code. The plan would transfer to the Secretary of Commerce various functions relating to the oceans and atmosphere, including commercial fishery functions, and would establish a National Oceanic and Atmospheric Administration in the Department of Commerce. My reasons for transmitting this plan are stated in a more extended accompanying message.

After investigation, I have found and hereby declare that each reorganization included in Reorganization Plan No. 4 of 1970 is necessary to accomplish one or more of the purposes set forth in section 901(a) of title 5 of the United States Code. In particular, the plan is responsive to section 901(a) (1), "to promote the better execution of the laws, the more effective management of the executive branch and of its agencies and functions, and the expeditious administration of the public business;" and section 901(a) (3), "to increase the efficiency of the operations of the Government to the fullest extent practicable."

The reorganizations provided for in the plan make necessary the appointment and compensation of new officers as specified in section 2 of the plan. The rates of compensation fixed for these officers are comparable to those fixed for other officers in the executive branch who have similar responsibilities.

The reorganization plan should result in the more efficient operation of the Government. It is not practical, however, to itemize or aggregate the exact expenditure reductions which will result from this action.

RICHARD NIXON.

THE WHITE HOUSE, July 9, 1970.

REORGANIZATION PLAN NO. 4 OF 1970

Prepared by the President and transmitted to the Senate and the House of Representatives in Congress assembled, July 9, 1970, pursuant to the provisions of chapter 9 of title 5 of the United States Code

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

SECTION 1. *Transfers to Secretary of Commerce.* The following are hereby transferred to the Secretary of Commerce.

(a) All functions vested by law in the Bureau of Commercial Fisheries of the Department of the Interior or in its head, together with all functions vested by law in the Secretary of the Interior or the Department of the Interior which are administered through that Bureau or are primarily related to the Bureau, exclusive of functions with respect to (1) Great Lakes fishery research and activities related to the Great Lakes Fisheries Commission, (2) Missouri River Reservoir research, (3) the Gulf Breeze Biological Laboratory of the said Bureau at Gulf Breeze, Florida, and (4) Trans-Alaska pipeline investigations.

(b) The functions vested in the Secretary of the Interior by the Act of September 22, 1959 (Public Law 86-359, 73 Stat. 642, 16 U.S.C. 760e-760g; relating to migratory marine species of game fish).

(c) The functions vested by law in the Secretary of the Interior, or in the Department of the Interior or in any officer or instrumentality of that Department, which are administered through the Marine Minerals Technology Center of the Bureau of Mines.

(d) All functions vested in the National Science Foundation by the National Sea Grant College and Program Act of 1966 (80 Stat. 998), as amended (33 U.S.C. 1121 et seq.).

(e) Those functions vested in the Secretary of Defense or in any officer, employee, or organizational entity of the Department of Defense by the provision of Public Law 91-144, 83 Stat. 326, under the heading "Operation and maintenance, general" with respect to "surveys and charting of northern and northwestern lakes and connecting waters," or by other law, which come under the mission assigned as of July 1, 1969, to the United States Army Engineer District, Lake Survey, Corps of Engineers, Department of the Army and relate to (1) the conduct of hydrographic surveys of the Great Lakes and their outflow rivers, Lake Champlain, New York State Barge Canals, and the Minnesota-Ontario border lakes, and the compilation and publication of navigation charts, includ-

ing recreational aspects, and the Great Lakes Pilot for the benefit and use of the public, (2) the conception, planning, and conduct of basic research and development in the fields of water motion, water characteristics, water quantity, and ice and snow, and (3) the publication of data and the results of research projects in forms useful to the Corps of Engineers and the public, and the operation of a Regional Data Center for the collection, coordination, analysis, and the furnishing to interested agencies of data relating to water resources of the Great Lakes.

(f) So much of the functions of the transferor officers and agencies referred to in or affected by the foregoing provisions of this section as is incidental to or necessary for the performance by or under the Secretary of Commerce of the functions transferred by those provisions or relates primarily to those functions. The transfers to the Secretary of Commerce made by this section shall be deemed to include the transfer of authority, provided by law, to prescribe regulations relating primarily to the transferred functions.

SEC. 2. *Establishment of Administration.* (a) There is hereby established in the Department of Commerce an agency which shall be known as the National Oceanic and Atmospheric Administration, hereinafter referred to as the "Administration."

(b) There shall be at the head of the Administration the Administrator of the National Oceanic and Atmospheric Administration, hereinafter referred to as the "Administrator." The Administrator shall be appointed by the President, by and with the advice and consent of the Senate, and shall be compensated at the rate now or hereafter provided for Level III of the Executive Schedule Pay Rates (5 U.S.C. 5314).

(c) There shall be in the Administration a Deputy Administrator of the National Oceanic and Atmospheric Administration who shall be appointed by the President, by and with the advice and consent of the Senate, and shall be compensated at the rate now or hereafter provided for Level IV of the Executive Schedule Pay Rates (5 U.S.C. 5315). The Deputy Administrator shall perform such functions as the Administrator shall from time to time assign or delegate, and shall act as Administrator during the absence or disability of the Administrator or in the event of a vacancy in the office of Administrator.

(d) There shall be in the Administration an Associate Administrator of the National Oceanic and Atmospheric Administration who shall be appointed by the President, by and with the advice and consent of the Senate, and shall be compensated at the rate now or hereafter provided for Level V of the Executive Schedule Pay Rates (5 U.S.C. 5316). The Associate Administrator shall perform such functions as the Administrator shall from time to time assign or delegate, and shall act as Administrator during the absence or disability of the Administrator and Deputy Administrator. The office of Associate Administrator may be filled at the discretion of the President by appointment (by and with the advice and consent of the Senate) from the active list of commissioned officers of the Administration in which case the appointment shall create a vacancy on the active list and while holding the office of Associate Administrator the officer shall have rank, pay, and allowances not exceeding those of a vice admiral.

(e) There shall be in the Administration three additional officers who shall perform such functions as the Administrator shall from time to time assign or delegate. Each such officer shall be appointed by the Secretary, subject to the approval of the President, under the classified civil service, shall have such title as the Secretary shall from time to time determine, and shall receive compensation at the rate now or hereafter provided for Level V of the Executive Schedule Pay Rates (5 U.S.C. 5316).

(f) The President may appoint in the Administration, by and with the advice and consent of the Senate, two commissioned officers to serve at any one time as the designated heads of two principal constituent organizational entities of the Administration, or the President may designate one such officer as the head of such an organizational entity and the other as the head of the commissioned corps of the Administration. Any such designation shall create a vacancy in the active list and the officer while serving under this subsection shall have the rank, pay, and allowances of a rear admiral (upper half).

(g) Any commissioned officer of the Administration who has served under (d) or (f) and is retired while so serving or is retired after the completion of such service while serving in a lower rank or grade, shall be retired with the rank, pay, and allowances authorized by law for the highest grade and rank held by him; but any such officer, upon termination of his appointment in a rank above that of captain, shall, unless appointed or assigned to some other position for which a higher rank or grade is provided, revert to the grade and number he

would have occupied had he not served in a rank above that of captain and such officer shall be an extra number in that grade.

SEC. 3. *Performance of transferred functions.* The provisions of sections 2 and 4 of Reorganization Plan No. 5 of 1950 (64 Stat. 1263) shall be applicable to the functions transferred hereunder to the Secretary of Commerce.

SEC. 4. *Incidental transfers.* (a) So much of the personnel, property, records, and unexpended balances of appropriations, allocations, and other funds employed, used, held, available, or to be made available in connection with the functions transferred to the Secretary of Commerce by this reorganization plan as the Director of the Office of Management and Budget shall determine shall be transferred to the Department of Commerce at such time or times as the Director shall direct.

(b) Such further measures and dispositions as the Director of the Office of Management and Budget shall deem to be necessary in order to effectuate the transfers referred to in subsection (a) of this section shall be carried out in such manner as he shall direct and by such agencies as he shall designate.

(c) The personnel, property, records, and unexpended balances of appropriations, allocations, and other funds of the Environmental Science Services Administration shall become personnel, property, records, and unexpended balances of the National Oceanic and Atmospheric Administration or of such other organizational entity or entities of the Department of Commerce as the Secretary of Commerce shall determine.

(d) The Commissioned Officer Corps of the Environmental Science Services Administration shall become the Commissioned Officer Corps of the National Oceanic and Atmospheric Administration. Members of the Corps, including those appointed hereafter, shall be entitled to all rights, privileges, and benefits heretofore available under any law to commissioned officers of the Environmental Science Service Administration, including those rights, privileges, and benefits heretofore accorded by law to commissioned officers of the former Coast and Geodetic Survey.

(e) Any personnel, property, records, and unexpended balances of appropriations, allocations, and other funds of the Bureau of Commercial Fisheries not otherwise transferred shall become personnel, property, records, and unexpended balances of such organizational entity or entities of the Department of the Interior as the Secretary of the Interior shall determine.

SEC. 5. *Interim officers.* (a) The President may authorize any person who immediately prior to the effective date of this reorganization plan held a position in the executive branch of the Government to act as Administrator until the office of Administrator is for the first time filled pursuant to provisions of this reorganization plan or by recess appointment, as the case may be.

(b) The President may similarly authorize any such person to act as Deputy Administrator and authorize any such person to act as Associate Administrator.

(c) The President may similarly authorize a member of the former Commissioned Officer Corps of the Environmental Science Services Administration to act as the head of one principal constituent organizational entity of the Administration.

(d) The President may authorize any person who serves in an acting capacity under the foregoing provisions of this section to receive the compensation attached to the office in respect of which he so serves. Such compensation, if authorized, shall be in lieu of, but not in addition to, other compensation from the United States to which such person may be entitled.

SEC. 6. *Abolitions.* (a) Subject to the provisions of this reorganization plan, the following, exclusive of any functions, are hereby abolished:

(1) The Environmental Science Services Administration in the Department of Commerce (established by Reorganization Plan No. 2 of 1965, 79 Stat. 1318), including the offices of Administrator of the Environmental Science Services Administration and Deputy Administrator of the Environmental Science Services Administration.

(2) The Bureau of Commercial Fisheries in the Department of the Interior (16 U.S.C. 742b), including the office of Director of the Bureau of Commercial Fisheries.

(b) Such provisions as may be necessary with respect to terminating any outstanding affairs shall be made by the Secretary of Commerce in the case of the Environmental Science Services Administration and by the Secretary of the Interior in the case of the Bureau of Commercial Fisheries.

**STATEMENT OF HON. ALTON LENNON, A REPRESENTATIVE IN
CONGRESS FROM THE STATE OF NORTH CAROLINA**

Mr. LENNON. Thank you, Mr. Chairman, and gentlemen of the subcommittee.

We are indeed grateful for this opportunity to appear before you today, this distinguished subcommittee that you chair and support.

I emphasize, Mr. Chairman, and gentlemen of the committee, and support Reorganization Plan No. 4, dated July 9, 1970. This joint statement, I am pleased to say, represents the considered opinion of those whose names appear at the close hereof and they represent not only all of the members of the subcommittee, 21 to be exact, on oceanography, but all but one of the members of the Committee on Merchant Marine and Fisheries.

I would like to call your attention, Mr. Chairman, and gentlemen of the committee, to those members who heartily support Reorganization Plan No. 4 in order that you may have some idea of the vastness of this Nation and its representation on the committee:

The Honorable Edward A. Garmatz, chairman of the full Merchant Marine and Fisheries Committee; the Honorable Leonor K. Sullivan of Missouri; the Honorable Frank M. Clark, Pennsylvania; the Honorable Thomas L. Ashley, Ohio; the Honorable Alton Lennon, North Carolina; the Honorable Thomas N. Downing, Virginia; the Honorable James A. Byrne, Pennsylvania; the Honorable Paul G. Rogers, Florida; the Honorable Frank A. Stubblefield, Kentucky; the Honorable John M. Murphy, New York; the Honorable Joseph E. Karth, Minnesota; the Honorable William D. Hathaway, Maine; the Honorable Walter B. Jones, North Carolina; the Honorable Richard T. Hanna, California; the Honorable Robert L. Leggett, California; the Honorable Michael A. Feighan, Ohio; the Honorable Frank Annunzio, Illinois; the Honorable Speedy O. Long, Louisiana; the Honorable Mario Biaggi, New York; the Honorable Charles H. Griffin, Mississippi; the Honorable William S. Mailliard, California; the Honorable Thomas M. Pelly, Washington; the Honorable Charles A. Mosher, Ohio; the Honorable James R. Grover, Jr., New York; the Honorable Hastings Keith, Massachusetts; the Honorable G. Robert Watkins, Pennsylvania; the Honorable Henry C. Schadeberg, Wisconsin; the Honorable John Dellenback, Oregon; the Honorable Howard W. Pollock, Alaska; the Honorable Philip E. Ruppe, Michigan; the Honorable George A. Goodling, Pennsylvania; the Honorable William G. Bray, Indiana; the Honorable Paul N. McCloskey, Jr., California; the Honorable Louis Frey, Jr., Florida; and the Honorable Jack H. McDonald, Michigan.

I give you those names now in order that you may know that I am authorized to say to you that these gentlemen and the lady from Missouri join in the statement that Mr. Mosher and I are about to make.

Mr. BLATNIK. Congressman, may the record also show at this point that our two witnesses, Mr. Lennon and Mr. Mosher, are both congressional advisers to the Stratton Commission—and have worked for some time with them. Is that correct?

Mr. LENNON. Yes, sir; I will refer to that briefly in my remarks. Mr. Chairman, as you may recall, the Subcommittee on Oceanog-

raphy, of which I am chairman, and my esteemed colleague, Charles A. Mosher, is ranking minority member, was initially formed in 1959 in recognition of the growing need for the Congress to understand and be concerned with the future of the United States in the oceans.

After 7 years of study and work, the subcommittee and committee recommended, and the Congress enacted, the Marine Resources and Engineering Development Act of 1966. This act called for a long-range, coordinated national program in marine affairs.

I might say, Mr. Chairman, when the subcommittee considered this legislation that I have just referred to, there was then pending in the Congress 78 bills which went into the direction that this legislation indicated but there were those of us who felt that we ought to attempt to bring into being and create a commission. I might say Mr. Mosher and I went to President Johnson after the signing of this bill and asked him to appoint to this commission those people who have the technology, the background, the skill, the understanding and the time to give to this study in depth in order to make a recommendation.

The 1966 act established a National Council on Marine Resources and Engineering Development with the mandate to serve as a coordinating body between the various departments and agencies of the Federal Government having cognizance of marine science activities.

The act also established a Commission on Marine Science, Engineering, and Resources, and directed it to review existing programs in oceanography and marine affairs, to analyze the findings of that review, and to recommend an overall national plan for marine affairs organization with costs.

This Commission, to become known as the Stratton Commission after its chairman, Dr. Julius Stratton, now chairman of the board of the Ford Foundation, was appointed by President Johnson. Its membership included 15 outstanding experts from the Government, industry and from academic institutions, and reflected a broad spectrum of views and disciplines, including law and economics as well as the hard sciences. I would like your permission, Mr. Chairman, to insert their names for the record following this testimony.

Mr. BLATNIK. Without objection it is so ordered.

Mr. LENNON. I might digress to call your attention that the Stratton Commission held its first meeting on February 24 and 25, 1967. These members were appointed by President Johnson on January 9, 1967, of the same year. They held 19 meetings of from 2 to 4 days each.

I have studied the records of those meetings. In every instance almost every member of that Commission attended these full meetings. More than 1,000 persons throughout this Nation were contacted by members of this Commission.

Gentlemen, the Stratton Commission was no mere blue ribbon committee in the usual sense. Mr. Mosher and I were privileged to be designated as congressional observers to its activities, and we attest to the fact that it was a working group in the truest sense of that word, highly dedicated to the task it was given, and strongly motivated in the belief that it was acting in the best interest of the Nation. On January 9, 1969, the Commission submitted its report to the President and the Congress containing in excess of 100 carefully planned recommendations.

Let me illustrate an example of how they divided themselves into separate panels. There was a Panel on Environmental Monitoring and Management and Development of the Coastal Zones. This particular panel, typical of all the panels, held, in addition to the general meetings I have already referred to, hearings in various parts of the country.

This particular panel heard a total of 126 witnesses from Federal and State governments, research institutions and industry. In addition to that this particular one panel—and there were seven of these panels—interviewed over 600 people.

The panel distilled this enormous amount of information obtained in a comprehensive 291-page report.

Insofar as the hearings you are now holding are concerned, the recommendations of the Stratton Commission regarding reorganization are of note.

I might digress to say that the purpose of having two Members of the House and two Members of the Senate, appointed by the Speaker of the House and the President of the Senate, respectively, as advisers, was not to participate in the full discussions. Our job was to be there when they met to see that they followed the congressional intent as reflected in the hearings of our subcommittee, our full committee, and the congressional debate.

We did not mandate that they come up with a specific type of Government structure, but we did say if you reach the decision that in your judgment a Government structure is essential to the progress in this vital area, then we mandate you to tell us in your judgment the type of government structure.

Mr. BLATNIK. Will the Congressman yield for a minute? I think that is a very effective and helpful way of bridging the gap between those who are interested in the problem itself from the standpoint of the executive agencies with the legislative.

I wish we had done this with the Ash Committee, to recommend an environmental program. They talked with about 180 persons, both in and out of Government, who worked or were familiar with the environmental problem but they didn't have the back-and-forth give-and-take, which is so characteristic of sound legislative processing in the committees and subcommittees, with any of our staff people on either the House side or the Senate side; some who have been working on water pollution, for instance, for the past 15 years.

Likewise, they had almost no contact with any of the congressional leaders in either the Senate or the House who had been working on this to give a little feel of congressional intent, as you expressed.

I think that is a very effective way of making more effective works of the Commissions.

Mr. LENNON. I certainly agree with the very definitive remarks of the chairman of the subcommittee. They recommended the establishment of an independent agency to be known as the National Oceanic and Atmospheric Agency.

In order to understand how the Commission came to its conclusion it is necessary to understand first how it operated. The Commission was broken down into seven panels, each with an assigned task. Each was to investigate a separate area identified as being critical: basic science; marine engineering and technology; marine resources; environmental monitoring and the management of the coastal zone;

industry and private investment; international issues; and education, manpower, and training, which we believe were essential that we should get definitive reports, which we did.

Only after the panels arrived at a list of specific national goals was the subject of Government organization addressed. Thus, in arriving at its conclusions, the Stratton Commission let organization follow function.

Mr. Chairman, again with your permission, I would like to provide for the record a list of the functions which the Stratton Commission selected as being important to our national marine program.

Mr. BLATNIK. Without objection it is so ordered.

Mr. LENNON. Thank you.

(The list of functions referred to follows:)

A NATIONAL OCEANIC AND ATMOSPHERIC AGENCY

ORGANIZATION AND FUNCTIONS

The primary mission of the new agency is to insure the full and wise use of the marine environment in the best interests of the United States. The National Oceanic and Atmospheric Agency should be entrusted with the following functions:

To advance the marine and atmospheric sciences and, for this purpose, to explore the global oceans to determine their characteristics and behavior and the effects of human activities upon them.

To assist in rehabilitating U.S. fisheries through research, development, encouragement of improved management practices, and the establishment of a framework that will enable U.S. fishermen to harvest economically the resources of the sea. The new agency also would engage in research and exploration for the purpose of locating stocks of living resources and determining the maximum harvest of stocks, consistent with conservation objectives.

To engage in research on and exploration for various ocean minerals in order to determine the general location, extent, and character of marine mineral resources, thereby enabling industry to perform more efficiently the detailed prospecting and evaluation of resources that must precede their economic exploitation.

To enhance the national capability to use the marine environment through programs of scientific research and fundamental technology.

To launch the national projects recommended by the Commission.

To help assure that the availability of educated and trained manpower is adequate to meet the needs of the national program.

To develop and maintain National Environmental Monitoring and Prediction System (NEMPS) for the purpose of providing weather and oceanic forecasts for the general public and various user groups.

To develop the knowledge to predict the effects of man's activities on his total environment and thereby avoid deleterious environmental modification. The new agency would also explore the feasibility of modifying oceanic and atmospheric processes for man's benefit.

To provide essential services to all users of the marine environment, including navigation, mapping, charting, safety, data, and instrument standardization and test services, and certain geophysical services to provide seismic, geodetic, geomagnetic, gravimetric, hydrologic, ionospheric, and solar information.

To help enforce Federal marine laws and regulations and to promote marine safety.

To promote and advance the field of aquaculture as a new source of foods and materials.

To minimize use conflicts by providing advice and counsel to Federal and State agencies on questions of multiple use of the marine environment and by developing an overall plan for the use of areas beyond the territorial seas.

To support, assist, and coordinate the activities of the State coastal zone authorities as recommended by the Commission.

To improve and coordinate scientific and technical liaison with international governmental organizations concerned with marine and atmospheric affairs.

To carry out these functions in a manner to encourage private investment enterprise in exploration, technological development, marine commerce, and economic utilization of marine resources.

To coordinate, as directed by the President, the activities of other Federal agencies which relate closely to the National Oceanic and Atmospheric Agency's (NOAA) proposed central functions.

To advise the President and the Congress on the measures and the funds needed to carry through the programs for which it is responsible.

To continue the performance of all functions of existing agencies which may be assigned to it.

Mr. LENNON. From this list of objectives, the commission concluded that the National Oceanic and Atmospheric Agency should include the following elements: The U.S. Coast Guard, the Environmental Science Services Administration, the Bureau of Commercial Fisheries, the functions, powers, and duties of the Bureau of Sport Fisheries and Wildlife with respect to marine and anadromous fisheries, the Lake Survey of the Corps of Engineers, the National Oceanographic Data Center, and the sea grant program of the National Science Foundation.

On July 31, 1969, I introduced H. R. 13247, which, incidentally, was cosponsored by the entire membership of the Oceanography Subcommittee, which was designed to implement this recommendation, and to create a National Advisory Committee on Oceans and Atmosphere, an independent, Presidentially appointed advisory group to insure full input to the new agency by the oceanographic community.

In submitting this bill to the Congress, I was joined by my colleague, Mr. Mosher, and every member of the Subcommittee on Oceanography as well as the distinguished chairman of our parent committee, the Honorable Edward A. Garmatz.

Mr. Chairman, we did not treat the subject lightly. In 27 days of hearings we received over 1,200 printed pages of testimony on the Stratton Commission report and on H.R. 13247. As a result of this thorough investigation, the Subcommittee on Oceanography unanimously reported the bill to the full committee last November with the recommendation that it pass.

Mr. Chairman, while this process was going on in our committee, the administration was equally busy. At this point, with your permission, I would like to yield to the distinguished gentleman from Ohio, Charles Mosher, who will comment on that, and then I would like, with your permission, to make some concluding remarks.

Mr. BLATNIK. Certainly. Congressman, this is a very impressive statement. These 27 days of hearings, were they on the Stratton Commission report itself plus your joint response to H.R. 13247?

Mr. LENNON. They were a combination of both. We brought in first, if I may say to the chairman, the members of the commission, panel by panel of the seven panels. Then we brought in the universities, the laboratories, the private colleges, and public universities' laboratories. Then we brought in this private segment of our industry that might be related to ocean exploration and development.

We covered every facet that we could find that had any viable interest in this program. That is the method in which we proceeded, sir.

Mr. BLATNIK. Certainly preferable, and I think a far more superior method of bridging the gap between the legislative and executive, and particularly to be able to accommodate and give consideration to different points of view and make adjustments and modifications in advance.

Mr. LENNON. If I may be permitted to say so, we frequently brought together those who had varying views, sort of an open forum, yet

notes were taken. The subcommittee, I think, started a rather innovative sort of an idea.

We requested the Governors of the 30 coastal Pacific, Atlantic, and Gulf States, as well as the Great Lakes, to designate someone who was identified with each of those 30 States, the Department of Conservation and Development related to our national resources—we brought them to Washington in a symposium and forum that lasted 2 days, because we felt it was our responsibility to determine from those at the State level how we could implement the Stratton Commission's report related particularly to coastal zone management; whether it should be on a State basis or regional basis, and we were concerned, too, with the recommendation of the Stratton Commission related to their recommendation that we establish regional laboratories in this area.

That was a very fruitful thing, because it permitted the States to come in and express their views, because that question is yet to be resolved as to how we will manage our coastal zones, because we know most States and some other political subdivisions other than the States actually own the so-called coastal zone area where it is not navigable yet it is so vital to our fish and wildlife, shell fish and every other type of thing of that nature.

Now may I yield to my friend?

(The list of members of the Stratton Commission referred to follows:)

MEMBERS OF THE STRATTON COMMISSION

Chairman, Julius A. Stratton, chairman, the Ford Foundation	Leon Jaworski, attorney, Fulbright, Crooker, Freeman, Bates & Jaworski
Vice Chairman, Richard A. Geyer, head, Department of Oceanography, Texas A. & M. University	John A. Knauss, dean, Graduate School of Oceanography, University of Rhode Island
David A. Adams, ¹ commissioner of fisheries, North Carolina Department of Conservation and Development	John H. Perry, Jr., president, Perry Publications, Inc.
Carl A. Auerbach, professor of law, University of Minnesota	Taylor A. Pryor, president, the Oceanic Foundation
Charles F. Baird, ² Under Secretary of the Navy	George E. Reedy, ¹ president, Struthers Research and Development Corp.
Jacob Blaustein, director, Standard Oil Co. (Indiana)	George H. Sullivan, M.D., consulting scientist, General Electric Reentry Systems
James A. Crutchfield, professor of economics, University of Washington	Robert M. White, Administrator, Environmental Science Services Administration, U.S. Department of Commerce
Frank C. DiLuzio, ¹ Assistant Secretary, Water Pollution Control, U.S. Department of the Interior	

CONGRESSIONAL ADVISERS

Norris Cotton, U.S. Senator	Alton A. Lennon, U.S. Representative
Warren G. Magnuson, U.S. Senator	Charles A. Mosher, U.S. Representative

¹ Affiliation as of time of appointment.

² Appointed July 21, 1967 to succeed Robert H. B. Baldwin, former Under Secretary of the Navy, who served as a member of the Commission from Jan. 9, 1967 to July 31, 1967.

Mr. BLATNIK. Mr. Mosher.

STATEMENT OF HON. CHARLES A. MOSHER, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF OHIO

Mr. MOSHER. Chairman Blatnik, I, too, thank you for the opportunity of appearing before this distinguished subcommittee on such

an important subject. I am here to lend my support to Reorganization Plan No. 4, a plan to establish within the Department of Commerce a National Oceanic and Atmospheric Administration.

Mr. Lennon has told you the history of NOAA in our committee. Let me briefly comment on the action taken by the Nixon administration, as I perceive it. Last spring, after receiving the Stratton Commission report, "Our Nation and the Sea," the President sent it to his Council on Executive Organization, the so-called "Ash Council," with the request that Mr. Ash and the other members of the Council study it and include recommendations with respect to marine affairs within their overall plan for executive organization.

Subsequently, because of the importance of the subject, the President appointed a special Task Force on Oceanography, headed by Dr. James Wakelin, former Assistant Secretary of the Navy for Science and Technology, and instructed that group to report to the President on its conception of a proper oceanographic organization within the Federal Government.

Both of these groups reviewed the recommendations of the Stratton Commission, and both made their own reports in due course.

At the time I was preparing these remarks neither of these records had been made public. Yesterday the Wakelin report was made public. My conversation with these groups leads me to conclude that both groups recognized that present Federal marine activities have grown and fragmented through the years largely without plan in response to problems of the day in widely scattered Federal agencies. This scattering of responsibilities, in my judgment, leads to disorganized effort, duplication of work, waste and inefficiency in administration.

I believe that both the Ash Council and the task force recognized these basic deficiencies. In response to these stimuli, the President has sent to the Congress Reorganization Plan No. 4, in which he identified a national interest in the oceans, and calls for a reorganization to enhance that national interest.

Mr. Chairman, the plan is no mere reshuffling of agencies simply for effect. I am sure that we are all agreed that a mere gesture of that sort would serve neither the administration, the Congress, nor the Nation. What the plan does envisage is a genuine restructuring and coordinating of oceanographic functions along clean, organizational lines.

This, in my judgment, would accomplish two important objectives. First, it makes possible the regrouping of similar functions in various agencies so as to take maximum advantage of talents. We have tolerated overlap and inefficient use of our human resources too long. Second, it provides a comprehensive nucleus upon which the Congress, through the rational processes of hearing and debate, can create an oceanographic program for the future that will be preeminent among all the nations.

Finally, Mr. Chairman, I might point to the similarity between Reorganization Plan No. 4 and the provisions of H.R. 13247, the bill now pending before the Committee on Merchant Marine and Fisheries. Both call for essentially the same national focus. Both give visibility and identity to the new effort. Almost all of the functions proposed by the Stratton Commission and the Subcommittee on Oceanography are contained in the President's plan. The two differ only in the fact that

our committee proposed an independent agency, while the reorganization plan places the authority in an administration within the Department of Commerce, and in the fact that the President's plan calls for the transfer of only the Data Buoy program of the Coast Guard, rather than the entire agency. Thus, the substance of what we in the Congress have been working toward is contained in this reorganization plan.

I believe that we can recognize that the administration and the Congress are one in the recognition that implementation of the goals and objectives of the Stratton Commission is what we seek, and that we should move on from there to round out this initial step by appropriate legislation where called for.

In his announcement of this proposed reorganization, President Nixon voiced the same thought when he said:

The reorganizations which I am here proposing afford both the Congress and the Executive Branch an opportunity to reevaluate the adequacy of existing program authorities involved in these considerations. As these two new organizations [EPA and NOAA] come into being, we may well find that supplementary legislation to perfect their authorities will be necessary. I look forward to working with the Congress in this task.

I think Mr. Lennon and I both would agree that we do see some need for further legislation to beef up NOAA as proposed by the administration.

Thank you, Mr. Chairman, and now with your permission, I would like to yield back to my colleague, Mr. Lennon.

Mr. LENNON. Mr. Chairman and gentlemen, I would like to close with one or two observations. I agree with my good friend, Charles Mosher, that we have before us the substance of what our committee has worked toward for so many years. I think we can waste much valuable time if we reject the plan at this time. There is much yet to be done before the marine affairs of the United States is to achieve its proper position. It seems to me that putting this plan into effect now will enable us to get on about our business in the quickest and most effective way. It will enable us to get on with the business of implementing the valuable programs recommended by the Stratton Commission which cannot legally be accomplished under the Reorganization Act.

I would like to add that I have personally consulted with Dr. Julius Stratton, Chairman of the Marine Science Commission; Dr. Edward Wenk, former executive secretary of the National Council; and Dr. Samuel Lawrence, former executive director of the Stratton Commission. These are the men who were the most intimately involved in the development of the report, "Our Nation and the Sea," with its mass of supporting documents, and our present programs in oceanography. All three endorsed the proposal before you. I want to make it crystal clear that they recommended this reorganization plan. I thought it was my responsibility and obligation to contact them as soon as the reorganization plan was sent to Congress on July 9 and not only furnish them with it but discuss it with them so that I could reflect their views here. As I indicated, all three endorsed the proposal before you, with the single reservation that the Congress should be busy in the future in supplementing its provisions.

Finally, Mr. Chairman, I would like to point out that certain conservation elements in the country are going on record in opposition

to this proposal. We have been interested and involved in this matter since 1959. I think this program will do more to preserve and conserve our national resources and our coastal zones than anything that has been advanced and projected before the Congress in the short time I have had the honor to be a Member.

Let me just say that I have lived with this thing for a good many years. I know the Stratton Commission, and I know the people in the Commerce Department who will be carrying out the intent of the Congress. It is my considered opinion that there is nothing in "Our Nation and the Sea," H.R. 13247, or in Reorganization Plan No. 4 that is detrimental to the wise use of the oceans and the lands that join them. Quite the contrary. Continued disorganized and unbridled uses of the seas can lead only to catastrophe. Reorganization Plan No. 4 is a first, necessary step toward creating a single entity within the Federal Government to protect, as well as develop, the environment.

Over 80 percent of the new agency will consist of the present ESSA corps which is already in the Department of Commerce and which already is charged, among other things, with the management of weather services and atmospheric research. No agency has been more concerned with the protection of our environment. I see no reason why this would change.

Mr. Chairman, your committee may be interested to know that on Monday, July 20, the Subcommittee on Oceanography was privileged to hear the Honorable Maurice Stans, Secretary of Commerce, discuss the provisions of Reorganization Plan No. 4. He was accompanied by Under Secretary Rocco C. Siciliano and Assistant Secretary Myron Tribus. The purpose of the hearing, which was held in executive session, was to familiarize ourselves with the details of the proposed reorganization before we appeared before you here today.

During the course of that hearing, two subjects of particular interest arose. We made it crystal clear that in our view the proposed National Advisory Committee for Oceans and Atmosphere should be created by statute. The President's plan for reorganization provided that this committee be appointed by the Secretary. We felt it should be appointed by the President to give it the status and image to get the support it was entitled to. We feel that this committee should be broadly based, and its members selected and appointed by the President from a variety of disciplines and occupations. Mr. Chairman, we shall be preparing legislation to carry the thought further.

I will indicate to this subcommittee we found on the part of the Secretary who appeared before us a willingness to consider the advisability of what we had suggested. We also discussed the problem of the coastal zone management program proposed by the Stratton Commission with Secretary Stans. The Stratton Commission stressed the importance of this program and its close relationship to NOAA. We made our views known to Secretary Stans that in our opinion NOAA is the only proper home for this vital initiative.

Thank you, Mr. Chairman. We are joined in this statement by those whose names I called at the beginning. I would like to ask the chairman to insert in the record an additional statement which is in depth related to our study of the Commission report, if I might have that permission.

Mr. BLATNIK. That is so ordered.

(The additional statement by Congressman Alton Lennon follows:)

ADDITIONAL STATEMENT BY HON. ALTON LENNON

THE BACKGROUND

The history of marine affairs in the United States is long, rich, and provides a continuous, strong record of a national striving for a unified effort in oceanography, related sciences, and marine and atmosphere affairs. The first intensive congressional inquiry into how best to organize our national oceanic resources began in February 1959, following the release of the report of the Committee on Oceanography of the National Academy of Sciences-National Research Council, "Oceanography 1960-70." The Subcommittee on Oceanography of the House Committee on Merchant Marine and Fisheries reviewed and assessed the status of marine affairs in the United States, both within and without government, before making recommendations for legislative action. Upon completion of these basic studies, several pieces of legislation were introduced in both the House and the Senate designed to develop a governmental mechanism under which there could be established and maintained a coordinated national program.

In September 1962, a compromise was reached in conference between the House-passed H.R. 12601 and the Senate's S. 901. This bill, subsequently passed by both houses, authorized the President to establish in the Office of Science and Technology, the position of Assistant Director for Oceanography to establish, advance, and develop a coordinated national program of oceanography and to issue statements of goals with respect thereto. The bill received a pocket veto following the adjournment of the 87th Congress.

During the same period of time, important developments were proceeding in the executive branch. The Office of the Special Assistant to the President for Science and Technology was created, followed by the establishment in March 1959, of the Federal Council for Science and Technology. In May, the nucleus of the Interagency Commission on Oceanography was established under the FCST to coordinate some 15 Federal agencies having cognizance of some phase of oceanography.

In January 1963, H.R. 13, identical to S. 901, was reintroduced. After careful study of H.R. 13, H.R. 6997 was introduced by the chairman of the Subcommittee on Oceanography, Representative Alton Lennon. This bill authorized and directed the President, with the assistance of the Office of Science and Technology, to develop goals, coordinate programs, fix responsibilities, and report to the Congress. It also established a seven-man advisory committee. However, congressional action on the bill was not completed.

By the middle of June 1965, some 16 bills had been introduced directed at the improvement of the Nation's capability to study and utilize the oceans and their resources. They varied in content from the creation of an independent agency to the establishment of a self-liquidating commission to study all aspects of oceanography and make recommendations for a national program. On August 9, 1965, S. 944 was referred to the committee for action, and it was this bill which was to become the Marine Resources and Engineering Development Act of 1966 (Public Law 89-454). It should be noted that this act was passed and became law despite the opposition of Government departments and agencies, including the Bureau of the Budget.

Public Law 89-454 set forth the objectives of the United States in marine science activities. It established the National Council on Marine Resources and Engineering Development, composed of the Secretaries of State, Navy, Interior, Commerce, the Chairman of the Atomic Energy Commission, the Director of the National Science Foundation, and the Secretaries of Health, Education, and Welfare, and Treasury. The Vice President was designated its chairman.

The Council was charged with, among other things, the development of a comprehensive national program of marine science activities. It was directed to designate and fix responsibility for specific programs by departments and agencies of Government, and to insure cooperation and resolve differences between them.

Public Law 89-454 also established a Commission on Marine Science, Engineering, and Resources, and charged it with a comprehensive investigation of all aspects of marine affairs and to make recommendations for an overall plan to develop a national oceanographic program adequate to meet present and future needs. Among its instructions, Congress included the specific requirement

that the Commission "recommend a governmental organizational plan with estimated cost."

On January 9, 1969, the Commission on Marine Science, Engineering, and Resources transmitted its final report, "Our Nation and the Sea; a Plan for National Action," to the Speaker of the House.

A word about how the Commission approached its task of developing an organizational plan is in order. The Commission recognized at the outset that a plan for national organization would be of little use unless it bore direct relationship to the needs of the oceanic community and the national priorities. Accordingly, the Commissioners decided to develop the goals and programs adequate to meet the most pressing problems, and allow these goals to dictate specifics of a reorganizational plan. The Commission divided itself into seven panels to examine what they identified as critical areas of marine activity; basic science; marine engineering and technology; marine resources; environmental monitoring and the management of the coastal zone; industry and private investment; international issues; and education, manpower and training. These panels prepared separate reports which are available as supplementary material to the basic Commission report.

Only after the panels arrived at specific national goals was the subject of Government organization addressed; thus organization followed function.

In the foreword of "Our Nation and the Sea," the Commission stated its opinion of its own organizational recommendations:

"We are convinced that the recommended national marine program will contribute materially to the national economy and strengthen the national security * * *. We recognize that, in terms of timing, each element of this program must be considered in the context of overall national priorities.

"Our proposal for reorganization, however, is urged for immediate adoption. We believe that it will mobilize the resources of our Government in the most effective manner to lend strength and power to the Nation's marine commitment. The incremental cost in taking prompt action for consolidation will itself be relatively small. The added effectiveness for the fulfillment of the national program should be enormous."

It is to be remembered that in arriving at these recommendations, the Commission drew upon 10 years of study and investigation, apart from its own efforts in collecting and collating the work of more than a thousand people. Available were such studies as "Oceanography 1960 to 1970" and "Oceanography 1966—Achievements and Opportunities" prepared by the National Academy of Sciences—National Research Council's Committee on Oceanography (NASCO), and "Effective Use of the Sea," the report of the panel on Oceanography of the President's Science Advisory Committee (PSAC).

The reports all noted a need for increased centralization of governmental activities in marine affairs to improve efficiency in this increasingly important and developing area, and reduce unnecessary waste. In 1966, NASCO reported:

"We still have no national ocean program with which to implement the policy (of Public Law 89-454) and no national ocean budget with which to fund it. National needs now require that we build the managerial structure needed * * *."

The PSAC report recommended:

"* * * a major reorganization of non-Navy governmental activities in oceanography. The recommended reorganization would place in a single agency all those Federal activities related to description, prediction, and attempts to develop capabilities of modifying the environment (ocean, atmosphere, and solid earth) and those activities concerned with managing and developing resources of the ocean."

After more than 2 years of intensive study, the Commission on Marine Science, Engineering, and Resources came to its independent conclusion:

"The Commission recommends the creation of a major new agency, which might be called the National Oceanic and Atmospheric Agency, to be the principal instrumentality within the Federal Government for administration of the Nation's civil marine and atmospheric programs."

Throughout the process of developing its position, the Commission kept close liaison with the Congress, especially in view of the fact that the 1966 act made provisions for congressional advisers. Those representing the Senate were Warren Magnuson of Washington, and Norris Cotton of New Hampshire. The House was represented by Alton Lennon of North Carolina, and Chairman of the subcommittee on Oceanography; and Charles A. Mosher of Ohio, ranking member of the subcommittee. Participation, as observers, by the members of the

given the subcommittee a deeper appreciation of the meaning and depth of the Commission's work, and greatly assisted the chairman in conducting a thorough and meaningful hearing process.

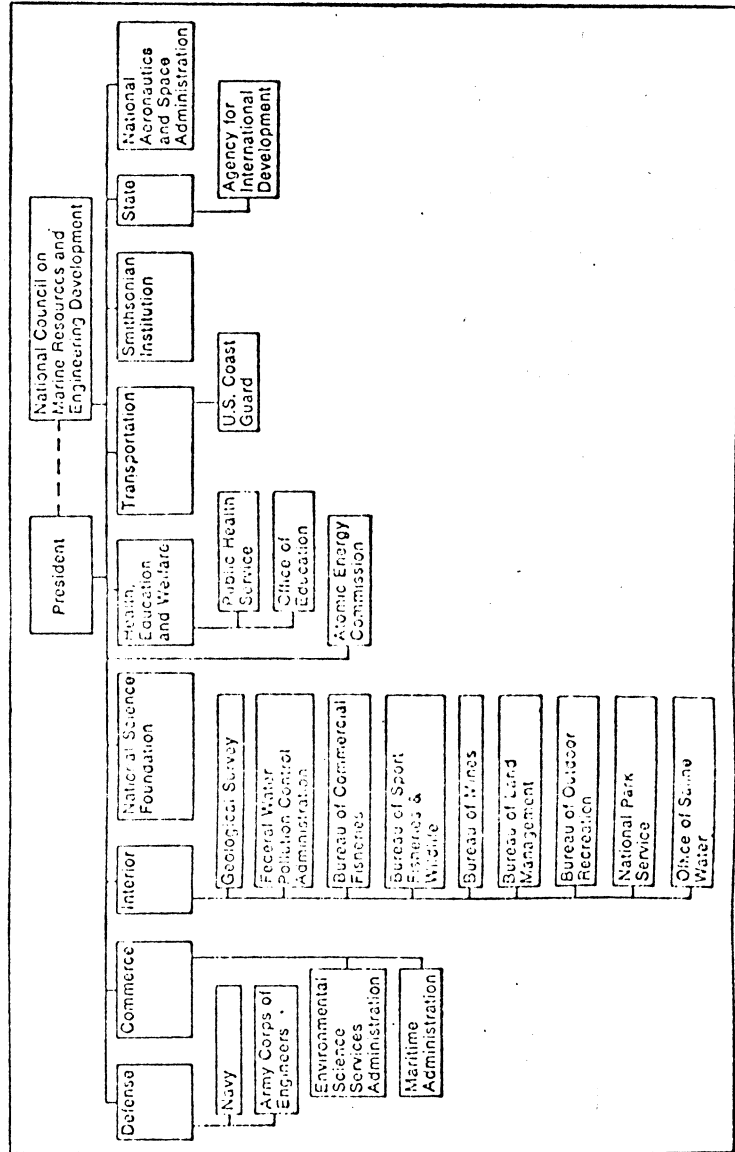
On January 27, 1969, the Subcommittee on Oceanography held the first of 27 days of hearings that culminated in H.R. 13247. At the outset, however, the subcommittee chose to hold hearings solely on the report of the Commission on Marine Science, Engineering, and Resources, deferring specific legislation until later. The subcommittee thereby hoped to explore all alternatives before adopting a specific legislative plan. As the hearings progressed, however, it became apparent that the Commission was correct in identifying reorganizational problems as requiring the most immediate action, and on July 31, 1969, Representative Alton Lennon, joined by Representative Garmatz, the chairman of the parent committee, and all of the members of the subcommittee, introduced H.R. 13247, a bill which implements the recommendations of the Commission by creating a National Advisory Committee for Oceans and Atmosphere.

THE NEED FOR ACTION

The Committee on Merchant Marine and Fisheries recognizes that the oceans are our last great resource. For this reason, if for no other, it is essential that this Nation take a positive step toward a rational utilization of the seas and the interface between land and water—water and air. To date, indications show that we have not been wise in our use of the oceans, and this failure is in large part due to a lack of rational management and focus. The results are now becoming apparent. Detrimental uses of the oceans are making themselves felt. Traces of tetraethyl lead and DDT are being found in fish far afield from our coasts. Grave questions are being raised concerning how long we can consider the oceans as being capable of adsorbing large quantities of the waste products of our society. While the oceans appear vast, it is sobering to realize that if the earth were reduced to the size of an egg, all of the oceans of the world would be represented by a single drop of water spread upon its surface.

Our national effort to deal with problems of the oceans and the atmosphere have been fractionated and for the most part ineffective. An indication of the dilution of the national effort can be derived from an examination of the following chart taken from the report of the Marine Science, Engineering, and Resources Commission:

Federal Agencies With Major Marine Responsibilities



Such an examination shows that if the national oceanic and atmospheric program is to take on any semblance of rationality, if it is to reject chaos in favor of order and economy, the problems of overlap, gaps in programing, and economic efficiency must be solved by bringing together, insofar as practical considerations permit, the leading functions of marine affairs under a single head.

The most important criterion for an effective marine affairs agency within the Federal Government is, we believe, visibility. The Subcommittee on Oceanography spent some time considering how to accomplish that goal within the framework of an overall plan for action. One alternative considered was to pattern the new agency after the NASA experience. This alternative would call for no departmental transfers, but was rejected for very sound reasons. NASA was created to meet the very special and unique challenge of outer space. There was no existing mechanism and no bank of experience upon which to draw. The creation of a mission-oriented agency was a logical and necessary solution. We, however, are not beginning our task in a similar vacuum. We have available to us the fragmented products of 10 years of effort as a framework for an efficient and useful national program. In view of this, to follow the NASA example would be to create duplication of effort and an atmosphere of destructive competition for funding and personnel.

Instead, it was our view that NOAA should be designed to excise those missions peripheral to the major responsibilities of existing departments and weld them into an effective nucleus for marine affairs.

We agree with the conclusion of the Stratton Commission that it would be unwise at the outset to build a massive and unwieldy agency which would include all of the identifiable marine affairs programs. Accordingly, we worked toward establishing appropriate guidelines for selecting those agencies or bureaus, or parts thereof, which should be included within the initial structure, realizing that subsequent experience may call for additions in the future.

We concur with the view that the new agency should restrict its endeavors to the consideration of the purely civil aspects of marine affairs. Therefore, we agree that there should be no recommendations affecting naval oceanographic duties or responsibilities. In our opinion, it would be unwise to blend the civil and the military aspects of oceanography because of the disparity in their primary objectives. At the same time, we are aware that no clean separation is possible, and we emphasize the need for continual and close cooperation on a policy level.

As the testimony unfolded before the Subcommittee on Oceanography, we became impressed with the fact that the oceans cannot be viewed in a vacuum. The waters of the earth interface with the land, and with the air. Logically, therefore, a new agency should be given responsibility to study and manage not only the oceans, but the air and land interfaces as well. We would expect that the new agency, as proposed by Reorganization Plan No. 4, would be involved in all of these. Organizationally, however, we agree that major emphasis should be placed on the air/sea interface, leaving major land management functions to the agencies that deal with them except in that narrow border of land that adjoins, and cannot economically or ecologically be separated from the seas.

Little is known or understood about the exchanges of energy between the sea and the atmosphere. It is possible that a better understanding of these processes could provide a key to unlock the secrets of weather control and environmental quality improvement. We believe these objectives require major attention, and that the necessary byproduct of such efforts would be an improved, more rational development of the resources upon which the Nation will depend for its future.

Having selected the air/sea interface as an area of concentration, the subcommittee faced the difficult task of deciding which skills could be incorporated into NOAA without causing irreparable harm to the affected departments. Obviously, there can be no solution that would satisfy all points of view. Excision of pieces of established government is a delicate and sensitive kind of political surgery. Ordinarily, it ought not be undertaken. Yet, we are not presented with an ordinary problem. Like any other surgery, when the well-being of the patient demands it, the operation should not be delayed. We are convinced that the need to understand the atmosphere and the oceans, and their resources and energy processes, has matured to the point where a national focus is essential, or we will lose ground.

Accordingly, the subcommittee, in reporting H.R. 13247, recommended a nucleus of marine affairs that would provide a basic research capability without cutting too deeply. This bill provided an agency that in our estimation could survive and grow with time. It would have the required visibility. At the same time, it

would be unique in that it, unlike NASA, would not result in the Government taking the major role for developing the oceans to itself. The NOAA concept, as the subcommittee developed it, recognizes as its fundamental premise that the development of the oceans is the basic responsibility of private enterprise. NOAA's role is to provide only those services and research that the private sector cannot undertake, and to provide for the rational development of the seas' resources consistent with good conservation.

H.R. 13247 differs from Reorganization Plan No. 4 in but two critical aspects. The plan does not call for the transfer of the Coast Guard to NOAA, nor does it provide for an independent agency.

We agree with the transfer of those elements included by the reorganization plan. Of course, the subcommittee would have preferred its own legislative version. However, the critical mass is present.

The Environmental Science Services Administration (ESSA) is an obvious candidate as a nucleus because of the emphasis placed on the air/sea interface. ESSA, containing the Weather Bureau and the former Coast and Geodetic Survey, is constitutionally suited to provide the new agency with the expertise and knowledge emanating from years of experience. NOAA is a logical home—one in which its functions can take on new significance. Under a program of global environmental monitoring and predicting, the fishing industry will be served with better knowledge of ocean currents and temperatures; agriculture will be served by improved weather forecasts; and transportation will be safer and more efficient.

The domestic fisheries programs of the United States require immediate and special attention. While the fish production of the world and the consumption within the United States continue to rise, domestic production has remained level. Our influence in world fisheries has lagged. We believe that wise management of fisheries resources is imperative in view of the potential demands for food arising from the exploding population. Management ought to be designed to serve conservation and economic utilization of stocks.

In recommending the transfer of certain functions of the Bureau of Commercial Fisheries and the Bureau of Sport Fisheries and Wildlife to NOAA, we did not mean to imply a lack of imagination on the part of the members of those organizations. The recommendation was made with the expectation that they would receive a higher level of support within an agency primarily oriented toward the oceans.

It is our firm belief that no organization can continue to function effectively without a continuing renewal of trained manpower. Accordingly, we agree that strong emphasis should be placed on the Sea Grant program which has proved itself highly successful as a producer of expertise. Its transfer to NOAA will put into close contact with user components. Likewise, the need to develop better data management and instrumentation for marine and atmospheric research makes it clear that the National Oceanographic Data and Instrumentation Centers should be in NOAA.

The U.S. Lake Survey of the Corps of Engineers presently serves a function for the Great Lakes similar to that of ESSA for the oceans. It undertakes to prepare and publish navigational charts and information, study elements affecting lake levels and river flow, and conduct scientific investigations concerning fresh water bodies. Accordingly, we believe that the Lake Survey has a home in NOAA. The Data Buoy System and the marine mining programs, not included as separate items in the subcommittee's bill, are scheduled for transfer in the reorganization plan, and, providing smooth transition is assured; our subcommittee recognizes the rationale supporting those transfers.

We recognize that the recommendations are bold and bound to be painful for a time. Yet, we are confident that the loss by some agencies may not be as drastic as some may suppose.

There is a danger in creating more and more agencies. Perhaps more than most, the Congress is sensitive to the threat of creeping bureaucracy, and we are in sympathy with the policy of nonproliferation within the executive branch. However, in creating NOAA, we will not be creating something that does not already exist. We make it more manageable and efficient. We are recognizing that this Nation is on the threshold of a new and productive adventure of such magnitude that it escapes the imagination. The critical need of coming to grips with an environment that covers almost three-fourths of the surface of the earth, and the prospect of new sources of food, drugs, minerals, and fresh water brings realization that where new management is beneficial to those ends, one ought not to shrink from the challenge.

We urge, however, that the proposed transfers be made carefully, and in such a manner as to preserve the initiative and momentum that we have labored so long to achieve. We must at all times keep in mind that what we do in the oceans has international as well as domestic implications.

TESTIMONY RECEIVED BY THE SUBCOMMITTEE

As previously mentioned, the Stratton Commission's report, "Our Nation and the Sea," was submitted in January 1969. At that time, the Subcommittee on Oceanography chose not to rush a bill onto the floor. Instead, it was decided that hearings should be held on the report itself, so that alternatives could be explored before approaching the drafting stage. Accordingly, several weeks of hearings were held to receive comments and evaluations.

Witnesses in the early part of the hearings were drawn primarily from the private sector, and they included prominent individuals from industry, universities, and professional organizations. Testimony from this sector favored a centralized focus for marine affairs within the Federal Government. The general opinion was that fragmentation of effort had been destructive and that the time for doing something about it had arrived, if not passed.

The testimony on the precise form of reorganization to best accomplish this goal was, as could be expected, diverse. The proposals by witnesses varied from the establishment of a small nucleus charged with studying the alternatives, on one end of the scale, to a full-blown Cabinet-level department having oversight of all environmental problems on the other. The NOAA concept, however, was given prime attention, received general approval, and was enthusiastically supported by most.

Several witnesses declined to comment on specific proposals on the ground that they were not competent to judge. Fortunately, the majority of the oceanographic community was not so handicapped.

During the latter part of the hearings, testimony was received from Government witnesses. Representatives of the National Council on Marine Resources and Engineering Development; the Departments of Commerce, Interior, Transportation, Navy; and the Office of Science and Technology appeared. Testimony was also received from the National Science Foundation, the National Oceanographic Data Center, the Corps of Engineers, and the Smithsonian. This testimony was essentially negative in view of the fact that the President's Council on Executive Organization had not yet had the opportunity to study the Stratton Commission report and make appropriate recommendations. This testimony did, however, reflect general agreement on the need for increased emphasis on marine affairs. The basic functions proposed by the Stratton Commission were, by-and-large, viewed as legitimate, although there was some dispute among the witnesses concerning how they should be achieved. These objectives are as follows:

1. Acceleration of the development of marine resources;
2. Expansion of knowledge of the marine and atmospheric environment;
3. Encouragement of private investment;
4. Development of improved capabilities in the oceans;
5. Advancement of education and training in marine science, technology, and technical services;
6. Increase of capability for predicting environmental changes, and, ultimately, creating the capacity for environmental modification;
7. Utilization of the scientific and engineering resources of the Nation to avoid unnecessary duplication in marine programs;
8. Preservation of the role of the Nation as a leader in marine and atmospheric activities and in marine resource development and conservation;
9. Cooperation by the United States with other nations in marine and atmospheric activities.

To achieve these objectives, the new agency will plan, direct, conduct, and support:

1. Advancement of the fundamental understanding of the marine environment and of the atmosphere;
2. Development of the fundamental technology to achieve more effective use of the marine environment and to operate with greater efficiency in the atmosphere;
3. Rehabilitation of the United States fisheries;
4. Implementation of manpower programs to strengthen education with respect to marine and atmosphere matters;
5. Acquisition, analysis, and dissemination of information;

6. Identification of resources in the environment;
 7. Exploration of the environment;
 8. Advancement of aquaculture;
 9. Development of techniques for environmental modification;
 10. Provision of technical and operating services including mapping and charting, policing, and the like;
 11. Provision of programs to provide information regarding the multiple uses of the marine environment.
- The complete record of testimony is available in the printed hearings, parts 1 and 2, serial Nos. 91-5 and 91-13.

CONCLUSIONS OF THE SUBCOMMITTEE

After due deliberation and consideration of all the testimony, the subcommittee was of the opinion that a centralized agency for oceanography was justified. The time for study was past. The reports were voluminous, expert, and surprisingly unified in opinion. The testimony, except for affected Government agencies, was consistently in favor of a Federal focus. Accordingly, the Subcommittee on Oceanography unanimously reported its bill to the full committee with favorable recommendations and only minor amendments. While I am sure many, if not most, of the subcommittee still feel that an independent agency would in many ways be more effective, and several members have voiced the opinion that the Coast Guard should be an integral part of the new organization, I believe that I can speak for the subcommittee in saying that the proposal contained in the President's Reorganization Plan No. 4 provides enough of the basic strength of the Stratton Commission's recommendations to be a strong first step, which the Congress will then be called upon to supplement.

In this respect, the subcommittee noted, in its closed session on July 22, 1970, at which the Honorable Maurice Stans, Secretary of Commerce, was the primary witness, the absence of a coastal zone management program. This program was identified by both the Stratton Commission and the Subcommittee on Oceanography as being perhaps the most important single program proposal for the near future. Accordingly, we are still of the opinion that the administration should re-appraise its position that the Interior Department should manage that program in the light of Reorganization Plans 3 and 4.

It is our firm opinion that NOAA should be supported by a strong advisory body. H.R. 13247 called for the creation of a National Advisory Committee for Oceans and Atmosphere, which would consist of 15 members drawn from outside the Federal Government, and would be broadly representative of the Nation's marine and atmospheric interests. The bill required that they be appointed by the President. In addition, each agency or department of the Federal Government concerned with marine and atmospheric matters would have been required to designate a senior policy officer to participate in the work of the committee as an adviser, without vote. I am still impressed with the need of such a body. I urge that the administration consider the possibility of supporting legislation toward that end.

In conclusion, I believe that the program as proposed will be effective. I support it, and pledge to continue to work to see that the Congress will maintain its proper role in the marine affairs program of the Nation.

Mr. LENNON. Now, Mr. Chairman, I have in my possession, and I seek unanimous consent of the subcommittee to insert in the record, a letter addressed to me by the Honorable James H. Wakelin, former Under Secretary of the Navy for Science and Marine Affairs—and, incidentally, he was the chairman of the Wakelin Task Force on Oceanography, appointed by the President in October of 1969, which made its report to the President on December 10, 1969. The report, however, was not made publicly available.

I ask also, Mr. Chairman, and gentlemen of the subcommittee, your permission to insert in the record a letter addressed to me signed by Mr. Norman J. Padelford, professor of political science of MIT, a member also of the Presidential Task Force on Oceanography.

I thank you, gentlemen, for your patience and tolerance in listening to us this morning.

Mr. BLATNIK. Without objection the letters will appear at this point in the record.

(The letters referred to follow :)

Washington, D.C., July 23, 1970.

Hon. ALTON LENNON,
Rayburn House Office Building,
Washington, D.C.

DEAR CONGRESSMAN LENNON: This letter concerns Reorganization Plan No. 4 which President Nixon transmitted to the Congress on July 9, 1970, relating to the establishment of the National Oceanic and Atmospheric Administration within the Department of Commerce.

I support this proposed action and concur with the integration of those operating groups that will comprise the administration. With this structure, and with the valuable assistance of the National Advisory Committee on the Oceans and an appropriate interagency coordinating group, the United States will have the operating machinery to plan for and implement a national ocean and atmospheric program.

During the past year various recommendations have been submitted to the President on the matter of the organizational framework for marine affairs. The Stratton Commission and the President's Task Force on Oceanography suggested alternative means for integrating the national marine program. The structure proposed by President Nixon combines many of the features recommended by each group and is, in my mind, an excellent start in solving this difficult problem.

I hope that the Congress will approve the reorganization plan for NOAA so that an integrated national program can be initiated without delay.

With kindest personal regards, I am,

Sincerely yours,

JAMES H. WAKELIN.

MASSACHUSETTS INSTITUTE OF TECHNOLOGY,
DEPARTMENT OF NAVAL ARCHITECTURE AND MARINE ENGINEERING,
Cambridge, Mass., July 18, 1970.

Hon. ALTON LENNON,
Chairman, Subcommittee on Oceanography, Committee on Merchant Marine and Fisheries, House of Representatives, Washington, D.C.

DEAR CONGRESSMAN LENNON: The White House press release containing President Nixon's message to the Congress on his proposed Reorganization Plan No. 4 to establish a National Oceanic and Atmospheric Administration within the Department of Commerce has recently come to hand.

This touches a matter on which I know that you and your committee have a deep concern and have been considering legislation to establish NOAA as an independent executive office in line with the recommendations of the Stratton Commission.

As a member of the Task Force on Oceanography appointed by President Nixon last October to advise him on the subject, I should like to record my views of the reorganization plan.

It appears to me after extended reflection that the solution proposed by the President is a thoroughly sound, pragmatic one. It proceeds on the principle of drawing together a substantial number of widely scattered bureaus and offices concerned with marine affairs under a single operating head. This is good administrative management. It will, I believe, go a long way toward making a genuinely unified national ocean policy a reality.

By incorporating these bureaus and offices within the Department of Commerce they can be easily joined together with ESSA without disrupting that instrumentality. Furthermore, within the Department of Commerce they will be joined together in a department that has a long tradition of concern for the seas, maritime affairs, the environment, as well as commerce. This is a logical association.

It may be argued that the Coast Guard should also be transferred to the new NOAA, as indeed the Stratton Commission recommended. I am of course aware that the Coast Guard performs a large amount of oceanographic research and is indispensable to the national effort along these lines. It may be well to proceed circumspectly in transferring this large organization to another department for the time being at least. I note President Nixon's words: "As we see how these changes work out [that is, presently proposed changes], we will gain a

better understanding of what further changes—in addition to these—might be desirable." I believe this affords assurance that the President intends to watch the NOAA operation very carefully and may have in mind other steps for later on.

We are all concerned with getting the most effective organization we can for advancing the national interests of this country in the oceans. The present plan takes a large step forward, I believe, from what we have had heretofore. The President has made a strong case for not proliferating independent agencies. I believe this should be respected.

The President's plan merits support for two additional reasons. First, it insures close association between NOAA and the Maritime Administration. This is essential for the merchant fleet is the principal arm of this country on the ocean in time of peace. By placing NOAA in close juxtaposition to MARAD under the Secretary of Commerce there is insurance that the two will be moving in harmony.

Second, the President's plan assures a firm tie between NOAA and your Committee on Merchant Marine and Fisheries in the House, as well as the Committee on Commerce of the Senate. This is a very logical arrangement. It means clear-cut responsibility to two of the strongest committees in the Congress, plus their interest and support in legislation.

In short, I find President Nixon's plan for NOAA an excellent step forward for planning and administration of marine affairs. I am convinced that with this combination, plus the Advisory Committee which he mentions, we can make real progress in meeting the opportunities and challenges of the oceans.

I urge, Mr. Chairman, positive endorsement of Reorganization Plan No. 4 at the earliest possible date, and enactment of any needed supplementary legislation to make a National Oceanic and Atmospheric Administration within the Department of Commerce operational as quickly as possible. It is vital that fresh momentum and purpose be infused into marine science affairs without delay.

Respectfully yours,

NORMAN J. PADELFORD,
Professor of Political Science.

Mr. BLATNIK. Well, Congressmen, thank you for your presentation. It is one of the finest, well-thought-out, and orderly presentations in this matter that I have ever had the privilege to hear. It is very obvious that thoughtful care went into the step-by-step process over a period of 7 years, working for the Stratton Commission and working within your own subcommittee and within your own full committee and in a bipartisan manner.

I would also like to thank your staff for the assistance they gave our staff on the substantive level. Our staff is very competent on the executive reorganization process, but on the substantive level they received a great deal of information.

Mr. LENNON. Thank you, Mr. Chairman. I recall so vividly when we were trying to bring into being the statute which provided for the creation of what later became known as the Stratton Commission and the Marine Science Council. We ran into flak, quite a bit of it from the administration, and I would like to tell you why. It is a human element that we find everywhere.

At that time we had an ad hoc Inter-Agency Committee on Oceanography representing various departments and agencies and bureaus of the Federal Government which had an interest in the marine science field. It was our belief that during the study by the Stratton Commission we ought to bring into being a high-level policy committee headed by the chairmanship of the Vice President of the United States and its membership would be composed of at least six Cabinet members and two others of significantly high rank.

The administration at that time opposed it on the philosophy that, well, it was repetitious. I say that because of the intense interest that the former Vice President and the United States had in this program.

There was never a more exuberant, more interested and concerned a human being than Mr. Hubert Humphrey in this Council. In 6 months after we brought into being the National Science Council, which Mr. Humphrey chaired, they were excited about it and went to work and did a splendid job.

I might say the National Council at that time, headed up by the then Vice President of the United States and by six members at the Cabinet level, the top men in the Atomic Energy Commission and the National Science Foundation, worked so closely with the Stratton Commission and became so interested in the Stratton Commission's final report that they endorsed it and worked for it.

I think the committee would be well advised to realize this, so we have a consensus here. I might say, Mr. Chairman, that I was disappointed, to some degree at least, that the Coast Guard was not included. But its primary mission, of course, as you know, is search and rescue, although it has oceanographic vessels, geodetic surveys, and things of that kind.

I met with the Commandant of the Coast Guard, then Admiral Willis Smith, and Assistant Commandant of the Coast Guard, Paul Trimble, and their top engineers. Their apprehension of the Coast Guard being brought into the NOAA concept was that it might be headed by some person interested primarily in science and the marine science in oceanography as such.

They were continually interested in their daily roles of search and rescue. They agreed with me that the success of NOAA, which would include the Coast Guard, would be the broad interest that the Administrator would have.

There was a little bit of human selfishness that got into these things, and we have it now on the part of a very beloved member of our committee and a very personal friend of mine who was the only member of the total Merchant Marine and Fisheries Committee who opposed this plan, simply because it means moving the Bureau of Commercial Fisheries and certain components of Sport Fishing into this new concept. He is a human being. We all are, and we react. But I have often thought, suppose you have had, prior to the establishment of NASA, four or five major agencies of the Federal Government which were headed or directed in the philosophy of sometime putting a man on the moon. We had only one, and that was in DOD, the Air Force.

But I am saying today, gentlemen, we would never have put a man on the moon if we still had at least eight, perhaps nine, Federal agencies competing for the opportunity to put a man on the moon. The sensibility of the Members of Congress in bringing together and establishing a central agency like NASA is the only thing in the world that made possible our putting a man on the moon.

Mr. BLATNIK. May I interrupt at this point? You are bringing us to the crux of a very important issue, a matter in which judgment would have to be made, perhaps subsequently modifying the statute. The Stratton Commission recommended a separate agency for NOAA, is that not correct?

Mr. LENNON. Yes; they recommended an independent agency.

Mr. BLATNIK. To concentrate the efforts of many programs now handled by a multiplicity of agencies and concentrate on the problem before us. Regarding this recommendation, which seems to have been

followed in the case of the Environmental Protection Agency where a separate agency is created, do you know any reason why a separate agency is not being recommended in the case of NOAA?

Mr. LENNON. I cannot find any definitive reasons on the part of— incidentally, the so-called Wakelin Task Force does recommend an independent agency. It just became available June 7, but it does not bring together the necessary component parts of each of the other agencies that would make up this. I read it last night and again this morning, and while they say there is need for a new independent agency, it does not bring together what in the Stratton Commission's report is essential to make this a viable agency.

I confess I would prefer an independent agency, but I am a realist. I think the time would come, gentlemen, assuming that Reorganization Plan No. 3 does go into being—I think sometime what we are now proposing in Reorganization Plan No. 4 would some day be combined with what is proposed under Reorganization Plan No. 3 as an independent agency.

But I do not want to lose any more time. I am a realist. I want us to move with what is proposed here and let the Congress in its wisdom implement those things which we think are essential to make this a viable program in the Department of Commerce.

I may some day attempt—I never led a fight, but I do not mind participating in one—to bring together Reorganization Plan No. 3 as proposed and Reorganization Plan No. 4 as an independent agency.

The greatest hope, in my judgment, and the greatest potential of the world are the oceans of the world. We floundered along under our food protein concentrate program with the Federal Food and Drug Administration and with AID and these other people. I have become frustrated, frankly, gentlemen, and I think if we can finally get an agency, that perhaps we can get the action that we must find to not only preserve but to properly explore and exploit our ocean beds—phosphate, magnesium, not to mention gas and oil and many other minerals, including food from the sea.

Look what happened to our production of commercial fish in this country under the Department of the Interior. Frankly, I find it difficult to hear my beloved friend criticizing the Department of the Interior for the deterioration of the fisheries and yet insisting it ought to stay there.

I want to put it in where it will get more attention, because we are losing one of our prime producers of available fish. We are importing most of our fish; we should not have to do that. We have the potential here, and we must find some way to utilize it.

Mr. MOSHER. Mr. Chairman, speaking to the question that you raised as to why the White House recommends putting NOAA in the Department of Commerce and yet recommends an independent agency in Reorganization Plan No. 3 for the Environmental Protection Agency, when I first learned from the White House staff people that this would be their proposal concerning NOAA, and since I had joined with others in urging an independent agency for NOAA, of course your question that you just asked us was the first question that I asked the White House.

I think I can paraphrase the answer that I got from them, and your committee will have to judge the validity of it.

In the first place, they say, as you know, that the President feels strongly that there should not be a proliferation of new independent agencies which are reporting directly to the President; that the Presidency already is such a complex, difficult job that it is not good administration to increase the number of agencies that report directly to him.

Therefore, it was deemed advisable to put NOAA in the Department of Commerce, after, I think we all know, great consideration had first been given, and the first assumption was that it would go into the Department of the Interior.

I understand that it was put into the Department of Commerce first of all because the largest element that will be in NOAA is ESSA, the Environmental Science Services Administration. That is the largest element in NOAA and it is already in the Department of Commerce and it is functioning very efficiently and effectively there.

Also, the Department of Commerce has a great tradition of strength in science and technology, for example, with its National Bureau of Standards which can be of very important ancillary assistance to NOAA.

Really, NOAA is going to be basically an agency concerned with scientific research in the oceans with technology development for the uses of the oceans and exploring the oceans, and with data gathering—a tremendous job of gathering of data and interpreting of data.

There is great strength in the Department of Commerce already in those areas. So that very briefly seems to be the fundamental reason why the White House proposes placing NOAA in the Department of Commerce.

You asked the \$64 question, of course, if it is necessary to put NOAA in one of the existing departments rather than making it an independent agency, then why is it recommended that the Environmental Protection Agency be an independent agency?

The answer I received, and I am sure you must have had the same discussion in your hearings last week, indicates that the President at this point feels that our problems with the environment and with pollution abatement, with regulation of pollution and monitoring the environment and regulating it and attempting to conserve it and enhance it, that this is going to be such a tremendously important problem for the Federal Government and a growing problem in the years ahead that it deserves very special attention.

The functions inherent in such activities cut across so many existing departmental and agency lines that it would have been extremely difficult if not impossible—at least, I judge they found it that way—to immediately place EPA under one of the umbrellas of the existing agencies.

I understand they look upon EPA as sort of a transitional developmental organization, fully assuming that as it exists and develops in an independent agency over the next few years it will become more apparent as to whether it should itself become a Cabinet-rank department, possibly merging the reorganized Department of the Interior into EPA or what other direction it may go.

But I emphasize, I think the only basic reason for putting those functions in an independent agency at this point is that this is looked upon as a transitional thing. I hope I am speaking the White House position on this point.

Mr. BLATNIK. Congressman, what is your opinion now? Originally, were you one of those who felt that NOAA should be a separate agency?

Mr. MOSHER. I am not going to express any personal judgment on EPA. But on NOAA, I agree with Mr. Lennon. I am a realist and pragmatist in this. I think NOAA, as proposed for the Department of Commerce, does 80 to 90 percent of what we were seeking to have done in an independent agency. The more I become acquainted with the Department of Commerce and review its capacities the more I am impressed with the fact that probably this makes a great deal of sense.

I much prefer to have it placed in the Department of Commerce than was originally proposed in the Department of the Interior. I felt it might be lost in the sprawling bureaucracy of the Department of the Interior. I think that in the Department of Commerce, with its know-how in terms of research and technology, there is a chance for very effective management and development of NOAA.

Mr. BLATNIK. Mr. Lennon, after considering the very careful work done over a period of 7 years, do you have any comment to make on whether or not NOAA should be a separate agency?

Mr. LENNON. I cannot deny the fact that I believe I would prefer a separate and independent agency. For that reason, gentlemen, I would like to ask unanimous consent that there be inserted in the record—and it is relatively short—the report of the so-called Presidential Task Force on Oceanography, a task force of 16 individuals headed by Dr. James H. Wakelin, Jr.

I would ask unanimous consent and I think it would be of great interest to include this short report in the hearing. But I am a realist, too. I can see what is developing here. I think we can't wait another year or another 2 years.

I don't know what will happen. We can get our bill out of the full committee. I will talk to you quite frankly. The Senate waited 14 months after the Stratton Commission report, which came out on January 9, 1969, before it created a special subcommittee to study the Stratton Commission report.

The distinguished Senator from South Carolina, Hon. Ernest F. Hollings, was designated to be the chairman of that subcommittee. He and I worked very closely. We furnished him our record of the 27 days of hearings and offered our assistance. Mr. Hollings' committee went gung-ho for about 4 or 5 days of hearings to try to get themselves into a position where they could bring it to the full Committee on Commerce.

This was a subcommittee of the Committee on Commerce and abruptly they stopped. I am of the opinion that for the national point of interest, we will make a mistake if we drag this thing out and I insisted upon an independent agency. I don't know what would happen to it at the White House. I have high hopes that some day it would become a reality.

If the Department of Commerce—and I understand they are here today—if they do the job that they indicated to us they are going to do, I would be perfectly happy for it to stay there. I want to serve notice to them now that as long as I am a member of the Merchant Marine and Fisheries Committee, and especially the Subcommittee on Oceanography, I am going to be prodding and jabbing and pulling every minute.

If they get this responsibility under plan No. 4 and if they don't do the job, I will be the first one who will be screaming and yelling and doing a little more than that to try to get an independent agency.

I think we ought to have a chance, and I think we would make a mistake to vote down this proposal, lose another 6 or 8 months or another year or so. I have been trying for 9 years, sir, to get where we are today and I don't want anything to slow us up.

Thank you very much, gentlemen.

Mr. BLATNIK. Both of you gentlemen have made a great contribution with not only the subject matter itself but the method in which you handled the complicated and sometimes emotional issues. You got through this very skillfully. I think legislation is a more appropriate way to combine the best judgment and yet do it in a manner that doesn't upset or leave more torn-up terrain in your wake than existed in the first place.

Mr. LENNON. I say quite candidly, and not to acquire any degree of recognition for myself as an individual but the full Subcommittee on Oceanography, we wouldn't be here today if we hadn't progressed to the extent we have.

Mr. BLATNIK. I would like the record to show that we are going to discuss this formally with both of you leaders, to see if we can't use the mechanism and method of operation that you have so successfully used to truly come up with the best proposal which would be the result of the combined judgment of so many different people. We can't use that which is so glaringly lacking in the EPA proposal.

We don't know who made that decision. No congressional leaders or staff members were involved. We are confronted with a proposal that is so frankly open to amendment and improvement and additions, without even looking at it on a cursory basis, in contrast to the thorough and careful way in which you have presented your proposal.

Let me ask you two more questions. I want to get to your impressions and your report in the manner in which you came to the conclusions you reached.

No. 1, the Coast Guard. Did I understand you to say it was the wish of the Coast Guard to remain separate as an operating agency and not get too involved with those functions such as scientific research than the day-to-day operations of the Coast Guard? Am I correct in understanding that the Coast Guard prefers to be left out of NOAA?

Mr. LENNON. Yes, sir; they would prefer to be left out. That was the apprehension, that whoever became designated as administrator might take a more scientific view and would not be willing to recommend the funding that they must have on their daily fundamental missions on search and rescue.

That was their apprehension. We did get their assurance of the Department of Commerce in our session with them last Monday; but so far as the Coast Guard is involved in the Coast and Geodetic Survey and the use of its oceanographic vessels, that they would collaborate and cooperate to the highest possible degree and the gentleman from Ohio and I are thinking in terms of making that—while the statute authorizes it, we are thinking in terms of perhaps it ought to be a mandatory requirement if it is not.

I don't think we have anything to fear about that now.

Mr. MOSHER. Will the gentleman yield?

Mr. LENNON. Of course.

Mr. BLATNIK. Mr. Mosher.

Mr. MOSHER. It is very clear in the Coast Guard's testimony before our committee that officially they preferred to remain in the Department of Transportation. Of course, that official position is dictated by the Department of Transportation. So their testimony before us is designed to support that position. But in off the record, sort of behind the scenes discussions with responsible Coast Guard people, I felt they were very honest in feeling they could operate in either one, NOAA or DOT.

Some of the younger officers particularly would have preferred to go to NOAA. The philosophy of the Stratton Commission envisaged a very much enhanced, expanded role for the Coast Guard. I think ultimately that will have to come into being.

The Department of Transportation tends to emphasize the Coast Guard's more limited role as related to transportation and search and rescue. The Coast Guard people in their official testimony expressed fear that in the NOAA role, the new emphasis on scientific efforts would detract from that tradition.

Mr. Chairman, I think it is apparent, as Mr. Lennon has suggested, that after NOAA is created in the Department of Commerce as a nucleus, there may be some necessity for Congress to look at the working relationships between the new organization and the Coast Guard.

Obviously, there is going to have to be a very strong coordinating relationship, even if the Coast Guard does not become part of NOAA, because NOAA needs many of the capacities of the Coast Guard.

So even if the Coast Guard is left out of NOAA, we envisage coordination there and a practical relationship that will have to be very effective.

Mr. LENNON. Mr. Chairman, my attention has been called to one of the dates of the hearings which was Thursday, September 18, 1969, at which time we had before the Subcommittee on Oceanography the Honorable James M. Beggs, Under Secretary for the Department of Transportation.

In the questioning he had this to say with respect to the suggestion of ours in our bill that provided for the Coast Guard to be under NOAA:

I suggest, however, that the combination of scientific and operational programs in one agency may impair the effective administration of either activity. Experience indicates that the two do not mix well.

That is the statement of the Under Secretary of Transportation and I am trying to recall off the top of my head another hearing that we had in which I asked the justification on the part of—I believe it was the Department of Transportation—for the Coast Guard being in the Department of Transportation. He related, of course, to the Maritime Administration. I said, "But, Mr. Secretary, the problem there is that the Maritime Administration is not in your department, it is in the Department of Commerce."

So there is really no answer to these things. Some day we will get the proper bureaus and agencies under the proper umbrella. I think we are moving in that direction now.

Mr. MOSHER. The quotation Mr. Lennon just gave from Under Secretary Beggs was the official position but it was not convincing to our committee.

Mr. BLATNIK. I see. Another question under fisheries, which seems to bring out what little opposition there is, does stir quite some opposition on the part of conservationists dealing specifically with fishing.

Over the years, conservation has made a slight contribution, with their interest in wild game, fish, wildlife, estuaries and so forth. Were they given a full hearing before the Commission as well as your subcommittee?

Mr. LENNON. Yes, sir. I hope the staff at least will have an opportunity to study that part of the Stratton Commission report related to the coastal zone and the coastal zone management and regional laboratories. That seems to raise the principal bulk of the flak, because the ecology of these estuaries and streams is so related to fish and wildlife. I am a conservationist but at the same time I recognize you have to have a middle ground.

I know what has happened; historically the Corps of Engineers could issue a permit. I think that law goes back to 1899 or 1812. They authorized the Corps of Engineers to issue a permit for dredging and under an Executive order. I believe sometime in 1967, which required the Chief of the Corps of Engineers to consult with the Secretary of the Interior and the regional directors and go back to the several States.

It produced a situation where even in an ultimately justified issuance of a permit by the Corps of Engineers for essential dredging, it takes so long. I think when we get a central agency which is proposed here in NOAA that can make these gut decisions and Members of Congress can know why they are being made and not have to run all over, not only the Hill, but downtown to try to find out why, when, and who has the authority to make these decisions.

I think it is essential that we have a hard-core central organization agency that we can find out what are the facts. I have had this experience, Mr. Chairman. I have called downtown to agencies and departments and bureaus and say, "Give me an answer." They give me an answer, and I say, "Would you confirm that by letter?" They reply, "Well, now, Mr. Congressman, if I do that I have to go to the chairman and it may take 2 weeks."

I find it is a little frustrating. It is so difficult to get the answers that we often must have to respond with any degree of veracity to our constituency. I believe in centralization, not necessarily of power but information.

Mr. MOSHER. You asked us to respond to the fact that certain conservation groups are expressing doubt and opposition to the creation of NOAA in the Department of Commerce. I would like to say that I generally find myself in league with the conservationist groups. I have a tremendous respect for their wisdom in these matters and I usually find myself voting with them. I can't help but think that their reaction here is somewhat hasty, not adequately considered, perhaps a little emotional.

I judge that they are saying that since the Department of Commerce sounds like a department that is traditionally in support largely of the exploiters of national resources, that this is not the place to put NOAA.

I suggest that is a very superficial judgment. It is based largely on the name of the department and I am one who thinks the Commerce Department's name should be changed to more accurately indicate the Department's functions. I don't see any threat at all to conservation in placing this in the Department of Commerce.

Mr. BLATNIK. Thank you very much. Mr. Holifield?

Mr. HOLIFIELD. No questions.

Mr. BLATNIK. Mr. Erlenborn.

Mr. ERLBORN. Thank you, Mr. Chairman, and Congressmen Lennon and Mosher, let me thank you for your appearance here today.

It is refreshing and somewhat unique. As you know, our committee is always stepping on the jurisdictional toes of other committees and in considering these two reorganization plans we are doing the same—we are getting into an area to which you have devoted a great deal of time.

It is refreshing for me to have you come here and speak so frankly in support of this plan No. 4, even though there are some elements in the plan that you may have done differently if you had the legislative jurisdiction.

I think we all realize the whole legislative process is one of doing what is possible and cooperating and I am very happy to see you in support of this plan and I think your testimony is very persuasive, particularly since you are apparently supported, as I understand, by practically all of the members of your full committee; is that correct?

Mr. LENNON. Yes.

Mr. ERLBORN. I can't think of any more eloquent testimony as to the advisability of approving Reorganization Plan No. 4 than to have all but one member of your committee supporting it.

Mr. LENNON. All the members of the subcommittee and one member of the full committee is not.

Mr. ERLBORN. Right. I think that is most eloquent testimony. In particular, I think it is important to note that you support this even though there are some elements that you may have done differently. I think you take a very practical approach.

I want to thank you for your testimony. We do have Secretary Stans waiting to testify, so I am not going to take any more time by asking you questions. But, once again, thank you for coming here today.

Mr. BLATNIK. The chairman has the same thing to say. I am impressed in the manner in which you participated in shaping up this program and participating, which, in advance, removes so much misunderstanding and obstacles and brings us to the point where we would have a higher degree of unanimity and a favorable attitude on a very good program.

I think the arguments on behalf of NOAA are far more comprehensive a proposal that warrants it to be a separate agency; and the manner in which this came along is far more superior than what we have in the proposal for the creation of an Environmental Protection Agency under Reorganization Plan No. 3.

Thank you very much.

Mr. LENNON. Thank you.

(The report on the President's Task Force on Oceanography entitled "Mobilizing to Use the Seas" follows:)

MOBILIZING TO USE THE SEAS



**The Report of
The President's Task Force on
Oceanography**

June 1970

MOBILIZING TO USE THE SEAS



**The Report of
The President's Task Force on
Oceanography**

June 1970

THE PRESIDENT'S TASK FORCE ON OCEANOGRAPHY

18 December 1969

JAMES H. WAKELIN, JR.
Chairman

ROBERT O. BRIGGS
JOHN C. CALHOUN, JR.
JOHN P. CRAVEN
PAUL M. FYE
CHALMER G. KIRKBRIDE
EDWIN A. LINK
WILLIAM A. NIERENBERG
NORMAN J. PADEL FORD
F. WARD PAINE
DIXY LEE RAY
EDFRED SHANNON
C. MONROE SHIGLEY
ATHELSTAN SPILHAUS
ELMER P. WHEATON
GEORGE P. WOOLLARD

The President
The White House
Washington, D.C.

DEAR MR. PRESIDENT:

I have the honor to submit to you the report of the Task Force on Oceanography, which you established on October 10, 1969.

In accordance with your instructions, the Task Force has reviewed the essential features of the oceanographic program of the United States. We consider that this program includes those activities related to the total use of the marine environment for the security, economic well being, and the welfare of our nation. We identify these activities broadly as marine affairs.

It is our basic premise that marine affairs is an area of major importance to our country and now deserves corresponding recognition at the top levels of government.

As a result of our review, we believe that effective leadership and promotion of our national effort in marine affairs, including the determination of priorities, now require an improved management structure.

Accordingly, the Task Force recommends the establishment of a new agency for marine affairs. As immediate action we believe that many of the objectives of a national marine program can be fulfilled by an agency which does not require the transfer of large components from existing departments. We further believe that such an agency will be a major factor in the management of marine affairs if it is provided with the authority and funding commensurate with the essential and important responsibilities we have envisioned for it.

We also recommend establishing an advisory committee and a coordinating committee. The advisory committee should consist of members chosen by you from the private sector to advise you and the agency on the status and management of the national program in marine affairs; it also should have observers from the United States Government and the State Governments. The coordinating committee should consist of representatives from all United States Government departments and agencies with marine interests to facilitate coordination of the marine program.

One of the first responsibilities of the new agency, with the advice of these committees, should be to make recommendations on the effectiveness of the present national effort and on new programs to improve our ability to use the oceans, including exploration, scientific investigation and engineering development. We recommend that immediate attention be directed toward the solution of the serious problems in the coastal zone, since this area presents the most pressing social and economic difficulties.

The Task Force suggests that the national program in marine affairs is an appropriate and timely subject for discussion as an important national issue in your State of the Union message.

We believe that establishment of a governmental structure along the lines we have outlined will enable the United States to make effective use of the sea for the benefit of all our citizens.

Sincerely,

JAMES H. WAKELIN, JR.

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OCTOBER 10, 1969

The White House

The President today announced the establishment of the Task Force on Oceanography. James H. Wakelin, Jr., Consultant, Teledyne Ryan Aeronautical Company and former Assistant Secretary of the Navy for Research and Development, will be the chairman. The task force will review the efforts of both the public and private sectors in the field of oceanography, and suggest actions to accelerate the development of this increasingly important area of exploration.

The members of the Task Force on Oceanography are:

JAMES H. WAKELIN, JR., *Chairman*
Consultant
Teledyne Ryan Aeronautical Co.
Washington, D.C.

ROBERT O. BRIGGS
Vice President
Dillingham Corporation
La Jolla, Calif.

JOHN C. CALHOUN, JR.
Vice President for Programs
Texas A & M University
College Station, Tex.

JOHN P. CRAVEN
Visiting Professor of Naval Architecture
and Marine Engineering
Massachusetts Institute of Technology
Cambridge, Mass.

PAUL M. FYE
President and Director
Woods Hole Oceanographic Institution
Woods Hole, Mass.

CHALMER G. KIRKBRIDE
Vice President, Research and
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Sun Oil Co.
Philadelphia, Pa.

EDWIN A. LINK
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WILLIAM A. NIERENBERG
Director
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NORMAN J. PADELFORD
Professor of Political Science
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Massachusetts Institute of Technology
Cambridge, Mass.

F. WARD PAINE
President
Ocean Science Capital Co.
Palo Alto, Calif.

DIXY LEE RAY
Director, Pacific Science Center
Seattle, Wash.

EDFRED L. SHANNON, JR.
President
Santa Fe International Corp.
Los Angeles, Calif.

C. MONROE SHIGLEY
Coordinator
Government Research and Development
Dow Chemical Company
Midland, Mich.

ATHELSTAN SPILHAUS
President, Aqua International, Inc. and
President, American Association for
the Advancement of Science
West Palm Beach, Fla.

ELMER P. WHEATON
Vice President and General Manager
Research and Development Division
Lockheed Aircraft Corporation
Sunnyvale, Calif.

GEORGE P. WOOLLARD
Director
Institute of Geophysics
University of Hawaii
Honolulu, Hawaii

CHAPTER I

*The Ocean and Our
National Interests*

The ocean offers a major source of benefits, opportunities, and challenges for the United States.

Intelligent use of the oceans is vital for our economy, our defense, and the quality of life of our people.

Within the ocean are proteins for the undernourished, water for arid lands, medicine for the sick, resources for industry, opportunities for recreation, and other benefits for mankind. The ocean also presents problems of national importance, some of which we have allowed to grow to major proportions. Of immediate concern is the quality of our environment and the management of the coastal zone. Major problem areas include pollution, beach erosion, inadequate port facilities, and damage to shore property by storms and by inappropriate human use.

A rapidly increasing national population, a general migration to the already crowded coastal zone, and a rising standard of living have created problems of pollution, living space and diminishing natural resources. For such common needs as oil, minerals, fresh water and recreation, increasingly we are being forced to turn to the sea to supplement our traditional resources on dry land. The scope of international commercial activity using the seas is expanding and regional economic organizations are evolving around ocean basins.

Our ability to utilize the ocean, once a source of national pride, has now fallen far behind our rapidly increasing appreciation of its potential value. Marine scientists and engineers have made progress toward understanding the marine environment and working in it. Although these efforts have added to our knowledge of the attainable benefits of the ocean, they have been insufficient in comparison with the apparent total potential.

Resurgent interest in marine affairs as a matter of primary national importance was expressed in the statement of policy contained in the Marine Resources and Engineering Development Act of 1966. Evidence

of the importance of the oceans is abundant in recent reports of the Commission on Marine Science, Engineering and Resources (Stratton Commission), the National Council on Marine Resources and Engineering Development, the President's Science Advisory Committee, many State Governments, the National Academy of Sciences, the National Academy of Engineering, and the National Security Industrial Association.

The security, the economic well being, and the welfare of our nation will be well served if the Government of the United States provides effective leadership and coordination in marine affairs.

It is our basic premise that marine affairs is an area of major importance to our country and now deserves corresponding recognition at the top levels of government. The immediate action we recommend rests on this proposition.

CHAPTER II

*National Goals
in Marine Affairs*

The responsibilities of the United States Government in marine affairs are related primarily to defense, transportation, commerce, general welfare and health, promotion of science and industry, conservation of natural resources, and development of international law regarding the use of the sea.

To meet these responsibilities, the following goals are suggested within the context of the policy established by the Marine Resources and Engineering Development Act. They are proposed to provide national guidance for the development of a marine program and to extend the role of the United States as a leader in exploration and use of the sea.

1. Utilize the sea to promote national security and economic strength.
2. Preserve and improve the quality of life and the ecology in the marine coastal environment and provide open spaces for recreation and public use.
3. Explore and investigate the oceans to extend our knowledge of marine phenomena, processes, and resources.
4. Develop and utilize all resources of the seas to the fullest extent.
5. Develop the ability to predict and modify storms and other oceanic phenomena affecting our safety and economy.
6. Encourage the growth of private initiative in the use of the marine environment.
7. Promote state and regional cooperation in marine affairs.
8. Promote international cooperation in ocean affairs.

CHAPTER III

Need for National Action

Marine activities characteristically are diffused throughout the governmental, economic, and cultural aspects of our nation. In addition to the interdependent relationships of national, state, regional, and private marine interests here in the United States, there are complicated relationships between our country and other maritime nations.

Because of this diffusion of activities and diversity of interests, programs in marine technology and exploration have been fragmented. Uncoordinated approaches have inhibited a strong national thrust into the sea.

Action is required now to achieve a well managed and coordinated effort. Meaningful marine effort requires an effective overall management that can provide direction; maintain a continuous overview and assessment of the nation's marine goals and activities; identify short term and long term goals and priorities; establish the balance required between exploration, engineering, and science; and help to define marine regulations and international maritime law in the best interests of the nation.

Action is also required now to insure that the military and non-military marine programs complement each other, to provide stability and adequate funding for the existing programs, and to initiate new ones that are in the national interest. Additional reasons for action are cited below.

The Public Has Expressed Major Interest and Awaits Action

The accelerating awareness of the public concerning the importance of marine affairs to our defense, economy, and general welfare; the public realization that the ocean is more than an area for scientific investigation; the attention being given to marine affairs by the States; and the introduction of more than one hundred marine related bills for legislative action in this session of Congress are evidence that the public is ready for significant action to be taken at the highest federal level.

Preservation and Improvement of the Environment Must Not Be Postponed

The general deep concern about ecology, pollution, restoration of lakes and estuaries, and enhancement of our beaches, demands that corrective and preventive steps be undertaken at once. Unless immediate action is taken we will greatly diminish our ability to develop optimum multiple use of the environment, including preservation and improvement of the quality of the environment. Properly planned use of the marine environment for transportation systems, wet lands, coastal cities, wildlife preserves, marine industry, resources, recreational facilities, and other purposes, is essential to the vitality of our nation.

As technological developments permit us to extend more of our activities into deeper water, our primary contact with the oceans will no longer be confined to the coastal zone. In the next decade major activities may well extend beyond the continental shelf and into the deep sea, with accompanying opportunities and problems.

National Program Requires Continual Appraisal

The existing commitments to marine programs, such as those in resource development and management, environmental services, commerce, research, and technology by the United States Government require reexamination to determine their effectiveness. We believe that most of the essential programs appropriate for government action have been identified in previous detailed studies. Some have already been initiated.

It remains now to assign priorities for programs that have been identified and not yet started, and to reassign priorities to those initiated. This requires a complete and continual reappraisal by those responsible for both planning and operation.

The five-point program recently endorsed by the Administration is an excellent start in this direction. The major elements in the program are Coastal Zone Management, Establishment of Coastal Laboratories, Lake Restoration, International Decade of Ocean Exploration, and Arctic Environmental Research.

International Economic Pressures Require Improved Capability to Use the Ocean

Other nations are pushing ahead with plans and programs to use the ocean and to exploit its wealth. We must improve our understanding

and capability in the ocean to guide us effectively in making decisions on the utilization of this world resource.

For example, we need to undertake a more systematic program of exploration in the Coastal Zone, Continental Shelf, and Deep Sea. We need to support long term, stable funding of basic marine research commensurate with the mission effort in marine activities. Support and management of multipurpose engineering development adequate for the requirements associated with current and projected marine programs undertaken by government agencies are required.

Our inadequate and outmoded state and national laws and regulations, and management and labor practices inhibit our domestic enterprise and prevent us from competing effectively with foreign enterprise. This is especially true in shipping, shipbuilding, and fishing. There is need for corrective action.

The Importance of Recent International Proposals Requires Increased United States Interest in the Deep Sea

Of immediate concern are questions of sea-bed disarmament agreements and other international proposals relating to use of the sea. The United States needs a strong technological basis and a continuing overview of these issues in order to make wise decisions in accordance with our national interests. With an increased effort, the United States will obtain the knowledge and capability to insure that its interests will be safeguarded as this region of the ocean becomes more important.

CHAPTER IV

Need for a New Agency

We have come to the conclusion that there must be a focus for leadership and management for the marine activities of the federal government. We believe that this is urgently needed now.

In addition to our own deliberations we have reviewed the recommendations of recent reports, in particular those of the Commission on Marine Science, Engineering and Resources (Stratton Commission), regarding the organization of the federal structure for the management of marine affairs. As immediate action we believe that many of the important national objectives in marine affairs that we and others, including the Stratton Commission, have proposed can be fulfilled by an independent agency, which does not require that large components be transferred from existing departments.

After considering several other possibilities, the Task Force, with a single dissent, is convinced that there are compelling reasons for the establishment of a new independent agency to provide federal leadership in national marine affairs, as follows.

**The President Should Have a Single Accountable
Agency Head for the National Marine Program**

No existing agency now has this accountability. For maximum visibility and to insure that important marine programs are not subordinated to the traditional missions in existing departments, the new agency should be independent and report directly to the President.

Historically, the government functions and organization have reflected national interests primarily related to a land oriented population. Governmental departments have been organized to reflect our interest in such areas as defense, agriculture, the interior, and commerce.

In recent decades we have found it necessary to modify the government organizational structure in order to advance aviation, explore outer

space, develop atomic energy, and promote other new areas of national concern. We now need to establish the means to mobilize our efforts to explore and utilize the seas.

A Central Federal Agency Is Needed To Coordinate and Revitalize the National Programs

The diffused and extensive nature of marine activities presents a set of management and organizational problems that have not as yet been resolved by our nation. A new agency can provide much needed emphasis on the national marine program, reduce unnecessary fragmentation of the marine effort, improve use of manpower and facilities, and should be able to make more effective use of the available funds. An independent agency of new and unique design can best fill the gaps and effect coordination among the many existing federal programs.

An Effective Program Requires Independent Development of Basic Engineering

There is no integrated program to provide the essential multipurpose engineering common to the long term requirements of the marine programs of government agencies. It is important that basic engineering development be managed independently from agency missions. If it is not, it will usually be plagued with unstable support and will often be the first item to be cut during budget reductions. To be effective, this long term development must be a continuing, stable effort.

In addition, there are instances in which basic engineering development is required in the general public interest, is of importance to a wide spectrum of users, and is beyond the venture capital capacity of any industry.

Planning and Future Funding Adequate for Required Programs Can Be Achieved More Effectively With a New Agency

The multiplicity of agencies involved in ocean activities makes it difficult for the President to exercise effective planning and leadership for marine development.

Congress may wish to revise its committee structure to provide for overview of national marine affairs. This revision in itself would do much to insure the necessary funding.

A New Agency Is Needed To Provide a Federal Focus for the Marine Activities in the Coastal Zone

We anticipate that some regional mechanisms will be established which will coordinate both marine and non-marine activities in the coastal zones. A single marine agency would provide an effective federal interface with such mechanisms for the marine aspects of coastal zone activities.

Establishment of a New Agency is a Necessary Step for Effective Management of Programs in Marine Affairs

The establishment of a new agency will provide management strength for marine affairs. This will also clarify many issues related to the future course of the United States in using the seas in the national interest. If further organizational changes are proposed, the option is left open to transfer additional marine components into this agency or to combine its functions with other components to form a structure responsible for national programs such as the environment, natural resources, or technology.

The broad set of requirements for effective marine leadership can best be met through a management group acting as a focal point for the national program. Such a function does not require restructuring marine affairs in the U.S. Government into a new monolithic operating agency.

As long as there is inter-agency representation for coordination, non-governmental representation for appraisal and advice, and a focal point with adequate authority, responsibility, accountability, and funding, all the ingredients for managing a successful national program are present.

CHAPTER V

*Recommended
Presidential Action***We Recommend the Establishment of an Independent Agency
Which Could Be Called the National Marine Agency**

The Director of the agency should report directly to the President.

The agency should accomplish its mission primarily through existing federal, state, regional, industrial, academic, and private organizations and should have authority to fund programs in such areas as marine technology and engineering.

Initial program emphasis should be directed toward the solution of marine problems in the coastal zone. Concurrently, anticipating the concerns of our citizens as their interests move offshore, the agency should evaluate and establish priorities for initiation of long term specific objectives and programs on the continental shelf and in the deep ocean as well as in the coastal zone.

The functions of the National Marine Agency should include the following:

1. Advise the President on national marine affairs and, under this direction, provide leadership, guidance, and accountability for the promotion and implementation of a sustained comprehensive marine effort.
2. Be responsible for administration of programs including:
 - a. A program of long-term exploration and surveying.
 - b. A program of basic multipurpose engineering directed in support of national requirements, including the dissemination of engineering information to the governmental and non-governmental sectors.
 - c. The gathering, storing, retrieval, and dissemination of marine data. It should thus assume responsibility for the National Oceanographic Data Center.

- d. Promotion of the development of and provision for test services for oceanographic instrumentation of adequate quality. Toward this end it should assume responsibility for the National Oceanographic Instrumentation Center.
- c. Assistance in the development of a national technical capability through assuming the responsibility for the National Sea Grant Program, and through providing institutional support for University-National Laboratories, and Coastal Zone Laboratories.
- 3. Be responsible for the coordination of marine affairs among the various agencies and for assisting them by:
 - a. Supporting and promoting marine programs relevant to the missions of the various departments and agencies.
 - b. Insuring effective utilization of both military and non-military marine capabilities in meeting the national goals.
 - c. Promoting a stable marine scientific research effort.
- 4. Serve as a focal point between the United States Government and other governmental and non-governmental sectors for:
 - a. Marine coastal zone affairs.
 - b. Technical advice in international marine affairs.
 - c. Action responsive to the needs of private enterprise.

We Recommend the Establishment of a National Marine Advisory Committee

This Committee should consist of knowledgeable individuals appointed by the President from the private sector with observers from the United States Government and State Governments. This is similar to the concept of a National Advisory Committee on the Oceans as proposed by the Stratton Commission.

This Committee, with its appropriate panels and subcommittees, would be responsible for advice and consultation to the Director of the National Marine Agency, the President, and Congress through periodic meetings and reports on:

- 1. The assessment of the national marine stature with particular attention to long-term policies and programs of the United States Government.
- 2. The relevance of United States Government programs to national goals.
- 3. A continuing assessment of the operational structure of the United States Government's marine program.

We Recommend the Establishment of a Marine Coordinating Committee

The Coordinating Committee, of which the Director of the National Marine Agency should be Chairman, should consist of representatives from all United States Government agencies with marine interests and should:

- 1. Review the status of the total marine effort of the United States Government (military and non-military) and assure proper information exchange.
- 2. Recommend the development of required capabilities and facilities, taking into account the maximum utilization of existing capabilities and avoiding unintentional duplication through inter-agency cooperation.
- 3. Provide recommendations on the areas of importance for the National Marine Agency supported effort in basic engineering development.
- 4. Provide recommendations on levels of effort for continuing scientific research.

* * *

The Task Force believes that the establishment of the National Marine Agency, the National Marine Advisory Committee, and the Marine Coordinating Committee will provide leadership in national marine affairs and will produce visible and immediate evidence that our government has recognized the national importance of our use of the sea.

Mr. BLATNIK. We now have the Honorable Maurice H. Stans, Secretary of Commerce.

Mr. Secretary, thank you and your assistants for being available. For the record, could we have each one give his full name and title for the reporter?

May we begin with the well-known Mr. Siciliano, the Under Secretary of Commerce?

Mr. SICILIANO. Rocco Siciliano, Under Secretary of Commerce.

Mr. TRIBUS. Myron Tribus, Assistant Secretary for Science and Technology.

Mr. SCHANES. Steven Schanes, Special Assistant for Policy Development.

Mr. TOWNSEND. John W. Townsend, Deputy Administrator, ESSA.

Mr. BLATNIK. All right, Mr. Secretary.

STATEMENT OF HON. MAURICE H. STANS, SECRETARY OF COMMERCE; ACCOMPANIED BY ROCCO C. SICILIANO, UNDER SECRETARY; MYRON TRIBUS, ASSISTANT SECRETARY FOR SCIENCE AND TECHNOLOGY; STEVEN E. SCHANES, SPECIAL ASSISTANT FOR POLICY DEVELOPMENT; AND JOHN W. TOWNSEND, DEPUTY ADMINISTRATOR, ENVIRONMENTAL SCIENCE SERVICES ADMINISTRATION

Secretary STANS. Thank you, Mr. Chairman and members of the subcommittee. I appreciate the opportunity to appear before your subcommittee in support of the President's Reorganization Plan No. 4 of 1970.

Reorganization Plan No. 4 of 1970 would place in a single agency within this Department the following:

- (a) The Environmental Science Services Administration, already a part of the Department of Commerce;
- (b) Most of the Bureau of Commercial Fisheries, now in the Department of the Interior;
- (c) The marine minerals technology program of the Bureau of Mines in the Department of the Interior;
- (d) The marine sports fishing program of the Bureau of Sport Fisheries and Wildlife in the Department of the Interior;
- (e) The Office of Sea Grant Programs of the National Science Foundation; and
- (f) Elements of the U.S. Lake Survey of the Department of the Army.

This new agency would be known as the National Oceanic and Atmospheric Administration (NOAA).

If the Congress allows the plan to take effect, it is also planned by administrative action to transfer to this new agency the National Oceanographic Data and Instrumentation Centers of the Department of the Navy and the National Data Buoy program of the Department of Transportation.

The President has also directed that upon approval of the plan, there be established a National Advisory Committee for the Oceans and Atmosphere to provide advice on the progress of governmental and private programs in achieving the Nation's oceanic and atmospheric objectives.

In parts of my statement I may repeat slightly what has been said before but I would like to have the record complete on this background and I hope you won't mind.

The President's reorganization plan which would establish this new agency is the result of more than 4 years of study both within and outside the Government.

As this committee well knows, the initial phase of this study was initiated in 1966 as a result of the Marine Resources and Engineering Development Act of 1966 which was introduced as bipartisan legislation.

This 1966 act provided for a study of all aspects of marine science to be undertaken by a Commission on Marine Sciences, Engineering, and Resources, and required the Commission to recommend an overall plan for a national oceanographic program that would meet the present and future national needs.

This Commission was chaired by Dr. Julius A. Stratton and its membership drew upon the best talents of the Nation in marine affairs. The final report of the Commission, "Our Nation and the Sea," which was issued in January 1970, focused national attention on the marine environment and recommended that a comprehensive national program could only be achieved through the establishment of a new independent agency dealing with oceanography and the atmosphere.

The establishment of such an independent agency has also been the subject of recent legislative proposals introduced in the House (H.R. 13247) and the Senate (S. 2841) and there have been intensive hearings on both of these bills.

Reorganization Plan No. 4 contains the President's proposals for systematically investigating and understanding the seas and atmosphere. It differs organizationally from H.R. 13247 and S. 2841 only in that it would place the National Oceanic and Atmospheric Administration (NOAA) in the Department of Commerce and that, of the U.S. Coast Guard, only the National Data Buoy program would be included.

For my part, I have long regarded the establishment of NOAA in this Department as a logical extension of our scientific and technological activities. It should be remembered that the interest of this Department in the oceanographic and atmospheric sciences is not new.

I am proud to state that in 1965 this Department had the foresight to recognize the Nation's stake in these areas. It was that year that Presidential Reorganization Plan No. 2 of 1965 established the Environmental Science Services Administration (ESSA) to serve as a national focus on our efforts to describe, understand, and predict the state of the ocean, the state of the lower and upper atmosphere, and the size and shape of the earth. I am therefore especially partial to NOAA and we intend to give the utmost priority to our responsibilities to NOAA in the marine and atmospheric areas.

Both the Stratton report and H.R. 13247 and S. 2841 recognize that the Nation's knowledge of the ocean and atmosphere is contingent and dependent on science and technology. In this respect the Stratton report emphasizes that a "solid base of science and technology is the common denominator for accomplishment" in these areas. We already have in this Department the "solid base of science and technology" which will buttress the foundation of an exciting and vigorous NOAA. We

will be able to provide a climate of innovation and clear thinking which will enable such a new agency to flourish and to meet the Nation's need for a comprehensive ocean and atmospheric program.

In addition to ESSA, which comprises 73 percent of NOAA's budget and 83 percent of its personnel, the Department, in fulfilling its technological role, has the following activities and capabilities which would contribute to marine and atmospheric objectives:

(a) The Maritime Administration of the Department has capabilities in ship design, port development and marine transportation engineering—and a record of innovation in these areas that will be useful in tackling the problem of developing more efficient marine vehicles. In fact, second to the Department of Navy, the Maritime Administration possesses the strongest marine engineering capabilities in the Government.

(b) Through its Clearinghouse for Scientific and Technical Information the Department has a unique national capability for the organized dissemination of technical information.

(c) The Department's Economic Development Administration and Regional Planning Commissions will contribute to the development of marine industry through its planning and assistance activities aimed at bringing new economic opportunity to geographical areas with idle and underused work forces. For example, we already have ongoing environmental projects in the marine and fisheries fields, including aquaculture.

(d) The Department's Business and Defense Services Administration undertakes a variety of activities aimed at aiding industrial growth and development and will provide a wide range of survey, analytical and interpretive data of value to the marine industry.

(e) The capabilities of the National Bureau of Standards in developing and calibrating instruments for scientific and engineering needs will be especially useful for marine instrument development. It also has a strong competence in systems analysis which will be vital in planning and carrying through a national marine program.

(f) The staff, programs and overseas attaches of the Department's Bureau of International Commerce will be invaluable in affording knowledge of the complex international aspects relating to the utilization of the seas.

Thus, the Department of Commerce, with the addition of NOAA, will have the competence to develop a broad and comprehensive national program in marine and atmospheric science, technology and technical services.

If Congress allows Reorganization Plan No. 4 to take effect, I would be proud to welcome NOAA to the Department.

I would now like to discuss the benefits to the Nation which will result from the creation of NOAA by Reorganization Plan No. 4.

The President, in his message to the Congress forwarding Reorganization Plan No. 4, made the following points:

(a) NOAA will be a center of strength within the civilian sector of the Federal Government which will enable us to organize a unified approach to the problems of the oceans and atmosphere.

(b) NOAA will improve our understanding of the resources of the sea and permit their development and use while guarding against the

thoughtless exploitation that in the past laid waste to so many of our previous natural assets.

(c) NOAA will make possible a consolidated program for achieving a more comprehensive understanding of oceanic and atmospheric phenomena as well as increasing our knowledge in the third major component of our environment, the solid earth.

(d) NOAA, by combining in a single administration the major Federal programs dealing with the seas and atmosphere, will make possible a balanced Federal program to enable us more effectively to monitor and predict the environment, and in some cases to exercise some degree of influence over it.

Examples of the types of benefits which I foresee are:

1. The combined fleet of vessels from ESSA and from the other agencies being transferred into NOAA will provide this Nation with a capability which will be available for work on a wide range of problems. It will allow greater joint utilization in the collection of data to meet needs of fisheries activities from the Bureau of Commercial Fisheries and mapping and charting activities from ESSA, as well as provide the means for the National Oceanographic Instrumentation Center to conduct tests of equipment at sea and the sea grant program to provide training facilities for the education of young people in this exciting and challenging field.

2. The Department of Commerce now operates the Nation's only operational environmental satellite system. We have and are developing many satellite uses for weather and oceanic monitoring and prediction. It will be of interest to the Bureau of Commercial Fisheries in the application of remote sensing to marine resource problems. I believe that this will offer a new potential for them.

3. The Bureau of Commercial Fisheries' needs for environmental information for fishery development can be significantly supported by present elements of ESSA. ESSA marine environmental predictions are a first step in the chain toward producing fishery forecasts. Close work between the program from the Bureau of Commercial Fisheries and that from ESSA can only lead to better utilization and assessment of our marine living resources.

4. By combining the environmental data centers we will be able to draw upon common experience and methods of operation to improve the efficiency of all of these centers.

5. Probably the most important benefit of all is that in NOAA we will have brought together in one organization an outstanding and competent group of people, including the scientifically trained ESSA Commissioned Officer Corps, which will provide a vital resource in developing a responsive national oceanic and atmospheric program. A force of some 13,000 people, with its impressive spectrum of talent, represents a formidable national capability to move forward.

Reorganization Plan No. 4 reflects my views that NOAA should be headed by an executive level III Administrator who would be of Under Secretary rank. The Administrator of NOAA will report directly to me rather than to an Assistant Secretary.

Additionally, we propose to establish NOAA with a single management and budget structure in order that it may achieve the most efficient and economical uses of its resources.

The National Oceanic and Atmospheric Administration will be

organized on a program basis which we believe will best enable us to utilize its resources in a comprehensive and balanced manner. The main thrust of this organization, and we are in the process of developing organizational charts, will be as follows:

1. The mapping and charting of the global oceans and the Great Lakes.
2. Fish exploration and conservation, aquaculture development, marine biological research, fish technology and industry services.
3. Technology for the air and sea, including data buoy and instrumentation activities.
4. The monitoring of the geophysical environment, including pollution, seismicity, climate and the earth's magnetic field, as well as data collection and dissemination.
5. The Nation's weather service will be broadened to include ocean, river, and space forecasting warnings.

Among the new functions assigned to NOAA are most of those now exercised by the Bureau of Commercial Fisheries of the Department of the Interior. However, the Bureau of Sport Fisheries and Wildlife would remain with the Department of the Interior. We are giving priority to the establishment of an interagency agreement which will provide an effective mechanism for continuing the coordination between the Bureau of Commercial Fisheries and the Bureau of Sport Fisheries and Wildlife. We are confident that this coordination agreement will enable both agencies to share expertise and will prove mutually beneficial.

We also intend that the new Administration will work in an innovative way with the Nation's universities and industries and will do everything possible to encourage and assist the tremendous reservoir of creativity and vision that resides within them. In this connection there will be within NOAA a special role for the sea grant program.

In conclusion, Mr. Chairman, I believe that the new National Oceanic and Atmospheric Administration will enable this Nation in the decades ahead to fully and wisely utilize and understand the oceans and the atmosphere. This new initiative in the oceans and atmosphere will greatly enhance the quality of our environment, our security, our economy and our ability to meet increased demands for food and raw materials.

I regard the establishment of NOAA as an essential step forward and I believe that the President's Reorganization Plan No. 4 of 1970 should go into effect as proposed.

Be assured that we in this Department will make it work.

Mr. Chairman, I would like to add a few words that are not in my prepared statement to deal with the question of concern and potential opposition that may come to this plan on the part of some organizations.

I would like to address myself to these views because I met yesterday with representatives of these groups to discuss these matters and some of the gentlemen with me here today have met with them on previous occasions.

I think it is quite clear, at least it is to me, that their questions about the plan relate to an early image of the Department of Commerce that no longer exists.

The Department today is 60 percent scientific and only 40 percent commercial.

Mr. BLATNIK. What was the earlier image, primarily commercial?

Secretary STANS. Yes. More than 60 percent of the budget and personnel of the Department of Commerce are now for scientific and technical purposes. They include not only ESSA which is the Weather Bureau, the Coast and Geodetic Survey, responsibility in the field of telecommunications, the National Bureau of Standards and the Patent Office. These, with the Maritime Administration, together make up 60 percent of the Department.

We have an Assistant Secretary for Science and Technology, who is my science adviser, as well as having line responsibility over these functions. Our scientific activities have recently been enlarged under a recent reorganization plan which will put more telecommunication responsibilities for scientific research and some of the monitoring of telecommunications within the Department of Commerce.

With this background, I urge the committee there should be no doubt of our ability to handle the scientific and research responsibilities under this program. I believe we have the acceptance of the scientific community generally and I believe the reorganization plan has the approval of those who have studied most the requirements in the field of oceanography.

The second concern that I got from the group I think stems from the same first misunderstanding. That is, Commerce being an agency which has as one of its responsibilities the promotion of commercial activities, may therefore exploit marine resources without regard to long-range interest in conservation or the interest of the sportsman.

I must say we regard economic development in a much more sophisticated manner than merely to exploit today and forget tomorrow. Our economic programs within the Department are long-range and are designed to deal with the elements of conservation and the environment and the interest of all parties.

We know that the commercial interest in fish must be reconciled in our responsibilities to the interests of the conservationist and the sportsman. In order to assure that these interests, as well as the interest and opinions of the public, are given sufficient opportunity to be considered, I would establish promptly a fish and fisheries advisory committee.

The purpose of that committee would be to work with the National Marine and Fisheries Service and provide advice to me and the Department on our goals of fish resources and to make progress on their success and failure in terms of reports. It would include members representing conservation interests, industry and members of the scientific and academic community.

I do not intend this to be just another committee or window dressing. I would do all I can to insure it would be a working conduit for refreshing ideas which would reconcile and bring together the viewpoints of commercial fisheries and commercial fishing people with those of the conservation, sportsman and wildlife groups. That is a dichotomy that exists no matter where these agencies are located and I think we have the background and scientific and technological competence to assure that all of these varying points of view are taken into account and are dealt with and reconciled.

Mr. BLATNIK. Thank you very much, Mr. Secretary. First of all, that is a very fine and clarifying statement. I must confess that I didn't realize that Commerce had so little to do with commerce.

You have to change the name of the Department.

Secretary STANS. That has been suggested in a number of quarters and we are seriously considering it. But I don't want that to interfere with the present reorganization plan.

Mr. BLATNIK. With my little background in science and economics I hope the Secretary will accept the comment in good humor. Am I beginning to understand that perhaps the economic plight in which this Nation now finds itself is in some measure due to the fact that our Department of Commerce has gone to the depth of the ocean and the height of the atmosphere, both lower and upper levels?

Secretary STANS. We have not neglected our domestic economy responsibilities; however, our interests extend as well abroad in the land and across the ocean, Mr. Chairman.

Mr. BLATNIK. I didn't realize this. I thought it would largely direct its efforts to the national economy. Are you essentially a scientific agency, Mr. Secretary?

Secretary STANS. I wouldn't go that far. I would say we are very strongly a scientific and research agency, but we also have commercial functions, both domestically and foreign.

We have, however, a strong base of technology and even—this, of course, is a good matching combination, because technology today in industry is a very large part of our trade problem. The ability of the United States to compete technologically is a fundamental question that we are addressing ourselves to in view of the fact that technology has moved to so many competing countries.

There is a close tie between business and technology; they do fit together. This has led to the expansion of the Department over the last 30 or 40 years to where it is really a Department of Commerce and Technology.

Mr. BLATNIK. In Reorganization Plan No. 2 of 1965, which created ESSA, on page 2, there is this a very significant statement referring to the new agency, ESSA, and I quote:

The new Administration will bring together a number of allied scientific disciplines that are concerned with the physical environment.

Last week we were led to believe that many of the allied scientific disciplines that are concerned with physical environment would be included in Reorganization Plan No. 3 which would create the Environmental Protection Agency.

Is there an overlap or duplication or conflict?

In short, what would be your relationship with the proposed plan No. 3 which would create EPA? What would be your relationship, as you see it?

Secretary STANS. In the broadest sense to which they relate to each other, which is primarily in the field of pollution, EPA is essentially a monitoring and disciplinary agency. NOAA is a measuring agency and research agency.

In that sense they have different functions. There will be matters in which they will obviously work together to a great extent but I think they are readily separable.

Mr. BLATNIK. In other words, as you see it, under plan No. 3, EPA would be more of a protective agency dealing with the protection of the environment and dealing with that scientific research which is necessary to obtain your objective, whereas you go on a much broader

scale and develop technologies with marine life, with the ocean and sea volume and with the air. Is that correct?

Secretary STANS. Yes; EPA is an enforcement agency, almost of the regulatory type, but not regulatory as such. NOAA is the information-gathering agency which relates to that as well as all the other elements of the weather and the ocean.

Dr. Townsend may elaborate on that answer a bit.

Dr. TOWNSEND. Yes, I can give you an example today of where ESSA works very closely with the Department of Health, Education, and Welfare on the air pollution problem. We provide the meteorological support, the unit that goes out and makes the measurement upon which the air quality regions make the determinations as to whether they have a problem and what action to take.

We provide them with a vital monitoring, descriptive, and predictive service.

Mr. BLATNIK. We will perhaps get this information from other sources if you don't have it; but, as you see it, how would NOAA and EPA be coordinated by the Council on Environmental Quality under Dr. Train?

Secretary STANS. Let me answer that in part, and I will ask the Under Secretary to elaborate on my answer.

Dr. Train's Council is essentially a policymaking organization. It has no administrative or operating functions of any kind and it is a relatively small group of policymaking people. So its policies might very well affect the activities of EPA or it might in turn bear upon the measurement systems or data collected by NOAA.

Mr. SICILIANO. In addition to the policy aspect, there are other areas that are not yet touched and perhaps I can give two examples. One is noise which is not in EPA or anywhere else, for that matter, except for a small force in DOT. The other is the whole question of land management; that is a major policy question which will certainly be a concern to Mr. Train's council. This is a coordinating policymaking type of group comparable to the Council of Economic Advisers. There is necessary liaison between EPA, NOAA as well as the other agencies of Government that will still continue to some extent their own environmental functions in the Department of the Interior and HEW and HUD.

Mr. BLATNIK. Mr. Secretary, one more question.

Where will NOAA fit into your organizational scheme? Briefly, what status will NOAA have in the Department of Commerce? Am I correct in saying you now have four assistant secretaries?

Secretary STANS. We now have five.

Mr. BLATNIK. Would you name the offices, such as Assistant Secretary for Economic Development?

Secretary STANS. Assistant Secretary for Administration, Assistant Secretary for Science and Technology, Assistant Secretary for Domestic and International Business, Assistant Secretary for Economic Affairs.

Mr. BLATNIK. You have five assistant secretaries. Four of those five are dealing in areas primarily economic; is that correct?

SECRETARY STANS. No, I would say the Assistant Secretary for Administration deals with the whole range of the Department.

Mr. BLATNIK. So of the four operating secretaries, three out of the four are dealing with areas primarily economic; is that correct?

Secretary STANS. I would say that is essentially correct.

Mr. BLATNIK. Yet, over 60 or 70 percent of your whole Department's work is in the scientific research department. You have one assistant secretary for that?

Secretary STANS. No, we would do it differently, if I understand your question. I would make the administrator of NOAA a position of the same level as the Under Secretary, reporting directly to the Secretary and Under Secretary. So the Assistant Secretary for Science and Technology would not be in a line relationship and would not have direct supervision over NOAA, but would be my scientific and technological adviser and staff with relationship to NOAA and would continue to exercise present authorities over the Patent Office and the National Bureau of Standards.

The administrator of NOAA would have a position above the level of any other assistant secretary.

Mr. BLATNIK. Have you discussed that proposal with the Office of Management and Budget?

Secretary STANS. Yes.

Mr. SICILIANO. Actually, the proposal calls for a level III to be the administrator of NOAA. As a matter of fact, the deputy for NOAA is a level IV, which is that of an assistant secretary. So we will have the rank of under secretary to be the administrator of NOAA, his deputy will be an assistant secretary, in effect, because his rank would be level IV.

Mr. BLATNIK. Has this been approved by the Office of Management and Budget?

Mr. SICILIANO. It is part of the reorganization proposal.

Mr. BLATNIK. Thank you, Mr. Secretary.

Mr. HOLIFIELD?

Mr. HOLIFIELD. No questions.

Mr. BLATNIK. Mr. Erlenborn?

Mr. ERLBORN. I think it is obvious that in any reorganization attempt there are a lot of functions which may have a relationship to the proposed new agency or administration that cannot be transferred. I know this is true in the Environmental Protection Agency. It is obvious we are not taking all functions that have something to do with environmental protection and putting them in EPA. It is not possible to do that. So we always have to exercise some judgment.

As I understand it, this proposal under Reorganization Plan No. 4 does substantially what the task force recommended in the combination of functions; is that correct?

Secretary STANS. This includes all of the organizations outlined by the Stratton Commission in its report, except the Coast Guard from which we only take one part, but otherwise it conforms almost identically with the Stratton record.

Mr. ERLBORN. The Coast Guard, as I recall, was transferred to the Department of Transportation a few years ago and remains there.

Secretary STANS. That is correct.

Mr. ERLBORN. Well, I want to thank you for your appearance here today. You have answered very well some of the questions that have

been raised by conservationists. You have given this subcommittee a new perspective of your Department's responsibilities relative to commerce and science and technology and you have explained very well your plans for this new Administration. I want to compliment you on your testimony.

Thank you very much.

Mr. ROBACK. What is the largest nontechnical activity in your Department, Mr. Secretary?

Secretary STANS. I suppose the people in the Bureau of International Commerce might disagree that they are a nontechnical agency. It is, however, the largest nonscientific, nontechnical agency.

Mr. ROBACK. What about the Maritime Administration?

Secretary STANS. This is a combination of administrative and technical responsibilities which has substantial responsibilities in the field of research and is engaging in extensive programs at the present time and research toward standard shipping and more effective ships. So I would classify it as a mixture with the technical aspects perhaps being a little less important than the administration of the subsidy program.

Mr. ROBACK. Assume for the moment that the Stratton report had been followed through and ESSA had been lifted out. That would take out about 40 percent of the bodies; is that correct?

Secretary STANS. Yes.

Mr. ROBACK. And suppose that when the Department of Transportation was created—and it had been proposed by some—the Maritime Administration would be a part of that, how many bodies would that have taken out?

Mr. SICILIANO. When you look at the Maritime figures it shows considerably more bodies than actually are in fact there. We have to count the men actually onboard ship who are employed for purposes of sealift to Vietnam. So that figure will vary. The number of employees there now are less than 2,000. That is, Federal employees employed in the Maritime Administration. I can't answer your question specifically except to say that the budget of the Maritime Administration, which is several hundred million dollars, is not all for salaries and expenses, it is mainly for operations and construction subsidies.

Mr. ROBACK. Well, if the Department of Transportation has encompassed the Maritime Administration, and if the Stratton report had been effected and lifted ESSA out of your Department, you wouldn't have had much of a department left; isn't that true?

Mr. SICILIANO. Well, those are a lot of ifs.

Mr. ROBACK. Those were the various proposals entertained. The point I am trying to make is: What is the future of the Department of Commerce in the light of this proposal? Is it not developing in effect a Department of Science and Technology?

Secretary STANS. I didn't hear that.

Mr. ROBACK. The alternatives apparently would either gut the Department or build it up. This proposal is building it up into pretty much a Department of Science and Technology. Is that not substantially correct?

Secretary STANS. Yes, the name "Department of Commerce and Technology," has been receiving some consideration.

Mr. ROBACK. Would not this lead to possible future proposals to excise the nonscientific functions and put them where they might be more appropriate?

Secretary STANS. Of course, anything is possible. I think we have succeeded this year in resolving a great many problems of the Maritime Administration in the Department of Commerce; and if the legislation passes for the President's program next month I think we would have completely revitalized the merchant marine under our Maritime Administration. That being the case, my guess is that there would be little or no agitation to move the Maritime Administration into the Department of Transportation where it would be a small element.

Mr. ROBACK. You recognize that the logic of developing the science and technology aspect of your Department inevitably raises the question of whether the other aspects of your Department should be dropped off?

Secretary STANS. I think that is true. Everybody realizes there is no such thing as the perfect organization in Government because there is such a tremendous interface between the activities of any one department of the Government and almost all the other departments of the Government. There is great merit in having MARAD in the same agency as NOAA, because they relate a great deal and I think MARAD can be a great help to NOAA. I really can't consider what consideration future agencies may take into account in structuring the Government.

Mr. ROBACK. That is all.

Mr. HOLIFIELD. I have a question.

How many people are in the Weather Bureau in your Department?

Dr. TOWNSEND. Approximately 5,000, sir.

Mr. HOLIFIELD. It was staffed along that line back in 1965. What kind of services does the Weather Bureau render?

Dr. TOWNSEND. Well, the Weather Bureau provides a broad range of meteorological services. The public service is probably the best known. These are the services that go to the public on a day-to-day basis; that is, your weather forecasts, warnings when severe storms are near, the hurricane and tornado problem; things of that nature. In addition to the public program, we have specialized programs serving key segments of the economy of the country. We support the Federal Aviation Agency very heavily in the field of aviation weather.

Mr. HOLIFIELD. What portion of your help goes toward that function?

Dr. TOWNSEND. We have 850 positions and \$15,600,000 in support of our aviation weather services. We also have programs in agricultural weather, fire weather, and where there is a special need requiring a particular skill in meteorology, we try to support such needs.

Mr. HOLIFIELD. In 1965, according to a paper I have here before me, appropriations for the Weather Bureau were \$100 million. I wonder if any thought has ever been given to charging the airlines and other people for this service. They seemed to be interested in charging the Post Office for the services rendered there. I wonder if you have given any thought to charging this private industry?

Dr. TOWNSEND. The answer is yes. The Secretary has written the Secretary of the Department of Transportation recently on this matter asking whether specialized aviation weather services could be included

in the study they are making now of the manner in which the user charges would be applied.

Mr. ROBACK. That is, you have a general statutory mandate for user charges and you are trying to determine whether this would be appropriate?

Dr. TOWNSEND. Well, we do have in some parts of ESSA and in the Department of Commerce user charges now. The point here is that many of the aviation services are very highly specialized and in view of the congressional action this year we feel aviation weather might be considered as much a part of the cost of operating an aviation system as the other components.

Mr. ROBACK. You have to report all the user charges or activities subject to user charges to the Office of Management and Budget; is that right?

Dr. TOWNSEND. Yes, sir.

Mr. ROBACK. And those are not reported as of now?

Dr. TOWNSEND. No, sir; because they are not being charged now.

Mr. BLATNIK. Are there any further questions?

Thank you very much, Mr. Secretary and I thank your colleagues and assistants.

Secretary STANS. Thank you.

(Following is a draft organization chart for the Department of Commerce under the proposed reorganization:)

Mr. BLATNIK. We will now hear from the Honorable Dwight A. Ink, Assistant Director of the Office of Management and Budget.

Mr. Ink, as usual, you have a well-prepared, logical, smooth-flowing statement. We can let it appear in the record in its entirety at this point and you may direct your comments to any areas which you feel additional information ought to be brought forth for the record.

We are particularly interested in two or three items; such as, why you recommended a separate agency in the case of EPA and yet, where the circumstances are quite comparable in Reorganization Plan No. 4, you recommend adding additional related functions to NOAA under the Department of Commerce.

Would that be the way you suggest that you proceed?

Mr. INK. Yes; that will be fine.

Mr. BLATNIK. You proceed at will and your statement will appear in its entirety in the record at this point.

(The prepared statement of Mr. Ink follows:)

PREPARED STATEMENT OF HON. DWIGHT A. INK, ASSISTANT DIRECTOR, OFFICE OF MANAGEMENT AND BUDGET

Mr. Chairman and members of the subcommittee, I appreciate the opportunity to appear in support of the President's Reorganization Plan No. 4 of 1970 which would create a National Oceanic and Atmospheric Administration in the Department of Commerce.

The President's message points out that the oceans and the atmosphere are interacting parts of a total environmental system. We need a better understanding of that system to enable us to monitor and predict its actions and perhaps, eventually, to control them for the protection of life and property from natural hazards and to make proper use of the system. We also face the need to gain more comprehensive knowledge of our marine resources. In the President's words—

Establishment of the National Oceanic and Atmospheric Administration—NOAA—within the Department of Commerce would enable us to approach these tasks in a coordinated way. By employing a unified approach to the problems of the oceans and atmosphere, we can increase our knowledge and expand our opportunities not only in those areas, but in the third major component of our environment, the solid earth, as well.

Scattered through various Federal departments and agencies, we already have the scientific, technological, and administrative resources to make an effective, unified approach possible. What we need is to bring them together. Establishment of NOAA would do so.

Under the terms of the reorganization plan there would be transferred to the Secretary of Commerce most of the functions of the Bureau of Commercial Fisheries, functions relating to migratory marine species of game fish and functions administered through the Marine Minerals Technology Center, all of which are now in Interior; the functions vested in the National Science Foundation by the National Sea Grant College and Program Act of 1966; and most of the functions of the Corps of Engineers' Lake Survey. In addition, administrative action would be taken to transfer to Commerce leadership responsibility for the National Oceanographic Data and Instrumentation Centers, now vested in the Navy, and the National Data Buoy Project, now vested in the Coast Guard. All of the above programs and activities would be brought together with the elements of the Environmental Science Services Administration, which is already in Commerce, to form NOAA.

NOAA would be headed by a level III administrator, a position equivalent in rank to an under secretary. In order to provide the maximum flexibility, the existing statutory agencies—ESSA and the Bureau of Commercial Fisheries—and certain of their offices would be abolished, although their personnel and other resources would be transferred.

As the subcommittee knows, the proposal for a NOAA was advanced in early 1969 in the report on "Our Nation and the Sea" prepared by the Commission on Marine Science, Engineering and Resources chaired by Dr. Julius Stratton. The Commission did not advocate drawing together all Federal marine and oceanic programs. In fact, it believed that many activities—such as the Corps of Engineers' program for the protection of the coasts and the Geological Sur-

vey—should maintain their identities and be strengthened in their current locations. However, the Commission did conclude that present Federal marine activities have grown over the years, largely without plan, to meet specific situations and problems and are scattered among many Federal agencies. It found that this has made it very difficult to launch a comprehensive and integrated program to remove the obstacles that stand in the way of full utilization of the oceans and their resources.

The Commission's answer to the problem was a NOAA, bringing together a number of interrelated marine and atmospheric programs under unified management thus permitting more effective use of common technologies and bodies of knowledge.

Reorganization Plan No. 4—with one exception—would result in the establishment of a NOAA containing the existing organizational unit as that recommended by the Stratton Commission. The exception is the Coast Guard program. Although action will be taken to transfer to NOAA the Coast Guard's responsibility for the National Data Buoy Program, it was concluded that transfer of the entire Coast Guard would be inappropriate.

The main reason for excluding the Coast Guard is that its basic functions are transportation related. Its major activities fall into the categories of law enforcement (including enforcement of all Federal laws on the high seas, regulation of navigation, port safety and oil pollution enforcement), maritime safety (including standard setting for the merchant marine, boating safety, search and rescue, aids to navigation and domestic icebreaking) and military readiness. Beyond this, the Coast Guard is involved in marine science and technology to an extent, and it would be expected to play a major role in a total national oceanic program. Its largest fleet, support bases, communications network and high level of expertise is vital to that effort, but to move its transportation and national defense programs to NOAA would be undesirable.

Reorganization Plan No. 4 departs from the Stratton Commission proposal in one other important respect. The Commission recommended that NOAA be established as a separate agency. However, after further study, the President concluded that it would be preferable to place NOAA in an existing agency—the Department of Commerce.

The President noted his objection in principle to the creation of new agencies in his message transmitting plans No. 3 and No. 4. He stated that he was making an exception to that principle in creating the Environmental Protection Agency mainly to avoid the institutional biases that the primary missions of existing departments were almost certain to bring to bear on environmental questions generally and on the critical matter of standard setting in particular. The type of program to be carried out by NOAA differs considerably from that of EPA. It will not be setting standards affecting the programs of other agencies; it will not be an enforcement agency; the bulk of its activities will involve research, monitoring, and data gathering on various aspects of the environment. "Institutional biases" are not as serious a problem in the latter types of programs.

In addition, a separate EPA can be justified on the grounds that its programs might be buried in the massive ongoing efforts in which Cabinet departments are involved and not receive the attention it requires at top levels of Government. There is no such danger in the case of NOAA, especially in the Department of Commerce, where it will constitute almost half of the resources of the Department and be headed by an officer having a rank equivalent to an Under Secretary.

In view of these differences, the President decided, in the case of NOAA, that it would be preferable to adhere to the basic principle of not proliferating agencies whenever possible.

Questions have nevertheless been raised as to the selection of the Department of Commerce as the home for NOAA. We believe there are several basic reasons for this organizational placement. First, the Environmental Science Services Administration, which is already in the Department, would constitute about 70 percent of the dollars and 80 percent of personnel of NOAA.

Thus, Commerce is already involved in a major way in scientific research and monitoring in an entire range of problems connected with the seas and the atmosphere, including handling of data on weather conditions, river water heights, coastal tides and currents, the structure and shape of ocean basins, seismic activity and conditions of the upper atmosphere. ESSA also maintains hurricane, flood, and other warning systems. There also exists in the Department an extensive related technological base in such areas as data collection, telecommunications, and the National Bureau of Standards. We see no compelling reasons for

shifting ESSA out of Commerce, a step which would remove about 40 percent of the people from the Department.

Second, the NOAA programs fit in with the economic support services programs of the Department in various ways. For example, the Department's Maritime Administration carries out programs in the areas of ship design, port development and marine transportation engineering, and the Economic Development Administration can contribute to the marine industry through its planning and other assistance activities. The Business and Defense Services Administration and Bureau of International Commerce can also provide important linkages in their areas of expertise, including a wide range of data of value to the marine industry.

Questions have also been raised regarding the manner in which the reorganization plan divides Federal programs relating to fish. Functions of Bureau of Commercial Fisheries, except for a few such as those relating to Great Lakes fishery research, and functions relating to migratory marine game fish would be transferred to NOAA; other fish functions, mainly in the Bureau of Sport Fisheries and Wildlife, would remain in Interior.

The determination of this split has been the most difficult feature of the plan. It is not perfect; probably no split in this complex area could be. For example, it leaves the anadromous fish programs untouched, and hence they remain divided between commercial and sport fisheries even though there is some overlap of activity. And, while the split is primarily along geographic lines, that is, ocean versus inland activities, there are minor deviations from that pattern and an area in the coastal zones and estuaries for potential interaction between commercial and sport fisheries.

We believe, however, that the transfer of basic BCF activities is consistent with the concept of establishing a NOAA with a mission of securing the most complete understanding possible of our ocean resources. In addition, there are a number of important linkages between BCF activities and other NOAA and Commerce activities in such areas as biological and oceanic research, exploratory fishing, loans and insurance for vessels and data collection and distribution. At the same time, it appears appropriate to leave basic sport fishing programs in Interior along with wildlife activities since they relate to certain basic missions with respect to recreation and the conservation of our natural resources.

Mr. Chairman, the President has stated that NOAA will exercise a leadership and coordinating role in a program of oceanic and atmospheric research and development. It will provide services to other agencies and maintain close contact with the EPA and Council on Environmental Quality. As indicated by the President:

Drawing these activities together into a single agency would make possible a balanced Federal program to improve our understanding of the resources of the sea, and permit their development and use while guarding against the sort of thoughtless exploitation that in the past laid waste to so many of our precious natural assets. It would make possible a consolidated program for achieving a more comprehensive understanding of oceanic and atmospheric phenomena, which so greatly affect our lives and activities. It would facilitate the cooperation between public and private interests that can best serve the interests of all.

Finally, Reorganization Plans No. 3 and No. 4 represent a sound and significant beginning in proceeding to organize the sensitive and rapidly developing environmental area more effectively. There have been many suggestions for further changes, and the President has not foreclosed such changes. He has stated: "As we see how these changes work out, we will gain a better understanding of what further changes—in addition to these—might be desirable."

We urge that Plan No. 4 be allowed to become effective.

Mr. BLATNIK. Technically, we want amplification on why you wanted the agency in one instance and why not this instance.

STATEMENT OF HON. DWIGHT A. INK, ASSISTANT DIRECTOR, OFFICE OF MANAGEMENT AND BUDGET; ACCOMPANIED BY HOWARD SCHNOOR, DIRECTOR, GOVERNMENT ORGANIZATION STAFF; AND JOSEPH GORRELL, BUDGET EXAMINER

Mr. INK. Very well.

I have with me on my left Mr. Howard Schnoor, head of the Gov-

ernment Organization Staff, and on my right Mr. Joseph Gorrell, who is also with the Office of Management and Budget.

In the room is Mr. Clifford Berg who is on my staff and did some work with the Stratton Commission.

First, you questioned why NOAA was not established as an independent agency. As the President indicated in his message, he believes it is important wherever possible to avoid establishing new agencies, I think for the obvious reason that there are a large number of agencies and departments in existence now.

I think most people recognize that it is difficult for the President to deal effectively with the kind of span of control which now exists in Government and a reluctance to add to that problem if it can be avoided.

In the case of the environmental protection area, the President did, however, decide this was an instance in which he believed it wise to make an exception to the general policy.

The reason is not only the tremendous significance of pollution problems, problems which in many cases have been recognized in a very belated fashion, but the view that the Environmental Protection Agency, as Mr. Stans indicated, is a standard setting and control agency which should, in our judgment, be separate from other departments and agencies.

We believe independence is far more significant and important for the EPA-type of activity than in the area of oceanography and atmospheric science and technology that we are dealing with here today. We do not believe that the natural bias of agencies which results from their primary missions would be a significant handicap in locating the oceanography activities in an existing department. However, it would be in locating the environmental protection standard setting within an existing department.

Also, there has been concern about functions which need to get underway being more or less buried in large Cabinet departments, as has just been discussed by the Commerce people. The NOAA we are talking about constitutes a very significant portion of the Commerce Department, about 40 percent, as a matter of fact.

Consequently, we believe that the problem or the hazard of NOAA being buried in Commerce is not as severe as in the cases we were talking about earlier.

Finally, and I would stress we do not regard this as the controlling or determining factor, the fact that most of the people are already in Commerce is a factor which favors placing it in Commerce, although I stress I do not regard that as a controlling factor. For the fiscal year 1971 request, we are talking about roughly 84 percent of the positions, something like 75 percent of the dollars.

It is a matter of judgment, of course, where functions are located. I think the location is probably not as important as the need for drawing these kinds of functions together so that we can get a more effective forward thrust in dealing with the atmosphere and the oceans.

These, I believe, Mr. Chairman, are the principal reasons for recommending an independent agency to exercise control-type functions in the one case and not recommending an independent agency for a service-type operation against a backdrop of an overall policy which says one should not establish independent agencies unless absolutely necessary.

Mr. ERLBORN. Could you yield at that point, Mr. Chairman?

Mr. BLATNIK. Yes, sir.

Mr. ERLBORN. Don't we also face the problem that the next thing we have to do is have a reorganization to bring the independent agencies into some Cabinet department?

Mr. INK. That is certainly a problem, and the more agencies we have and the more departments we have, then the greater the pressure becomes for the kind of superstructure within the Executive Office of the President which this committee has expressed concern about in the past which is a natural outgrowth of heavy proliferation of agencies in the department.

Mr. BLATNIK. I was very impressed about the testimony of my two colleagues, Mr. Lennon and Mr. Mosher, particularly the kind of things we were touching upon, the mechanism for the lines of communication, so that the orderly, systematic change of thinking went on over a period of several years between the legislature and the advisory commission. This would help produce what I think is a very commendable position.

There is a lot more merit and I think far less confusion in the case of EPA, which we heard last week. We shall discuss this further to see if some formal arrangement of that type, with exchange of thinking and experience between the legislature, the commission, and the departments or agencies themselves, can be worked out so we can come up with the best possible program that can be put forth by the combined judgment of the many people involved in order to minimize as much as possible the dislocating factors or the adverse effects of new programs and subsequent opposition to it.

Mr. INK. We would be happy to talk with the committee on how we can work together more effectively.

Mr. ERLBORN. I would like to observe that the observation made by the chairman is one made by everybody; I think the chairman will agree to that. Prior consultation before submission of a reorganization plan is very important. I do not know that there has ever been a time when all the members of the committee felt there had been sufficient consultation with the committee or with the other committees that have legislative jurisdiction.

I would point out in this particular case we were fortunate that there was a particular subcommittee of the Merchant Marine and Fisheries Committee that had jurisdiction and over the years spent some time in looking at the creation of NOAA. That is somewhat unique. Ordinarily, we are talking about several different committees.

Mr. BLATNIK. Yes, Mr. Ink.

Mr. INK. That I believe is the principal question that you referred to a moment ago. I would be happy to address myself to any other questions that you might have.

Mr. BLATNIK. With more and more of the Department of Commerce's responsibilities and functions shifting heavily to the scientific research and technological areas—60 percent of its efforts are in that field and less and less in the area of economics as in the olden days—do you see any need to change its name to more properly describe the primary mission of the Department of Commerce?

Mr. INK. I have some problem with the name, too, and I think it merits looking at.

Mr. BLATNIK. Do you have any other points that ought to be clarified or amplified, Mr. Ink?

Mr. INK. I would stress the service-type role which I think is a very important one in the Commerce Department, both in the economic area and the scientific and technological area. I think that the placing of NOAA in Commerce fits that role very well.

As to whether it would be desirable to place other scientific functions and basic research programs in the department, I would have some question and I think that really would better be considered in the light of whether there is a need for a Department of Science such as Mr. Roback has discussed from time to time.

Mr. ROBACK. You do have the constitutional thought in mind about science and useful arts, is that the idea?

Mr. INK. I was not trying to distinguish between useful and un-useful art.

Mr. BLATNIK. According to the fisheries problems, that seems to be somewhere in the order of justifiable differences of opinion. Your major program has 1,750 positions and a budget of over \$100 million. Likewise, the sport fisheries is also relatively a smaller program in size and scope.

Mr. INK. The Stratton Commission did recommend that the Bureau of Commercial Fisheries be placed in NOAA. The view, however, is that the work of the sport fisheries and wildlife is so heavily inter-related with the other functions found in Interior that more of a problem would be created by bringing that into Commerce than is created by dividing the two groups.

The Bureau of Commercial Fisheries and the Bureau of Sport Fisheries and Wildlife are separate bureaus within the Interior Department. So what we are talking about is the extent to which there may be a greater problem by virtue of one bureau being in another department rather than both bureaus being in the same department.

The problem of a split to the extent one exists is already in being in Interior between the Bureau of Commercial Fisheries and the Sport Fisheries. As one looks into it, the split does not seem to be as serious a problem as appears on first glance.

As I understand it, for example, the sports fisheries operate all the hatcheries. There is some hatchery work which is funded through the Bureau of Commercial Fisheries, but the Bureau of Commercial Fisheries looks to the sports fisheries for the hatchery work. So we do not have a duplication.

In summary, we would agree that this kind of division creates some administrative problems. We do not regard them as serious and it is our feeling that if the sport fisheries were brought into Commerce, there would be a more serious problem of dividing and separating and carrying that away from the conservation and wildlife work which is so closely intertwined.

Mr. BLATNIK. Mr. Erlenborn?

Mr. ERLBORN. I have no questions.

Mr. BLATNIK. Are there any further questions?

Well, there may be some later on. This program, we feel, is much better prepared. I think the orderly manner in which these hearings have proceeded and the lack of questions indicate that.

Just one more question: What relationship do you see between NOAA and EPA and the President's adviser, Dr. Russell Train?

Mr. INK. Mr. Train and his council are staff to the President. They are concerned with coordination of policy involving all areas within the executive branch dealing with various aspects of the environment, some of which will be located in EPA, some in NOAA, some in Agriculture, some in Interior, some with the Atomic Energy Commission and so on around through the executive branch.

We feel there is need for that kind of tying together. As we indicated the other day, we do not believe it is either wise or feasible to try to draw all of these functions into one place in the Federal Government. We believe those are agencies and departments upon whom we must depend for the positive programs required to enhance the environment.

Mr. BLATNIK. That makes good sense. Let's narrow it down then. What would be the relationship, as you see it, between NOAA and the Environmental Protection Agency directly? Would they communicate with each other at all or would they deal primarily through Dr. Train's office?

Mr. INK. No, sir; that will not be the line of communication. The communication must be direct between the two groups. Basically, of course, EPA is concerned with standard setting in dealing with environmental pollution problems and NOAA is concerned with providing scientific and technological services to industry, to other groups, both in and outside the Government.

Mr. BLATNIK. Thank you very much, Mr. Ink. We have a few minutes after the second call on the quorum.

(The following summary of estimated positions and funding was submitted by Mr. Ink:)

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION, SUMMARY OF ESTIMATED POSITIONS AND FUNDING¹

Agency and current function	1970			1971 President's request		
	Positions ²	BA	Outlays	Positions ²	BA	Outlays
Commerce:						
Environmental Science Services Administration..	11,033	\$ 208,565	194,985	11,582	\$ 251,262	\$ 198,599
Interior:						
Bureau of Commercial Fisheries ⁴	1,750	51,000	56,000	1,680	44,500	53,000
Marine Sport Fishing (BSF & W).....	60	1,000	1,000	60	1,190	1,150
Marine Minerals Technology Center (Bureau of Mines).....	55	925	900	55	925	900
National Science Foundation:						
Sea grant program.....	7	9,600	6,500	7	13,000	10,000
Defense--Army:						
U.S. lake survey ⁴	120	2,700	2,700	120	2,000	2,000
Transportation:						
Data buoy development (Coast Guard).....	30	6,500	2,000	53	13,500	6,000
Defense--Navy:						
National Oceanographic Data Center.....	130	2,045	2,045	130	2,177	2,177
National Oceanographic Instrumentation Center..	58	1,238	1,238	58	1,308	1,308
Total ⁵	13,250	283,600	267,400	13,750	330,000	275,000

¹ All numbers are preliminary estimates and subject to change.

² Full time, permanent positions authorized.

³ Direct Federal and trust funds, including advances and reimbursements.

⁴ Part of an organization being transferred; exact numbers to be determined.

⁵ Numbers do not add to total due to rounding.

Mr. BLATNIK. Dr. Thomas Owen has been standing by for a long time and I understand, Dr. Owen, that you have a rather brief statement. We will be glad to accommodate you. We have your statement and it shall appear in the record in its entirety. Would you direct us to any parts of it or the hub of your testimony?

STATEMENT OF DR. THOMAS B. OWEN, ASSISTANT DIRECTOR,
NATIONAL AND INTERNATIONAL PROGRAMS, NATIONAL SCIENCE FOUNDATION

Dr. OWEN. I would be pleased to do so, Mr. Chairman. I think if one reviews the hearings that established the Sea Grant Program, held in 1966 in both House and Senate, it was obvious that most witnesses concluded that the National Science Foundation should be given interim stewardship over the Sea Grant Program.

The Director, in consultation with the staff, feels there are certain advantages to the Foundation and certainly to the proposed new organization in the transfer of the Sea Grant Program. I believe the statement that I have prepared—and that will be a part of the record—reflects a discussion of these advantages and of the intent of the Foundation to capitalize on the transfer by having an enhanced avenue of communication, whereby the results of Foundation research can be made available to the NOAA for the latter's mission in control and prediction of the environment and in the intelligent development of marine resources.

Mr. BLATNIK. Doctor, thank you, the statement is splendid. If there are no further comments from the staff or members, thank you very much.

(The prepared statement of Dr. Owen follows:)

PREPARED STATEMENT OF DR. THOMAS B. OWEN, ASSISTANT DIRECTOR,
NATIONAL SCIENCE FOUNDATION

Mr. Chairman, and members of the committee, I am pleased to appear before this subcommittee of the House Committee on Government Operations to present the views of the National Science Foundation on Reorganization Plan No. 4 of 1970 particularly as it relates to the transfer of the Sea Grant Program from the National Science Foundation to the National Oceanic and Atmospheric Administration.

As you know, the National Science Foundation is mainly affected by the President's reorganization plan through transfer of the National Sea Grant Program. This is in line with the President's plan to consolidate in NOAA several important programs relating to the marine environment and, in so doing, give them greater strength. We expect the transfer of the sea grant program to make an important contribution to the program of NOAA. As stated in the National Sea Grant College and Program Act of 1966, the purpose of the act is "to provide for the establishment of a program of sea grant colleges and education, training, and research in the fields of marine sciences, engineering and related disciplines." By and large the intent of the act is clear: that is, to establish a strong network of institutions for work in the marine environment, and secondly to provide through the sea grant program a stimulus to industry, State government and private foundations to accelerate their activities in the ocean.

During the formulation and passage of the sea-grant bill, there was some question as to the most appropriate "home" for the Sea Grant Program. Referring to reports of hearings before the Senate in May of 1966 and before the House in June 1966, there was considerable discussion as to the Federal agency to be designated to implement the program. The consensus of several of the witnesses who testified at the time appears to have been that the Foundation should be granted interim stewardship of this program.

We of the Foundation believe that we have done the best job possible, under the circumstances, of nurturing this program and giving it the start that its potential and promise deserves. During its short but active life the program's budget has risen from \$5 million in 1968 to proposed support of \$13 million in fiscal year 1971. The program now encompasses some 63 projects in 57 different institutions. Within the Foundation it is staffed by four professional persons and three clerical assistants.

We feel the program today is in excellent condition. You have undoubtedly received and will continue to receive testimony to this effect, but we base our estimate on the recognized capabilities of our grantees, on the number and quality of the institutions that have applied for sea-grant support, and on the number of State governments which have expressed interest and have set aside funds for sea-grant participation. At the present time the Sea Grant Program has given institutional support to nine universities including Washington, Oregon State, Texas A. & M., Miami, Hawaii, Rhode Island, Wisconsin, Michigan, and Southern California.

The President's Reorganization Plan No. 4 and his accompanying announcement reflect the desire to improve our ability to understand and utilize the marine environment. The components of Federal agencies which are proposed for transfer to NOAA are responsible for various aspects of the ocean environment. Together they will provide a coordinated thrust which cannot help but weld their individual efforts into an efficient and effective operation for the development of ocean resources.

The Sea Grant Program will bring to the new organization substantial strength. Most importantly it will provide an enhanced avenue to NOAA for necessary applied research and interaction with our colleges and universities. Program participants constitute an excellent source of advice to NOAA in pursuit of its broad program. Its accomplishments and those yet to come will be brought closer to ultimate users. Examples would be sand and gravel identification recovery programs in the Great Lakes, aquaculture programs of Florida, Texas, and California, mineral resource programs in the Great Lakes and North Atlantic; and investigation of drugs-from-the-sea. Operation of the program in its new milieu will serve to further stimulate and enhance capabilities so necessary to resource recovery.

While, of course, the Foundation will feel a sense of loss with transfer of the sea grant program, we benefit at the same time. The NOAA provides an excellent avenue for application of the results of our program of fundamental oceanographic research and exploration. Sea grant will thus provide a major link between the Foundation and NOAA, a prime consumer of our "output."

Speaking for the director of the Foundation, I want to state our intention to continue to work closely with the sea grant program. We will encourage interaction of Foundation personnel and programs with those of NOAA.

I would, of course, not want to neglect this opportunity to bring out another perhaps largely unnoticed capability of the National Science Foundation—that of starting, nurturing, and developing capabilities which can be passed to the operating agencies in "ready to go" condition. As I have said, sea grant will add much to the luster of NOAA and I would be remiss in failing to suggest that a share of the credit for this is due the Foundation. In this same vein it is altogether possible that in the future other Foundation-initiated efforts may pass to other agencies.

In conclusion, it is now clearly up to the Foundation and NOAA to work out an orderly transition and we have already established contact for this purpose. The director and staff of the Foundation look forward to the new agency's establishment and to the opportunity of working closely with it in exploring and developing the wonderful new opportunities that lie in our surrounding oceans.

Again, I am grateful for the chance to appear before you. I will be happy to respond to your questions.

Mr. BLATNIK. Time does not allow any further witnesses to testify. This afternoon we have certain very important votes so the hearing is adjourned until tomorrow morning at 10 o'clock.

(Whereupon, at 12:30 p.m., the hearing was adjourned, to reconvene at 10 a.m., Wednesday, July 29, 1970.)

REORGANIZATION PLAN NO. 4 OF 1970 (NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION)

WEDNESDAY, JULY 29, 1970

HOUSE OF REPRESENTATIVES.

EXECUTIVE AND LEGISLATIVE REORGANIZATION SUBCOMMITTEE
OF THE COMMITTEE ON GOVERNMENT OPERATIONS,
Washington, D.C.

The subcommittee met at 10 a.m. in room 2154, Rayburn House Office Building, Hon. John A. Blatnik (chairman of the subcommittee) presiding.

Present: Representatives John A. Blatnik, Chet Holifield, John N. Erlenborn, and Clarence J. Brown.

Staff members present. Elmer W. Henderson, subcommittee counsel; Herbert Roback, staff administrator, Military Operations Subcommittee; James A. Lanigan, general counsel; and J. P. Carlson, minority counsel, Committee on Government Operations.

MR. BLATNIK. The Subcommittee on Executive and Legislative Reorganization will come to order. We will resume public hearings on Reorganization Plan No. 4 of 1970.

The first witness this morning is our good friend who appeared last week, the Honorable Fred J. Russell, Under Secretary of the Department of the Interior.

Mr. Secretary, will you please take the witness stand. I notice you are accompanied by several of your assistants. For the record, Mr. Secretary, will you have each of them identify themselves by name, title or position.

DR. GLASGOW. Leslie L. Glasgow, Assistant Secretary for Fish and Wildlife and Parks.

DR. TAIT. Howard Tait, Special Assistant to the Commissioner.

MR. ROEDEL. Philip Roedel, Director of the Bureau of Commercial Fisheries.

MR. STANG. David Stang, Assistant to the Under Secretary.

MR. BLATNIK. Mr. Secretary, later on it may be necessary for someone from your office or from the Fish and Wildlife Service to be here in case questions come up when other witnesses testify from the commercial fisheries.

Would you please proceed? I notice you have a written statement. It is not long. Would you please proceed with your testimony?

STATEMENT OF HON. FRED J. RUSSELL, UNDER SECRETARY OF THE INTERIOR; ACCOMPANIED BY DR. LESLIE L. GLASGOW, ASSISTANT SECRETARY FOR FISH AND WILDLIFE AND PARKS; DR. HOWARD TAIT, SPECIAL ASSISTANT TO THE COMMISSIONER; PHILIP ROEDEL, DIRECTOR, BUREAU OF COMMERCIAL FISHERIES; AND DAVID STANG, ASSISTANT TO THE UNDER SECRETARY

MR. RUSSELL. Thank you, Mr. Chairman, and members of the subcommittee, for this opportunity to discuss briefly the President's plan

for establishment of a National Oceanic and Atmospheric Administration. We support that proposal, now pending before the Congress as Reorganization Plan No. 4, as the means to accomplish a much-needed coordination of Federal activities which affect the oceans and the atmosphere.

It is difficult to overstate the national importance of these vast realms. The oceans comprise three-fourths of the earth's surface and can contribute immeasurably to the future well-being of man. Food from the oceans, and their mineral resources, will be needed to meet the world's demands.

In working to make use of these resources, however, we must exercise care to assure that they are not wasted or developed at the expense of environmental quality. As the President said, we depend on the oceans and the atmosphere, not only for the quality of our lives but for life itself. An integrated approach to the problems and opportunities of the oceans and the atmosphere will yield new knowledge of ways in which to make and maintain a quality environment.

There are now scattered among four departments and one agency nine Federal program elements whose programs would be moved to the National Oceanic and Atmospheric Administration (NOAA) upon implementation of Reorganization Plan No. 4. There will be created for the first time within the civilian sector of the Federal Government a single focus for our interest in the majority of these programs and a mutually beneficial point of contact with the private sector in connection with them.

There will be transferred to NOAA from the Department of the Interior the following activities:

From the Bureau of Commercial Fisheries:

Biological research including all labs, except for the Gulf Breeze, Fla., lab; the Great Lakes lab at Ann Arbor, Mich.; and the Missouri River Reservoir project, at Mobridge, S. Dak.

Exploratory fishing and gear research programs, including the exploratory fishing gear research base and vessels.

The technological research (food science) program, including all laboratories and stations.

The industry service and financial assistance program.

Administrative and service functions.

The marine mammals program, except for those functions assigned to and performed by the Bureau of Sport Fisheries and Wildlife.

Executive direction of the Bureau of Commercial Fisheries' central and regional offices.

Federal aid functions, including the Commercial Fisheries Research and Development Act; that portion of the Anadromous Fisheries and Great Lakes Fisheries Conservation Act assigned to the Bureau of Commercial Fisheries; the Jelly Fish Act.

The Columbia River Program, except for the operation of fish hatcheries and the River Basin Studies function.

Foreign fisheries and international affairs functions, except for those dealing with the Great Lakes Fishery Commission.

From the Bureau of Sport Fisheries and Wildlife:

The marine game fisheries research program, including the laboratories at Sandy Hook, N.J.; Tiburon, Calif.; Narragansett, R.I.; Panama City, Fla.; and Port Aransas, Tex., including also the vessel assigned to these laboratories.

From the Bureau of Mines:

The Marine Mineral Technology Center.

These transfers will involve approximately 1,750 employees of the Bureau of Commercial Fisheries and a 1971 budget of \$45 million, 60 employees of the Bureau of Sport Fisheries and Wildlife and \$1 million of its 1971 budget, and 55 Bureau of Mines personnel associated with a program budgeted at \$964,000.

Other NOAA components will be the Environmental Science Service Administration of the Department of Commerce; the Office of Sea Grant Programs of the National Science Foundation; and elements of the U.S. Lake Survey, now at the Department of the Army. In addition, there would be transferred to NOAA by Executive action the National Oceanographic Data Center and the National Oceanographic Instrumentation Center, both from the Department of the Navy, and the National Data Buoy Project from the Department of Transportation.

It is estimated that this new Administration will employ more than 13,000 people and have a 1971 budget of \$330 million. Approximately 83 percent of its employees will be ESSA personnel, already at the Department of Commerce. The least dislocation is effected, therefore, by placing NOAA within the Department of Commerce. Scientific, technological, and administrative competence of component programs will be brought together at NOAA.

The President anticipates that NOAA will develop a national program of research and development responsive to our needs in the oceans and the atmosphere. He has concurred in the recommendations of the Commission on Marine Science, Engineering, and Resources, and others that there be established a National Advisory Committee for the Oceans and Atmosphere, and will request that such a group be appointed, upon approval of the plan. In short, implementation of the plan will provide a new impetus for the systematic management of oceanic functions.

We at the Department of the Interior are prepared to carry out our responsibilities with respect to the details of reorganization. We will cooperate fully with NOAA in pursuit of our mutual objective, which is, as the President stated in his message of July 9:

To insure that the Nation's environmental and resource protection activities are so organized as to maximize both the effective coordination of all and the effective functioning of each.

I have others here with me, and we will be pleased to answer your questions.

Mr. BLATNIK. The main question, Mr. Secretary, will be the matter of the separation of Commercial Fisheries and Sport Fisheries. Conservationists, particularly, have very strong feelings and they have very good reason. But, obviously, the decision was not within your purview or jurisdiction to make.

Could you or a member of your staff tell us for the record, Mr. Secretary, how would the Federal functions regarding fish be divided between Interior and NOAA? Would all the Commercial Fisheries' operations be transferred over to NOAA? Which functions or fish operations will be left in the Department of the Interior? The question is, how would the Federal functions regarding fish be divided between Interior and NOAA?

Mr. RUSSELL. The transfer of the Commercial Fisheries is by and large a complete one. The sport fishing activities are more related to the land management activities which continue to be with the Department of the Interior.

Mr. BLATNIK. Well, just what functions will go into NOAA and what functions will remain in Interior?

Mr. RUSSELL. The biological research will go to NOAA with the exception of the Gulf Breeze, Fla., laboratory; the Great Lakes laboratory; and the Missouri River research project at Mobridge, S. Dak.; the exploratory fishing and research and its vessels will go to NOAA; and technological research, which is food science, will go to NOAA; the financial assistance programs will go to NOAA.

Mr. BLATNIK. The listings on pages 2 and 3 of your statement, are those the functions transferred from Interior to NOAA?

Mr. RUSSELL. Yes, sir.

Mr. BLATNIK. It is not clear which functions dealing with fisheries will remain in Interior.

Mr. RUSSELL. The ones that remain are those pertaining to the fresh water Sport Fisheries activities.

Mr. BLATNIK. All the activities of Sport Fisheries?

Mr. RUSSELL. Yes.

Mr. BLATNIK. Explain what you think will result from this separation. You have your top team here, the Commissioner of the Fish and Wildlife Service, the Director of the Bureau of Commercial Fisheries and the Director of the Bureau of Sport Fisheries and Wildlife, and you have Dr. Howard Tait who is Special Assistant for Program Review in the Office of the Commissioner for Fish and Wildlife. Were any of these men consulted on this division or separation of functions?

Dr. GLASGOW. May I ask Dr. Tait to respond, please?

Mr. BLATNIK. Dr. Tait, your title is Special Assistant for Program Review in the Office of the Commissioner for the Fish and Wildlife Service. The Commissioner is Charles Meacham; is that right?

Dr. TAIT. Yes, sir.

Mr. BLATNIK. Will you tell us if you were consulted on the separation regarding the logic or the merit, or whatever may have been the rationale behind it?

Dr. TAIT. Yes, sir. I have been almost continuously involved in discussions with our colleagues in the Commerce Department and our colleagues in the Office of Management and Budget, and I have worked very closely with both bureaus, the Bureau of Sport Fisheries and Wildlife and the Bureau of Commercial Fisheries.

Mr. BLATNIK. Did you work with any representatives of the Ash Council?

Dr. TAIT. No, sir.

Mr. BLATNIK. Well, who initiated these talks between Commerce and your office and the Office of Management and Budget?

Dr. TAIT. The Office of Management and Budget called us together.

Mr. BLATNIK. Can you tell us what the proposition was and what were the pro and con arguments for the separation?

Dr. TAIT. Well, these were a series of rather frank discussions of some of the problems that we might anticipate in transferring all fisheries' functions to the proposed NOAA. They were asking us where some of the difficulties might lie. We suggested that we needed to look at problems with the anadromous fish program, problems with the

estuary, the difficulty with trying to separate the jurisdiction, if you will, over some species of fish that were important to both sport and commercial fisheries.

Out of the series of discussions came the realization that each department was going to need to continue some of its programs and that there was a need for very close continued cooperation. That close cooperation had been handled through the Offices of the Commissioner in the Fish and Wildlife Service and very close together, but after our discussions we found no reason that we could not continue that close cooperation through interdepartmental agreement.

This was the substance of our discussion. We did lay out all of the fishery problems that we could see ahead of us and proposed either that they be identified in the reorganization plan or that we work out under the Economy Act later on administrative arrangements for handling some of the difficult problems.

So we looked forward to just getting together with Commerce and our people and working out some good working relationships to handle these fishery problems where there is an apparent duplication of effort or perhaps competition.

MR. BLATNIK. It is not clear why we should have you in a position now where you divide the function or responsibilities between two different agencies in order to do a fairly respectable job. You have to work out some sort of understanding. It is kind of a loose arrangement, isn't it? Why are not all the fishery programs transferred over to NOAA, since it is an oceanic as well as an atmospheric agency? Wouldn't it be easier to handle the program under one administration, either in Interior or in NOAA?

MR. RUSSELL. Well, the plan contemplates concentrating everything relating to oceans under one agency so the fisheries that relate to the ocean are the ones going to NOAA, leaving the others. So one is an ocean-related program and is managed as a part of ocean, while the other is really the sort of activity which is land management oriented.

MR. BLATNIK. Well, why would NOAA have to get into the land management part of the program?

MR. RUSSELL. They do not. NOAA does not get into the land management portion.

MR. BLATNIK. Dr. Tait, you said you had an understanding between NOAA and your operations in the Fish and Wildlife Service that you would be coordinating your efforts. Coordinating your efforts for what program?

DR. TAIT. One of the areas that each department has an interest in, of course, are the very important stocks of anadromous fish. I am speaking of the Pacific salmon, steelhead trout, striped bass, and so on. We have a very strong interest group for sport fishing and a very strong commercial fishing interest group.

In Interior we are active in the sport fishing group and most of our activities take place in the fresh water environment under this proposed reorganization. We could see a potential problem where the same source of fish might be administered by the Department of Commerce during the marine phase of their life cycle, and the Interior Department would take over in the fresh water environment.

Well, this does not make too much sense to anyone, so we have discussed rather fully, I think, how we can have a coordinated mechanism

and make sure that the two agencies work very closely on this. At the present time we have what we call an interbureau coordinating committee concerned with this exact problem: That of how do you get the projects both bureaus are working on dovetailed.

We have proposed, and the Commerce officials agreed that it is a very good idea to continue this coordinating committee so that there will not be a duplication of effort and there will be an integrated program.

Dr. GLASGOW. May I comment in reference to interagency agreement? I have in force now, of course, probably a dozen or more interagency agreements that I am concerned with. They seem to be working quite well and we anticipate that we can make an interagency agreement with Commerce and work with them quite satisfactorily.

Mr. BLATNIK. The reason I am puzzled—the Under Secretary's statement, at the top of page 2, says, "There will be created for the first time within the civilian sector of the Federal Government a single focus for our interest in the majority of these programs and a mutually beneficial point of contact with the private sector in connection with them." Obviously, this is not a single focus but a division. You just cannot separate the functions completely and either transfer them as entire entities into NOAA or allow them to go where they should be, in Interior.

Mr. ERLINGSON. Would the chairman yield?

Mr. BLATNIK. Yes. I am puzzled, because the nature of the problem is such that you just cannot amputate it or separate it; it requires two agencies now to coordinate it. The goal, as I understand it, is to unify it into a single, separate operational unit which is called NOAA. Do you care to comment about that?

Dr. TARR. I believe this is what will be accomplished as far as marine fishing activities are concerned; but, unfortunately, some of the fish travel far and wide in the ocean and end up inland in fresh water. This is where the difficulty is. We want to make sure two agencies are working together through the medium of the interagency agreement, so there is a complete life cycle of the fish controlled.

Mr. ERLINGSON. I just want to make a comment. I think the division here contemplated by NOAA is very logical, with one agency having jurisdiction over salt water and the other over fresh water. The only problem is that the darn fish do not cooperate.

Mr. BLATNIK. Well, I think you ought to have the fish confined to the jurisdictional boundaries of the program. [Laughter.]

We will go on to this later, Mr. Secretary. I think somehow the decision was made by someone who perhaps does not know Interior too well, and I am not commenting further on that.

While we are at it, if we make a change it should be effective as possible. If you cannot make an effective change, why do you dismember part of a program and transfer it over to the new agency?

So that area will have to be clarified. I have no further questions. Will some of your men be available so we may have a complete record and explanation later on with regard to the other witnesses? We do not have the information with which to respond with authority and we will need some of your special people here for the remainder of the day.

Do you have any further questions, Mr. Holifield?

Mr. HOLIFIELD. No, sir.

Mr. BLATNIK. Mr. Erlenborn?

Mr. ERLBORN. No questions.

Mr. BLATNIK. Thank you very much.

Mr. RUSSELL. Thank you, sir.

Mr. BLATNIK. We now have our good friend, Mr. Thomas Kimball, who will testify on behalf of the National Wildlife Federation. Mr. Kimball is well known to us and he represents a broad spectrum of citizens throughout the country. He is doing an extremely effective job of conservation in the best sense of the word, in many difficult areas of conservation. So, Mr. Kimball, would you give us your official title for the record?

**STATEMENT OF THOMAS L. KIMBALL, EXECUTIVE DIRECTOR,
NATIONAL WILDLIFE FEDERATION**

Mr. KIMBALL. I am Thomas L. Kimball, executive director of the National Wildlife Federation which has its national headquarters at 1412 16th Street, NW., here in Washington, D.C.

Ours is a private organization which seeks to attain conservation goals through educational means. The federation has independent affiliates in all 50 States and the Virgin Islands. These affiliates, in turn, are made up of local groups and individuals who, when combined with associate members and other supporters of the National Wildlife Federation, number an estimated 2½ million persons.

We welcome the invitation and opportunity to comment upon the proposed Reorganization Plan No. 4 of 1970, creating a new National Oceanic and Atmospheric Administration within the Department of Commerce.

Mr. Chairman, throughout its existence, the National Wildlife Federation has stood for the conservation of natural resources. In this context, we construe conservation as being "wise use" rather than pure preservation. Wise use, of course, requires sound management. And, to be sound, management must be predicated upon principles which can be ascertained only through sound basic research. So, in our opinion, management and development is so closely interrelated with research that the functions are inseparable.

As a responsible organization representing responsible citizens, the National Wildlife Federation is interested and concerned with efficient Government. We have analyzed the President's proposed Reorganization Plan No. 4 and recommend that the committee render an adverse report upon it, because we do not think it will result in more efficient Government. In fact, we think it will promote inefficiency and may result in dangerous depletion of valuable public natural resources.

I should point out, Mr. Chairman, that we have applauded a basic principle in Reorganization Plan No. 3—that the regulatory functions of the Federal Government relating to pesticides and radiation be separated from those agencies which promote development and use.

For example, we feel that public confidence in Government is shaken when the Department of Agriculture is reluctant to ban the use of DDT because it has been proven that dangers from them are imminent. Therefore, we feel that it is entirely consistent for us to oppose Reorganization Plan No. 4 for the same basic reason—that management

and research of the basic marine fisheries resources should be separated from the development of exploitive functions of the Federal Government. There are serious concerns on our part that these basic resources would be subordinated to exploitation.

I think, Mr. Chairman, if you read the basic law involving the Department of Commerce, you will see the particular thrust of that law is for development of resources for the economic benefit of the country and business.

Mr. BLATNIK. If you will yield at that point, you are correct. That was the intent of the law and somehow I had the notion that is what the Department of Commerce was.

We found out yesterday that the Department of Commerce is rapidly becoming a scientific research and development agency, and has less responsibility for the economic features. That completely puzzles me.

If ever there is a complex society in the world, it is ours. I thought the Department of Commerce was built up in the economic field. It has such great research functions that I don't know how it can be conceivably covered by the title of Department of Commerce. I thought it was for development of business activities.

Mr. KIMBALL. They do have a prime group of scientists in Commerce, and I would be the first one to admit that.

Even in institutions like the Bureau of Standards and so forth, where there are a number of eminent scientists, this is sort of a metering engineering development of standards and enforcement of standards type of scientific effort rather than management of renewable resources.

As I say, the principal thrust in Commerce has been representing business and industry and developing economies and business responsibilities of our country.

Mr. ERLÉNBOEN. Mr. Chairman, might I ask the witness at this point to identify those functions in the Department of Commerce that he referred to here as "exploitive," with regard to fisheries?

Mr. KIMBALL. I think commercial fisheries, for example, is an exploited resource function.

The objective there is mainly to locate stocks of fish and exploit them for food and economic benefit and commercial fishing industry.

Mr. ERLÉNBOEN. Do you consider it not exploited where it is located today, in the Department of the Interior? And do you think shifting it to the Department of Commerce will make it exploited without any basic change in the underlying legislation creating the agency?

Mr. KIMBALL. I think it will make it more exploited. It has always been that way.

In fact, the Bureau of Fisheries, years ago, was in the Department of Commerce.

Mr. BLATNIK. When was that taken out of Commerce?

Mr. KIMBALL. In 1942, I think. When the Fish and Wildlife Service was created, it was taken out of Commerce and put into the Interior Department.

Mr. BLATNIK. Do you recall for what reason?

Mr. KIMBALL. For the very reason I am expressing now.

Primarily, it was for the exploitation of the resources rather than to do basic research and management to protect the basic stocks.

Then it was brought together with Marine Sport Fisheries in the

Fish Wildlife Services; and if you go back to the Eisenhower administration, there was a move to separate the bureau and develop a Bureau of Sport Fisheries and a Bureau of Commercial Fisheries, which again I thought was an unfortunate reorganizational procedure. When you are managing a fish, it shouldn't depend on whether it is going to be used for a sport fish or commercial fish.

The basic biology to protect the stocks is the sale, and that ought to be the basis of the management, not who is going to have a priority or exclusive reason to use that resource.

So it seems to me now we are having the full cycle. We have brought commercial fish over into the Department of the Interior for a specific reason, to give this sort of thrust to the management, and then it was separated so that commercial fish could have their own bureau; and now it is going one step further back, the way it was in 1942, to go back into the Department of Commerce. I think it is really going back instead of going forward.

There are very serious concerns on our part that these basic resources would be subordinated to exploitation. I haven't checked this, Mr. Chairman, but I suggest the committee take a look at the budget of the Bureau of Commercial Fisheries and see how much of the money is expended in promotional aspects of the program as opposed to the biological research and management functions.

When I was asked to comment on the general reorganization of the Government, this was the recommendation I made to the Ash Council: Let's separate the promotional aspects of commercial fish and put them in Commerce, because that is where they belong. But, let's leave the biological research and management in Interior.

Mr. BLATNIK. You mention you made this recommendation to the Ash Council. Can you be a little more precise?

Did you have an opportunity to present your organization's point of view to the staff people of the Ash Council?

Mr. KIMBALL. No, we didn't. We were just asked to comment in writing.

Mr. BLATNIK. By the Ash Council staff people?

Mr. KIMBALL. I am not sure it was the Ash Council staff. This has been some time ago, so I would have to go back to my notes. It may have been someone in Government who asked us to do this. But we did have the opportunity and did make some recommendations to the Ash Council—general comments on Government reorganization—and this was one of them.

In fact, Mr. Chairman, I should like to emphasize this point: We likely would not be here today to speak in opposition to plan No. 4 if only the promotion aspects of the program of the Bureau of Commercial Fisheries were transferred to the Department of Commerce. We long have felt that efforts to promote the harvest and sale of fish and shellfish truly is a function of the Department of Commerce, and so advised the administration before plan No. 4 was announced. However, we are equally convinced that management of the marine fisheries resources, the related research efforts, should remain in the same agency and coordinated with the Bureau of Sport Fisheries and Wildlife.

It was my privilege to direct the administration of fish and wildlife resources in two States, Arizona and Colorado, prior to assuming my

present responsibilities a decade ago. I am well aware of how aquatic resources can be husbanded and managed for the maximum production and ultimate public benefit. I am also aware of the difficulties and shortcomings in managing and developing oceanic resources and, speaking frankly, we fear that fisheries well may be sacrificed to ocean farming or aquaculture and ocean engineering—that long-time objectives and values for the many will be sacrificed for short-time benefits for a few.

Secretary Maurice H. Stans has testified that 60 percent of the Commerce Department personnel are assigned to scientific and research work. However, we hope and trust the subcommittee will investigate to find out how many of these efforts are oriented principally toward improved exploitation and development rather than protection of the resources.

What assurance could the good Secretary Stans provide us that the biological research and management programs on marine fisheries would receive funding equitable with promotional and developmental activities?

I think this is the key type of question that should be asked the Department of Commerce as to how they intend and to what degree they intend to really fund an effective marine biological research program. We are more than a little concerned that some people are saying: "NOAA is better than nothing." Is this true? We find little assurance that the new alignment would be an improvement over the present organization whereby the two bureaus work together well within the Fish and Wildlife Service. If there is so much merit in collecting together in one agency all Federal functions relating to the oceans, why shouldn't offshore oil leasing and regulation be transferred to the new agency from Interior?

What about regulation of the dumping of wastes outside the U. S. territorial limit of 3 miles? I understand one of the real problems of our ocean resources is the pollution of the ocean and maybe this function ought to be considered. This is currently the responsibility of the Corps of Engineers. Or pollution law enforcement, now a pilot between the Federal Water Quality Administration and the Coast Guard? Why aren't these functions being lodged in NOAA?

And, the Congress currently is considering proposals for coastal zone management. Questions arise about whether this program is to be administered as part of NOAA or Interior.

I understand that the two Federal departments now are putting on active campaigns to decide which way this program is going to go, whether to Commerce or Interior.

The administration has testified that it would be located in the Interior Department. To us this would make sense, because many of the problems relating to the sea have their origins on the adjacent lands: pollution of a myriad sort, situation and filling and draining of estuarine areas which provide nursery areas for fish and shellfish as well as homes for fur bearers and waterfowl.

To conclude, Mr. Chairman, I might say that we are terribly concerned about national priorities—priorities that say the construction of dams, canals, highways, space ships and supersonic transports are more important than solving the Nation's environmental ills: that one moon shot is more valuable to society than providing for the Nation's outdoor recreational needs; that weapons development is con-

sidered more important than air and water pollution abatement projects.

We contend that now is the time to give first consideration to the ocean environment rather than to its exploitation. Otherwise, the rape of the sea may follow the pattern of the rape of the land. In our haste to reap the benefits of these resources, we will damage or destroy their values forever and thereby further diminish the quality of life on earth.

One cannot help but think of how man has so relentlessly pursued the great whales that their actual existence is threatened, of how the United States right now is trying to protect both Atlantic and Pacific salmon from international overexploitation and of how the offshore oil "blows" or "spills" have highlighted the precarious predicament of marine resources.

And, then, we inevitably must conclude as responsible citizens that the long-term costs of putting "exploitation" or "development" before "environmental management" are too great to be tolerated.

It is in this context of priorities, Mr. Chairman, that we recommend that the Congress vote to reject Reorganization Plan No. 4.

Again, we offer our thanks for the privilege of making these observations.

Mr. BLATNIK. Mr. Kimball, we not only thank you for appearing but congratulate you on a very concise and to-the-point statement. It expresses some understandable concerns and also raises some specific questions that, frankly, we have not been able to answer. We will ask the staff to look to some source in order to get the information that you want on the amounts of money going into promotion and development work.

Certainly we had the problem with EPA last week where many functions of environmental protection were left out of the agency. You have raised good questions and we will seek to get the answers to them as well as answers to why these functions were left where they now are, in the Department of the Interior and elsewhere, and not transferred over into NOAA when they definitely have a direct relationship and are a part of the oceanic system.

I have no further questions.

Mr. Erlenborn?

Mr. ERLBORN. No questions.

Mr. BLATNIK. Thank you very much, Mr. Kimball.

Mr. KIMBALL. Thank you.

Mr. BLATNIK. We have with us our colleague of sport fishing, Hon. John Dingell, the Congressman from Detroit.

We thank you for coming. You have carried a very heavy congressional workload in this field of conservation, pollution, and game-fish management.

Congressman, we appreciate your very effective contribution last week and we look forward to hearing your comments this morning on Reorganization Plan No. 4.

STATEMENT OF HON. JOHN DINGELL, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF MICHIGAN

Mr. DINGELL. Also, I want to express my thanks to you and members of the committee for the privilege of being here this morning.

I want to express my appreciation—if you will permit me to be heard on both of these plans—since I think they are both equally obnoxious. I feel they should be rejected summarily as being not only out of keeping with the public interest and the needs of the circumstances, but both to being, I must tell you Mr. Chairman, plainly counterproductive.

I am John Dingell, Member of Congress from the 16th Congressional District of Michigan. A little of my background, for purposes of the record, will let you understand that I have studied this matter with some care. I serve on the Committee on Interstate and Foreign Commerce, the Committee on Small Business, and the Committee on Merchant Marine and Fisheries.

I am chairman of the Subcommittee on Fisheries and Wildlife Conservation and in that capacity have maintained an active interest on the problems of oceanography, marine fisheries, and a number of other related matters for a number of years.

I formerly served on the Committee on Public Works and had the privilege of working with you on a number of amendments, both while on that committee and later off that committee through enactment of Public Law 660, which you piloted through this Congress in 1956.

I was, for a substantial period, chairman of the Subcommittee on Oceanography and was responsible for enactment of a number of measures relating to coordination of our oceanographic endeavors.

I will point out to you that I was predecessor to my good friend, Alton Lennon, who appeared here yesterday.

So I have, I think, knowledge on these matters which I would suggest to you would be at least equal to that which he has expressed.

Mr. Chairman, during my last appearance here I discussed the unwisdom of plans 3 and 4. I pointed out, as I would point out to you today, that where we have grave need of a Department of Natural Resources and where legislation should be sent up by the administration to achieve that end, instead we are presented with small, padding plans which are not only ineffective, but which will most certainly prove counterproductive.

Where major edifices are needed for the protection of environmental values and the preservation of the treasure and resources of the sea, we are presented with what essentially is an outhouse, or shanty, or shed.

Where a workable, functioning machine to implement the national will that we should have a quality environment is required, we are given a Rube Goldberg contraption divided into two unworkable parts.

As I mentioned during my last appearance, Mr. Chairman, this is probably as good an example of the application of the Peter principle as I believe one can find. As I mentioned, this simply is the creation of what is known as Peter's placebo. This is a device that looks like you are doing something, but effectively will accomplish nothing, but will have the highly satisfactory effect of making everybody think something is being done.

MR. BLATNIK. That is not easy to do. That takes some doing doesn't it?

Mr. DINGELL. Well, my faith in this administration has been restored. I thought they were going to do nothing, but they have presented me with a placebo.

Mr. Chairman, the NOAA is an excellent institution, if you want to exploit the seas without giving regard to conservation, wise management, and long-range preservation of an essential national resource. I have just completed in my Subcommittee on Fisheries and Wildlife Conservation, 2 days of hearings on the problem of dumping at sea.

If you want to listen to some testimony or read some testimony that will not only make you sick, but will terrify you, read what we are doing to the seas. Thor Heyerdahl found in the middle of the Atlantic, that the water is so polluted with pollutants of all sorts, oil, sewage, refuse, that he was afraid to use that water for cleaning his teeth and he rather vividly described what is being done in the present administration.

I found out yesterday we are depositing in the ocean something in excess of 5,000 tons of mercury poison each year, and that the prospect of converting the great fisheries of the sea into unusable resources is a very real prospect in the imminent future, because of the poor management of these resources.

Yet we are doing, through plans 3 and 4, two things. We are splitting off pollution and enforcement from our oceanographic endeavors, and we are taking oceanography and oceanographic endeavors and turning them over to the Department of Commerce.

Now Mr. Chairman, I am aware of the fact that the Department of Commerce has from time to time professed to be conservationists.

As one who has studied conservation and preservation of our national resources for some 15 or 16 years in this body, I find myself hard put to find one scintilla of evidence that the Department of Commerce has ever been actively concerned in conservation of natural resources.

Indeed, if you review the organic stature under which the Department of Commerce was set up, you will find it says nothing about conservation of natural resources. As a matter of fact, the Department of Commerce has always been regarded as the spokesman of business and businessmen inside the Government.

I think one would be hard put to find in the whole of governmental structure one organization that would be less qualified by training, temperament, or organization, or by its clients to preserve the ocean and the great treasury of natural resources than the Department of Commerce.

Indeed, businessmen regard Commerce as the representative of big business. I don't challenge this. This is the proper function of that agency. Business needs a representative in Government, just as labor and agriculture and the cities.

But it should speak and behave in the proper fashion with regard to matters that are properly of concern to business and should not be the recipient of the high duty of being the principal guardians of the seas, one of the greatest of our present and future natural resources.

I would point out this is an excellent program, if you want to turn the management of the oceans and our fisheries and oceanographic resources over to the polluters and the users and an agency which has neither inclination, ability, record, history, or orientation toward the protection and preservation of our natural resources.

As I have pointed out, what is needed here is not a splintering and a smashing of our natural resource management efforts, but what is needed here is the creation of a major edifice, one which will be effectively a Department of Natural Resources.

Now, where this should be constituted, whether it should be the Department of the Interior, or whether it should be a new agency is a matter which I think the Congress is capable of deciding.

My personal preference is that we establish the Department of the Interior as the Department of Natural Resources, and we should build in that fashion rather than moving major resource management programs into the hands of the polluters, exploiters, and persons who have demonstrated by tradition neither interest, ability of philosophy that would justify entrusting them with that kind of great natural treasure and great responsibility.

If you will read my earlier testimony you will find that I quoted Dr. Tribus and Mr. Siciliano appearing before our committee on a number of points, one of which was that they said it is really not so important where you put things, as that you provide the proper and appropriate divisions for coordination, and I think that testimony is as much applicable today as it was when I appeared here the other day.

I would urge that this committee recognize that moving agencies of this kind to new places is going to accomplish very little, except to sunder and smash existing relationships which have so long functioned well, and which, with better funding and good leadership, can handle the problems better than Reorganization Plans Nos. 3 and 4.

As a matter of fact, Mr. Chairman, I would hope that this committee would not only reject summarily both of these piddling plans, but that, rather, it would come forward with legislation to create a Department of Natural Resources. Such legislation is pending now before this body. I am the author of legislation which would effectively create a Department of Natural Resources and I would urge that we move forward.

If you remember, the great city planner of the city of Chicago, Daniel Forbes Burnham, cautioned that we should make no small plan. These were his words, "Make no small plan."

I think this Congress should, with regard to protection of the environment, make no small plan.

Mr. BLATNIK. Would the gentleman yield on that point?

You are raising a very important subject matter, which is, in fact, the crux of the whole problem.

There is nothing new in the whole area of conservation and environmental protection now, aside from the highly complicated problems in specific areas.

The general concepts are very well known. We have gone through a long period of this, 100 years at least. Particularly in the last 15 years, we have learned a lot.

We are not breaking new grounds or plowing through uncharted seas. We can shoot a man half a million miles on a round trip and come within a half a mile of where he lands. We know pretty well what to do. We can pretty well predict, almost with the accuracy of the hourglass, what is going to happen in the next 20 or 30 years.

So while we shuddle these things, 30 years from now what we have

done now will look silly. We know what the population will be. We know the population problems and growth that is going to hit us. We know the needs, in terms of food and fiber. We know the trends and degradation of the environment, the trends of consumption of consumables and usables around us. This is all measurable.

We can push a button on a computer and it will give you a picture of what the world will look like in the year 2000.

But events are going to be moving at such great rapidity, I don't see why we don't get the best brains we can from those who are most knowledgeable in this field and come up with a Department of Natural Resources.

I am sorry, I have been making a speech, but I wanted to say that. We are talking about EPA here that does 10 percent of the job that ought to be done. There are some 80 agencies that are some way related to the environment. "This is going to protect the environment," is what the title says.

You talk about the truth in labeling. We ought to take a good, hard look at that label. How much protection are we getting? Ten cents on the dollar.

Mr. DINGELL. I would urge you to require the departments downtown to submit to you a full list, with regard to EPA, of every function the Federal Government has with regard to water, air, and environmental protection and find out how many of them are actually being moved to EPA.

I think you will find only a small percentage of them are, in fact, being so moved.

Mr. BLATNIK. Mr. Kimball gave us some few glaring examples of omissions, such as the oil rights, that have resulted in catastrophic damage. This is not included in NOAA.

I didn't mean to get into this long lecture at all, but I think the point you raise is very important. I would like to have it stand out like a big sore thumb. We will take a look at this 10 years from now and we will feel awfully silly for piddling around and moving on the little bits of parts of agencies when we ought to be grappling with this enormous, mammoth problem to put the natural resources together—the million-dollar programs that made possible the atomic bomb and the hydrogen bomb, that made possible the atomic energy utilization for peace, for power generation, the effort that made possible in 10 short years to reach our goal of sending Americans to the moon and back. We can do it. We can set up a goal right here and say, in the next 25 years, this is what we ought to be doing.

Nowhere has there been any testimony involved with all the specialists we have in Government and all the knowledgeable people in the private sector, who ought to be zeroed in and say: "Here is a picture on the wall. This is about what 1980 will look like, this is what 1990 will look like. In fact, we can predict what the year 2000 will look like."

We ought to be preparing now because things are moving too fast.

Mr. DINGELL. Mr. Chairman, I think you made the case against both NOAA and EPA.

Mr. BLATNIK. I don't mean to be against it. We need a lot more of it and not these fractional efforts.

Mr. HOLIFIELD. Mr. Chairman, our colleague said he had a bill to set up the Department of Natural Resources?

Mr. DINGELL. You are correct. I do have legislation pending. I do not offer it as a solution or make the statement that it is perfect, but it is far better than the piddling edifice we are constructing here.

Mr. HOLIFIELD. Does the gentleman recall the number of the bill?

Mr. DINGELL. No, I do not; but I will see that a copy of that will be submitted to this committee. It was introduced last year.

(The following letter from Congressman Dingell was subsequently received:)

U.S. HOUSE OF REPRESENTATIVES,
COMMITTEE ON MERCHANT MARINE AND FISHERIES,
Washington, D.C., July 30, 1970.

Hon. JOHN A. BLATNIK,
House of Representatives, Washington, D.C.

DEAR JOHN: During my testimony before the Committee on Government Operations' hearings on Reorganization Plans 3 and 4, Chairman Holifield asked for a copy of my bill that would create a Department of Natural Resources.

Enclosed are copies of two of my bills, H.R. 15147 and H.R. 15148, which would constitute a basis for creating such a Department. Actually, these bills were introduced for the purpose of providing alternative approaches to the legislation that would establish an independent agency called NOAA, which was pending before our Committee on Merchant Marine and Fisheries.

I am in the process of drafting a new bill that would create a Department of Natural Resources. It will be more encompassing than the two enclosed bills. I will forward a copy of this bill to you just as soon as it is available.

With kindest regards,
Sincerely,

JOHN D. DINGELL,
Chairman, Subcommittee on Fisheries and Wildlife Conservation.

(The bills referred to are maintained in the files of the subcommittee.)

Mr. HOLIFIELD. I assume it would come to this committee, and I might say to the chairman of our subcommittee, maybe the responsibility focuses on this committee to look at this thing from a broader standpoint. As you have said, the plan nibbles at the edges of the problem rather than face the complete problem.

Mr. DINGELL. Neither Reorganization Plan No. 3, Mr. Chairman, nor Reorganization Plan No. 4 really comes to grips with the fundamental problem. Moreover, I would urge upon you that we have devices set up to achieve the coordination that is supposed to be achieved by plan No. 3 and plan No. 4.

We set up during the past session of Congress the Council on Environmental Quality. The President set up the Cabinet-level Council on Environmental Quality, both of which have the responsibility of achieving the coordination of management of natural resources that is so necessary. Both, the Executive order of the President and the statute, make very plain that the purpose of the Council on Environmental Quality set up by statute has the function of achieving the coordination necessary to achieve the broad national goal of environmental quality and carrying it forward in the environmental decade in which you, Mr. Blatnik, and Mr. Reuss and Mr. Saylor said was our national goal. The act was endorsed by the President on January 1 of this year.

I think we ought to see this thing in perspective. A reorganization plan is always preceded and followed by a long period of inaction and disorganization.

I would point out, Mr. Chairman, the transfer of the Federal Water Pollution Control Administration, now the Federal Water Quality Administration, to the Department of Interior from the Department of Health, Education, and Welfare was accompanied by precisely this period of inaction and disorganization.

If you will recall my previous testimony, I alluded half in humor but half in reality to the fact that this period involves a number of things, including building new buildings, setting up a new bureaucracy, having the bureaucrats get themselves offices, furniture, drapes, rugs, good-looking secretaries that are appropriate to the dignity of their position. Selecting the chauffeurs and automobiles that are necessary for the newly elevated bureaucrats is probably the first problem to which they address themselves while all the other problems including the reorganization and reorientation and the establishment of new liaisons wait. It is at least a period of 2 years before the matters really go forward and bring substantive and procedural action that is necessary. The agency functions now going on will not take place in any efficient or complete fashion until at least 2 years after the reorganization takes place.

Now, I believe there is a reorganization needed with regard to our endeavors in the field of environment, both with regard to what would be done by EPA and what would be done by NOAA. But I would say neither EPA nor NOAA will do what is needed with regard to giving us a decent environment, and giving us decent management with our oceanographic and environmental problems. I would say this can only be done within a program involving the wise use of natural resources, a Department of Environment or Natural Resources.

I would point out that within a very little time we will be called upon to reconstitute again these misshapen dwarfs that are EPA and NOAA being set up by Reorganization Plans Nos. 3 and 4.

I would point out to you that if this committee were to inquire deeply you would find that the original Ash Council recommendations were that a Department of Natural Resources be constituted. I would think this committee might direct its resources to securing from the administration the original recommendation of the Ash Council to this point. I think this committee might well inquire from the representatives of the administration why they should come forward with such a totally useless program when they might really come forward with something recommended to them that would have accomplished our national goal instead of turning it over to polluters and the people in the Department of Commerce who have no tradition, history, or sound philosophy of conservation.

I suspect you will find there was a tug of war that occurred inside the agencies involved wherein an unpopular Secretary, Mr. Hickel, lost to a popular Secretary, Mr. Stans. I suspect you will find the administration was reluctant to reduce further the size of the Department of Commerce, which has been having some problems with loss of jurisdiction, personnel and prestige of late, with loss of its parts and functions. These are essential resource management programs which should have been more appropriately and properly moved to the Department of the Interior or the Department of Natural Resources, which is needed here.

Mr. Chairman, as chairman of the Subcommittee on Fisheries and Wildlife Conservation I have considerable experience with the agencies that are going to be in NOAA. I have asked the departments for answers as to what they would do with the jurisdiction. I can tell you I have gotten more questions in response to my questions than I have gotten answers. I have asked who will be responsible for the administration of the Fish and Wildlife Coordination Act, which is one of the major devices for the protection of fish and wildlife, whether it would be done by NOAA and the Department of Commerce or by the Department of the Interior through the Bureau of Sport Fisheries and Wildlife, since that agency will be emasculated through the movement of a large number of functions over to NOAA by the transfer of the Bureau of Commercial Fisheries.

I must tell you I have received no answers.

I have asked who will administer some of the other important statutes. They said it is going to be done by NOAA in large part. I have asked, well, when does an anadromous fish become a NOAA fish and when is it a sports fish under the Bureau of Sport Fisheries and Wildlife?

I must confess I still await an answer to that question.

I have asked who is going to do the work that has been done with regard to pesticides in the oceans. Will it be done by NOAA or EPA? Or will it be done by the Bureau of Sport Fisheries and Wildlife, where now done?

I must confess the answer to that question yet remains to be presented to us. I must tell you I do not know what it is and I suspect this is not known either by the agencies that propose to set this up.

As a matter of fact, Mr. Chairman, when you ask questions about the reorganization plans, the most striking thing about the administration's answers is that it is always the same: "We do not know what the answer is to that, but if you trust us we will work it out."

It is not the function of Congress to blindly trust the executive and we are supposed to have answers to these questions before we proceed to swallow whole and unchewed the recommendations of the departments downtown. As a matter of fact, it is our mandate from the people that we should first have answers to these questions.

EPA and NOAA should be parts of the same department and should be parts of a Department of Natural Resources, one which would have the broad responsibility of assuring quality environment and protection of the natural resources of the world for generations to come.

I would point out that the one striking thing about these two agencies is that they are not going to get a nickel's more budget, dignity or ability to do the job. I would point out on that basis alone it becomes plain they are not going to do a bit more for protection of natural resources or creation of a quality environment, but rather we are simply engaged in the counterproductive activity of drawing a group of lines on organizational charts which will have to be implemented through long periods of disunity and disorientation while we finally buckle down and create a Department of Natural Resources or a Department of the Environment.

Mr. Chairman, NOAA really is a replay of a fight which occurred in the early 1940's when we found it was wise that the commercial fishery endeavors in the Department of Commerce should be moved

out and merged with fishery management actions in the Department of the Interior, because we found we could not efficiently and wisely have two fishery endeavors in different departments of the Federal Government.

It was replayed again in 1956 when the same attempt was made by the commercial fishing industry. Fortunately, through the action of the conservationists, that fight was lost by the exploiters and we set up a closely integrated operation in the Department of the Interior which has functioned very well throughout the years with the Department of the Interior having a Bureau of Sport Fisheries and Wildlife and a Bureau of Commercial Fisheries.

What this legislation is going to do to NOAA is literally going to require that we have a Bureau of Sport Fisheries and Wildlife and a Bureau of Commercial Fisheries in both the Interior Department and the Department of Commerce.

I would say Mr. Chairman, this matter should be rejected summarily. It is clearly out of the public interest; it is grossly inadequate to the needs of the Nation; it is going to create disorganization and mixup in the Government in a fashion that none of us can yet imagine; and I would suggest that we are moving an agency charged with the protection of our natural resources into the hands of the polluters and exploiters who by tradition and by their clients are grossly unsuited to manage.

I thank you.

Mr. BLATNIK. Thank you, Congressman. Any questions?

Mr. HOLIFIELD. I want to commend our colleague on his very knowledgeable testimony this morning. He has given us a lot to think about.

Mr. ERLINGER. I also want to thank our colleague for coming here today and giving us the benefit of his testimony. He makes a very persuasive argument for the Department of Conservation.

I might observe, however, that those whose principal interest is education make an equally compelling argument that comes up in the Department of Education. Those who are interested in protecting the consumer can make another compelling argument, and so on.

It seems there is a theory if something is of importance that it should have its own voice in the highest councils of our Government and therefore we should have a Cabinet-level department representing those interests. I think it becomes apparent, however, when you see all of the interests that are represented throughout this country, if we responded to these compelling arguments soon we would have to have another reorganization because we would have too many Cabinet-level departments and the fragmentation that comes from structuring the Government that way.

Mr. DINGELL. If you observed over the years, I have never been a great advocate of setting up new departments. The only time I ever have is to suggest the setting up of the Department of Natural Resources. I think all logic says we should do this. If you take the quotes of officials who have spoken on behalf of the Executive branch and if you read them with care and open mind, you will find they are justification not for the creation of the misshapen dwarfs that we have here, but rather you will find that they constitute a very firm and strong argument for the creation of the Department of Natural Resources.

I am on the Interstate and Foreign Commerce Committee, which

handles most consumer legislation, and I have tried to be a very active voice for them. You will find, in speaking for the consumers, I have never once advocated the Department of Consumers. I would handle their problems very differently; that is, by giving them just simply a person who would speak on their behalf and have the authority to litigate inside the governmental structure on their behalf, a consumer counsel, if you please.

We have the Department of Health, Education, and Welfare and the FTC, which serve quite well for consumers; and as a matter of fact, if I had to choose between the present plan and the present situation inside Government, I would say we are far better served by preserving the status quo because it is working, it can work and will work better if it just gets the funds, the leadership and the drive from the top to make it work.

AEC and NASA work for two reasons. One, leadership from the top, and two, funding and program support. Those are the reasons. There is no funding or program support in these abominations before the committee today.

Mr. ERLÉNBERG. I think there is an interesting parallel between pressures for a Department of Consumer Affairs and pressures for the Department of Environmental Quality and Conservation. That is, that we have diverse functions in both of these areas spread throughout Cabinet-level agencies of the Government. It is not practical to divorce these activities from all the other departments and agencies that have functioned, relating either to consumer affairs or conservation.

I think this point was well made by the Administration witness in testimony on the creation of the Environmental Protection Agency. They frankly said they were not taking all the environmental related programs from all the different agencies and departments because it was not very practical to do that.

One of the things that you would face as an undesirable consequence if you did this would be to create the impression in all the other departments and agencies that they had no responsibility toward conservation or consumer affairs and that this was going to be just the sole province of this one particular department or agency.

If these two are analogous, you cannot physically separate the interest of conservation from those who want to utilize our resources. They have to be coordinated. You cannot physically separate all of the environmental concerns from all the departments and agencies.

Mr. DINGELL. You are making what I think is an excellent point, but you are making an excellent point which I think is best directed against the creation of both the Environmental Protection Agency and NOAA. If I had my choice between doing nothing, taking NOAA and EPA, or taking a Department of Natural Resources, my choices would be, first, the Department of Natural Resources; second of all, to do nothing but to fund and support in terms of both policy and other devices adequately the agencies that are doing the work and to utilize the existing mechanisms that we have for coordination.

We passed the Environmental Policy Act last year; the President signed it on the first day of January and said this was the beginning of the environmental decade and he intended to use this device to see

to it that we did have governmental coordination leading to the environmental quality. Let's use that device for coordination. You will have to use it for that anyway.

So what I would say is, let us use the tools we have in hand. They are far better than these things that are going to tear asunder existing programs.

Incidentally, these reorganization plans are going to run the cost of Government up. You can bet yourself a new hat on that. And you will get nothing more for it either.

The last choice I have, and I must tell you it is probably the worst of the three for many good reasons, would be the creation of these two abominations, NOAA and EPA.

Mr. ERLÉNBERG. Mr. Chairman, I have no further questions.

Mr. BLATNIK. Congressman, thank you very much. Mr. Brown?

Mr. BROWN. I just want to make one observation. I was interested to hear the testimony of my colleague. I am personally shocked at the suggestion that we do nothing. I think to do nothing would be the greatest disservice to this problem.

The journey into this area of pollution has to start with a step some place along the way. I think that start has been made and I think it has been made fairly effectively.

To suggest that this administration is responsible for the pollution of the seas is totally irresponsible or totally partisan.

Mr. DINGELL. I have not made the statement that this administration is responsible for the pollution of the seas, and I would challenge you to point out where in my statement I made such an allegation. I have not.

Now, if you want me to get into a partisan discussion of this matter, I would be most delighted to do so. My recommendations this morning do not constitute a recommendation of inaction; rather, they constitute a recommendation to this committee that we do something really effective and affirmative.

I say if we do not pass either of these reorganization plans and if we fund the existing government structure, give them leadership, we will have far better results than you will have than under the creation of these two abominations that the administration has presented to you. This appears to be the product of political compromise rather than the attempt to accomplish the broad national goal of quality environment and a program to preserve precious resources.

Mr. BROWN. I would suggest that the whole government process is the process of political compromise and I do not think the argument can be sustained that it is more effective or desirable to do nothing.

Mr. DINGELL. Let me tell you, every national conservation organization is appearing in opposition to this and is opposed to the creation of NOAA, including most of your State game and fish agencies and the Western Conference of Game Fish and Conservation Commissions.

So I do not speak alone and I do not speak as a partisan; I simply speak as one who wants the best use of our natural resources. I will point out to you, if you look at my record in the Congress, you will find not only have I sponsored strong legislation, but I have been militant in supporting this administration to give it the funds it needs, including getting a billion and a quarter this year and a billion last year for water pollution, in which effort I was moderately successful. We

got them \$800 million last year and \$1 billion this year that they are going to spend.

Mr. ERLÉNBOEN. I think we should also note the same conservation groups you referred to on the creation of NOAA are supporting the Reorganization Plan No. 3, as I understand it.

Mr. DINGELL. Rather lukewarmly, let me say. I think if you look at it closely you will find their affection for this has diminished rather a great deal.

However, I am here testifying today against Plan No. 4, and I would urge you, if you do propose to listen to them, at least to listen to them on Plan No. 3 and reject it.

Mr. ERLÉNBOEN. I think it was impressive to this committee yesterday to have the joint appearance of Congressmen Lennon and Mosher and their assertion that all of the members of the subcommittee who have jurisdiction over this matter support the creation of NOAA.

Mr. DINGELL. I have a great deal of affection and respect for both Mr. Lennon and Mr. Mosher. They serve on the same committee with me. But like all other men, they are occasionally wrong, and they are wrong because they speak only as persons interested in oceanography; I speak as one interested in environment and preservation of natural resources. I think my view in this matter is rather broader than theirs. If you take, as they do, the view that all this Nation wants is a good oceanic exploitation program, NOAA might be a good thing; but if you are interested in having long-range protection of the ocean and the living resources of the sea, which, after all, are the most important resources of the sea, then you won't dare set up something like NOAA, but rather something with a broader and more wholesome perspective is imperative. Certainly, then, you would never turn it over to the Department of Commerce.

Mr. BLATNIK. Well, we have to proceed.

Thank you very much, Congressman, for your contribution and your frank and forthright exchange of views.

Mr. DINGELL. Thank you, Mr. Chairman.

Mr. BLATNIK. We have another good witness, Richard H. Stroud, executive vice president, Sport Fishing Institute.

Mr. Stroud, we welcome you. Your statement is not too long, Mr. Stroud. If you would like, you could read it or concentrate on those parts that are of particular interest to you.

We would be especially interested in the commercial and sport fishing activities that you are particularly interested in and the position of your organization.

Proceed at will. If you can, omit those areas that we have already covered; but feel free to review that which you think will present your case in its best light.

STATEMENT OF RICHARD H. STROUD, EXECUTIVE VICE PRESIDENT, SPORT FISHING INSTITUTE

Mr. STROUD. Thank you very much, Congressman. I should state for the record that I am Richard H. Stroud, executive vice president of the Sport Fishing Institute. The Institute appreciates the opportunity to appear before your committee today and express its opposition to plan No. 4.

We regret the necessity to record that we have serious reservations about the wisdom of placing such an organization in the Department of Commerce. We especially challenge this action in its proposed form, which would bring together responsibility for conservation of the living resources of the sea with that for ocean engineering and related resource development functions, as well as administration of atmospheric and oceanographic services.

We also have some reservations with respect to Executive Reorganization Plan No. 3 (H. Doc. 91-364), to establish the independent Environmental Protection Agency (EPA). Nevertheless, we have endorsed that proposal, as we have already advised you separately by letter, because we believe that the gravity of environmental degradation and the related short-term urgency for concentrated coordination of Government efforts to abate pollution of all kinds are so great as to override all counter considerations.

At the same time, unless substantial new funds are also pumped into the pollution abatement programs, after being collected together in the new agency, we very much fear that Reorganization Plan No. 3 will prove to have been merely an exercise in useless paper shuffling. The very reason that the proposal for EPA makes some sense is the same one, in our view, that makes it illogical and improper to set up NOAA, in its proposed structure, within the Department of Commerce. That reason is, as a July 12 New York Times editorial (in part) succinctly stated, that:

No agency entrusted with promoting the development of * * * natural resources—minerals, seafood, water power—should be entrusted at the same time with protecting the environment against the consequences of that development. The two objectives often conflict, and it is almost invariably the organized exploiters who win, the unorganized public that loses.

Mr. ERLNBORN. I wonder if I may ask a question at that point. The Bureau of Commercial Fisheries, as I understand it, has a function that will help with the promotion and exploitation of commercial fisheries; is this true?

Mr. STROUD. That is right. The Bureau of Commercial Fisheries has a program to do this; yes.

Mr. ERLNBORN. So we have one agency that has both the protection of our fish resources and also the exploitation combined in the Interior; is that right?

Mr. STROUD. I think the main point involved here, Mr. Erlenborn, is that within the Department of the Interior the program operates under a considerable psychological restraint of conservation. There are many programs within that administrative climate to provide for a continuation or an effort to maintain a sustained yield of the resources.

I think that sort of restraint in a climate which has no past record of conservation concerns or efforts is in jeopardy. I believe we can anticipate that there will be a greater effort to exploit the living resources of the sea without the constraining influences of a conservation philosophy overriding it.

Mr. ERLNBORN. Would you think we should take the promotional functions of the Bureau of Commercial Fisheries out of the Bureau and put them somewhere else?

Mr. STROUD. When we were asked for our views on the reorganization of the Federal environment, we urged setting up a super Depart-

ment of Natural Resources and Environmental Affairs. We suggested at that time it be modeled after the Department of Defense in this respect, make it a really super department.

To get to the particular question that you raised, as long ago as 1966 our organization adopted a formal resolution, which we conveyed to the administration, urging that the promotional functions that are in the Bureau of Commercial Fisheries be transferred out of the Department of the Interior and, we specifically suggested, into the Department of Commerce.

We felt then that the marine resource functions and research should be combined with the research functions of the Bureau of Sport Fisheries and Wildlife in the marine area, but within Interior so we could get a unified natural resources program that would be free of these conflicting promotional activities.

Mr. HOLIFIELD. I have been glancing ahead in your statement, Mr. Stroud, and I notice at the bottom of page 3 you say "Such a climate could have been made available in a new Department of Natural Resources and Environment such as we believe the President's own Ash Council on Executive Organization recommended be created to replace Interior, with the NOAA organization included therein. Any other institutional arrangement, as we see it, is potentially catastrophic to the broad public interest by allowing too much influence to be exercised over policy * * *."

Where do you get the information that there was a Department of Natural Resources and Environment originally suggested?

Mr. STROUD. I asked two members of the Ash Council staff if that was true and I was told that it was.

Mr. HOLIFIELD. You know, we cannot get any information about this. We have inquired and we have run into this wall of executive privilege where they said they were making these studies for the President and they were tentative in nature and have not been made public. They are not available to the Congress.

So, behind the technicality of executive privilege, we have not been able to get these studies.

Mr. STROUD. I would suggest, Mr. Holifield, if you were to get some members of the Ash Council staff before you and ask them specifically this question, you might get an answer. The reason I suggest that is that I posed that very question to these two staff members and said, "Are you going to tell the committee what your recommendations were?" and they said, "no," and I said, "Well, suppose the committee asked you outright specifically if you recommended that it go in Commerce, what would you say?" I was told they would say they did not make such a statement.

Mr. HOLIFIELD. They would lie to the committee?

Mr. STROUD. No, they would tell you the truth and say they did not make a recommendation that NOAA go in the Commerce Department. I said, "If they asked you if they recommended a Department of Natural Resources be set up would you admit that?" and they said they would tell the truth.

Mr. HOLIFIELD. Mr. Chairman, I suggest we have someone that is responsible in the Ash Council answer this question, and I suggest that we have this study on natural resources. We hear about it in the press, and about different witnesses, and if this committee is going

to be charged with the responsibility of passing these plans, I think we ought to have some frank testimony from this Ash Council on some of these matters.

Now, I am not so sure they should be allowed to assert the executive privilege. I am not saying that to be facetious, either; I am becoming greatly concerned. You know I have had a lot of experience on this reorganization. I started reorganizing back after the first Hoover Commission. I surmise I have handled 100 reorganization plans. Some of them have been good.

I put in the resolution to extend the original Reorganization Act, which gives the President this authority. I think there are areas that can be helpful, but I am getting to the point where I want to look behind some of the final compromises that are sent up to us and find out some of the reasons why, for instance, we were not given a recommendation to set up a Department of Natural Resources.

As I understand it, another department would replace the Department of the Interior with probably different functions.

Mr. STROUD. That is my general understanding.

Mr. HOLIFIELD. You make the point that in the same department there should not be the regulating as well as the exploitive function. I cannot understand how you could operate in the Department of the Interior, for instance, in managing grazing lands or public lands without giving the department the power to regulate. The same with cutting of timber. It seems they do promote the cutting of timber for good purposes, the utilization of mature trees, bringing in revenue to the Government to offset some of the revenue we have to expand in taking care of these resources.

Now, I do not understand how you can cut this line so thin through regulation and exploiting. I do not know how you do it.

Mr. STROUD. Well, I think that we have a question of balance of the philosophies involved and the mission involved. The matters you have mentioned are all in the public domain.

Mr. HOLIFIELD. Well, the purpose of the Interior laws are for the beneficial utilization of our natural resources. In order to beneficially use them they have to set up regulations to regulate the exploitative element involved. They have to be knowledgeable—their forest people have to be knowledgeable of the degree of maturity of the trees in the forest, the diseases of the trees—they have to be knowledgeable on all of those bases and also have to grant leases for the cutting of the trees and mining of minerals of all different types.

I think it is an impractical idea. It might be desirable from a theoretical standpoint, but I do not know how you would handle it.

Mr. STROUD. It seems to me again, Mr. Holifield, we have to be concerned with the balance of these forces. If we take the resources and place them in an organization, the entire history of which, and the stated legislation mission of which, is to develop and exploit for profit, it seems to me that we put the conservation aspects, the conservation need in a very difficult minority position, if you will.

I do not see where there would be a favorable balance, for example, in NOAA. As I understand the budget, the Bureau of Commercial Fisheries and the marine functions in the Bureau of Sport Fisheries and Wildlife collectively would be something on the order of \$55 million. But the resource aspects of that, those aspects that deal

with research and development of the conservation information, the biological information, is much less than that. It is perhaps \$12 or \$13 million, something like that. Then four-fifths of the total NOAA budget, \$200 million or a little bit less is devoted to the physical oceanography, the oceanographic research, the oceanic engineering and development functions.

It seems to me if you compare the little effect of, say, \$15 or \$16 million to the remaining \$235 million of that particular program, you are also talking about the representative balance of forces that is reflected in those differentials. So it looks to me that any conservation influences are going to be mighty small. I just do not see how they are going to struggle to the surface there.

I think the various aspects of the NOAA proposal, other than the biological which I outlined, might very well have difficulty among themselves, quarreling a little bit with what their priorities might be. But I think it is very likely that they could identify a common enemy, if you want to look at it that way, in the struggle for additional funds.

We had various meetings with members of the administration trying to find out what they propose to do. We are concerned about priorities of philosophy, priorities of program, priorities of dollars, and we get no satisfactory answer from them. We get some very interesting comments. Mr. Dingell stressed those.

I'll just refresh your memory very briefly. They say, well, we are conservationists at heart, and we will do the right thing and so forth. But I think there are fundamental differences in philosophy. The ecology of marine resources are quite a different matter than the problems of physical oceanography. This is largely mathematics, but the ecology is not mathematics, and it is a difficult thing to learn all you have to learn about the biology of the organisms in the area to see how you could best manage them.

It seems you can easily separate those programs. I do not understand for the life of me why you have to bring all of the complex living resources that are so critically influenced by what happens on the land mass into this kind of an organization where we lack any conservation tradition or ecological expertise for understanding of this sort of thing.

I do not question their honesty when they say we will try to do the right thing. I believe they will try but fear a long hiatus.

Mr. HOLIFIELD. You are really saying that you would rather see an agency with the philosophy of handling natural resources continue to handle them rather than to have the Department of Commerce take over, which has consistently tried to advance the cause of business, and that is what they were set up for. That is what you are saying.

Mr. STROUD. Yes, sir, but preferably in a new department.

Mr. HOLIFIELD. Mr. Stans testified before us that now about 60 percent of the work of the Department of Commerce is no longer in the area of business; it is in technical services such as the Weather Bureau and many other services which they are donating to business or subsidizing business with, if you want to put it that way. They are not engaged except indirectly.

Mr. ERLÉNBOEN. I think the gentleman makes an excellent point about the separation of promotional and conservation activities. I think sometimes people consider conservation to be nonutilization and

promotional to be exploitation. It is not just that simple. The conservation must be the wise utilization of our natural resources.

Mr. HOLIFIELD. There is such a difference of opinion, and sometimes the differences don't strike me very well. There are those people who are great conservationists out in my western part of the country. They do not really want any tree cut, even if it is diseased. They want it to live until it falls in the forest. They want to pen off thousands of square miles of land and keep roads from going into it because they want the esthetic value of the pristine wilderness for the few people who can get a packtrain and go into there.

But they do not want the thousands of citizens cramped into our cities, who want to take their cars and drive for 30 or 40 miles into these forests so they can get the benefit of them. I do not go along with complete conservation without utilization.

Mr. ERLBORN. The gentleman also touched on this question of philosophy of the departments which has been raised several times here this morning. Might I just suggest that there are those who think the Department of the Interior is not necessarily pristine in this area. If you talk about the Bureau of Mines, if you talk to some of the coal miners, they would suggest other things.

I do not think it is so clear to say if you put an activity in the Department of Interior it is going to have this thrust and therefore it would be all right, and if you put it in the Department of Commerce it is bad. It just is not that simple.

Mr. HOLIFIELD. The gentleman refers in his statement to Reorganization Plan No. 4 which, of course, brings three people from the AEC over into this organization of 6,500 people. It absolutely ignores \$100 million a year in research in the biomedical effects of radiation which is going on in our universities and national and private laboratories.

These people now at AEC are connected with these research programs that are going on in the laboratories; they are paid with Government money, and scientists are working in there and making recommendations, which go to the National Council on Radiation Protection, a scientific body set up for more than 35 years. They screen the recommendations from these laboratories and make their own recommendations.

Then, because the AEC implements those recommendations, it is commonly thought, and the press continually misrepresents this—that they set the standards. They do not. The standards are set by this membership of independent scientists who have been in existence long before the atom was split. But here we see three people who have been busy implementing and coordinating these recommendations, and they are to be moved into an agency of 6,500 people who are completely divorced from this \$100 million-a-year program for research on animals and different things like that to find out the effects of radiation. I just want to put the two together.

Mr. STROUD. I want first of all, Mr. Erlborn, to make it very clear that as far as I am concerned, conservation means wise utilization. We feel very strongly on this point. We are not synonymizing conservation exclusively with preservation, as Mr. Holifield illustrated it. At the same time, wise utilization is a conservative philosophy and it does require that you must assure a continuity of stock for continued yield into the future, indefinitely.

It also implies, in my view, that you maintain a maximum array of future options for future generations. I think one of the worst crimes the public could commit in any of its departments or agencies would be to set up any conditions that would foreclose on the future options.

Now, we feel, for reasons already explained, that we will be restricting the opportunity for maintenance of this maximum array of options for the future, under this kind of proposal, by removing a program from an administrative climate that is conducive to this and has a tradition and history of it, regardless of the many defects we can all pinpoint and agree on, into an organization that has no such record or tradition. Frankly, we fear for the resources under this circumstance.

I do not know whether I may quote from a letter without citing its authors, Mr. Chairman, one that I have received among many from a number of prominent marine scientists. If I could, I would; if not, I would decide not to do so, because I do not wish to reveal the identity of these individuals, but it does bear on this point.

Would I be permitted to do it in that way?

Mr. BLATNIK. Yes.

Mr. STROUD. All right.

This is one of several letters that I received, and I will quote this much of it. I would state that is from two prominent commercial fisheries scientists. It says:

We read your article on Federal reorganization with great interest. Any disagreement we may have in detail is trivial in comparison with our broad approval of your comments. This letter offers that approval and contains some comments of our own.

We should like to emphasize first that conservation was cast out of the BCP philosophy sometime ago. It has been replaced by a doctrine of search and destroy. Research essential to sound sustained yield fishing is blindly termed irrelevant to the goals of the Bureau. Research is being curtailed. Biological oceanographic laboratories are scheduled to be reduced to six. The research they do is to be trouble-shooting, immediate service to industry, and directed to taking more fish and shellfish.

Now, this is a view of people who are very close to what is going on.

With reference to the matter of the transfer of the radiological emissions standard-setting functions from AEC, I am well aware in general of the point Mr. Hollifield made. At the same time, I think we have a terrible problem in this country with respect to the AEC. That is, the utter secrecy with which their entire operation seems to have been surrounded for many years. I think this is an unfortunate heritage of the use of the atomic bomb in World War II. I think the American public is completely frightened by this thing, and I think that the complete veil of secrecy that has been drawn over the work of the AEC, the fact that the only support you can get for research, as far as I know, on these matters, or virtually the only support, is available through grants from the AEC.

This has become such a closed corporation and cycle that we have a really terrible problem in this country for credibility and acceptance as to what the AEC tells the American public. In fact, they do not really tell us very much. I know, for example, that you can reduce the operating requirements of many of these nuclear plants to less than 1 percent of the Commission standard. Yet the AEC does not put out a regulation saying that all plants shall operate at this level.

I think a great deal is involved when you do separate this particular function and you put it into another agency. I think it increases and enhances the credibility. I think this is the problem we have in the United States, and in my opinion this is one of the basic problems in this whole question of NOAA.

Mr. Brown. I would like to ask, if I might, what is the relative degree of sophistication of the work now done in science with reference to marine biology as opposed to the biology of fresh water fish, as to their impact of pollution on them?

Mr. Stroud. I think it is quite clear that the level of sophistication of marine fisheries research in some respects is many years behind the level of such research in the fresh water field. I think it is a function of the fact that in the fresh water situation you have relatively small, discrete units of water which lend themselves much more readily to sampling and analysis.

The ocean, of course, is a large body of water and fish move very widely. They are not as localized in their distribution. There are some exceptions to this and I think those are involved in this particular question. The exceptions occur in the coastal zone area, particularly in the estuaries where about 60 percent, more or less, of the fishes that are taken on the Continental Shelf are dependent on these unique bodies of water at some climatic stage in their life histories.

Most marine biologists believe if the estuaries were destroyed we would see the loss of these fish.

But with respect to other things, we are quite a bit further ahead in the fresh water field than in the marine field. Essentially, marine fisheries biology has been a statistical science. It has been a science which studied the fluctuations in catch. Only recently have they begun to grasp the population dynamics, to get some idea of the population of the sea, which is limited and much more limited than is implied in some of the statements that accompanied the proposal for NOAA.

Mr. Brown. Fluctuations of catch would lead me to the conclusion that perhaps such work as has been done has been done by those people who are engaged in commercial fishing; am I wrong?

Mr. Stroud. The catch statistics are reported by the industry to their various agencies, and they are collected and collated in the Bureau of Commercial Fisheries.

Mr. Brown. What, then, is the answer to the question? Has the work been done by the Bureau of Commercial Fisheries?

Mr. Stroud. The Bureau of Commercial Fisheries has some laboratories in the estuarine area, and these are the laboratories that have done the work.

Mr. Brown. And the answer to the question, sir?

Mr. Stroud. The answer to the question is that they are considerably behind in sophistication of the work that has been done in fresh water.

Mr. Brown. And such work that has been done has been done by the Bureau of Commercial Fisheries; is that correct, or not?

Mr. Stroud. The Federal research, part of it has been done by the Bureau of Commercial Fisheries and part of it by the Bureau of Sport Fisheries and Wildlife.

Mr. Brown. What is the rough proportion of the work done by Federal research as opposed to work done by other areas of our society?

Mr. STROUD. I cannot supply you with a definitive figure at this time, but off the top of my head I would suppose the Federal effort collectively is on the order of 35 to 50 percent of the total effort, something in that neighborhood.

Mr. BROWN. And the other work is done by whom?

Mr. STROUD. State agencies and academic institutions, universities.

Mr. BROWN. Without any single source organization?

Mr. STROUD. We have 27 coastal States.

Mr. BROWN. So the bulk of the single administered work in this area, which is considerably behind the fresh water studies, has been done by the Bureau of Commercial Fisheries?

Mr. STROUD. Yes; I would say that is right.

Mr. BROWN. Would you say that we are engaged in marine biology in the area of international interest as opposed to a predominantly domestic interest in inland waters?

Mr. STROUD. Yes, I think that is a fair evaluation because most of the work that the Bureau of Commercial Fisheries has been carrying on is cranked into negotiations for international agreements affecting the competitive foreign fisheries that occur along our coast, as along the Atlantic.

Mr. BROWN. Would you relate that to the competence of the Department of the Interior as opposed to the Department of Commerce in the attention they give to domestic and international matters?

Mr. STROUD. Of course, the Department of Commerce has no such function at the present time.

Mr. BROWN. As what?

Mr. STROUD. In this field.

Mr. BROWN. That isn't my question. My question is related to the competence of the Department of Commerce with reference to international matters, negotiations in trade and so forth, as opposed to the Department of the Interior's experience here.

Mr. STROUD. I am afraid I couldn't comment intelligently on that, I am not familiar with all those things Commerce is doing.

Mr. BROWN. You commented as to the AEC. I thought that might also be in your background. I would suggest, if I may, that the Department of Commerce is more directly involved in international relationships of this country and countries abroad. And in the marine area, we are involved in precisely that area of concern and interest, whereas the Department of the Interior is not notably involved in that kind of activity and perhaps this is one logical reason for this particular interest going to the Department of Commerce.

Mr. STROUD. The actual negotiations, of course, of foreign countries are handled by the State Department Fish and Wildlife Unit, because living resources are involved.

Mr. BROWN. That is true, but not in most business and industry areas. This relates to negotiations between America's international interests and, in a political sense, the economies are under the jurisdiction of the Department of Commerce, I believe.

Mr. HOLIFIELD (presiding). Mr. Stroud, we are going to accept your statement in its entirety for the record at this point, and we will not ask you to read it, because we have discussed a good deal of the matters in it. We are running out of time. We are going to have to get to the floor pretty soon. I am afraid that bell will ring any time.

Thank you for your very fine testimony.

Mr. STROUD. Thank you.

(The prepared statement of Mr. Stroud follows:)

PREPARED STATEMENT OF RICHARD H. STROUD, EXECUTIVE VICE PRESIDENT, SPORT FISHING INSTITUTE

Mr. Chairman and members of the committee, my name is Richard H. Stroud. I am executive vice president of the Sport Fishing Institute, which is America's only nongovernmental, professionally staffed, national nonprofit organization devoted principally to the conservation of America's water resources and the aquatic life therein. The institute's main objective is to stimulate and encourage the rapid development and sound application of fish conservation principles and practices. This, in turn, will provide for optimum sustained production of aquatic life resources. There will then be a maximum of opportunity for recreational fishing for the benefit of 60 million Americans who now look principally to angling for their vitally needed outdoor recreation, including an estimated 15 million citizens who fish in estuarine and coastal marine waters.

The institute derives much of its operating funds from a wide representation of manufacturers of various sorts of equipment and supplies used in some manner by fishermen. Some funds are also provided by many individual anglers and other citizens who share increasing concern for the quality of their environment, particularly the Nation's waterways, and their related living experiences.

The Sport Fishing Institute (SFI) appreciates this opportunity, Mr. Chairman, to appear before you today to express opposition to Executive Reorganization Plan No. 4 of 1970 (H. Doc. 91-365), to establish within the Department of Commerce the proposed National Oceanic and Atmospheric Administration (NOAA). We regret the necessity to record that we have serious reservations about the wisdom of placing such an organization in the Department of Commerce. We especially challenge this action in its proposed form, which would bring together responsibility for conservation of the living resources of the sea with that for ocean engineering and related resource development functions, as well as administration of atmospheric and oceanographic services.

We also have some reservations with respect to Executive Reorganization Plan No. 3 (H. Doc. 91-364), to establish the independent Environmental Protection Agency (EPA). Nevertheless, we have endorsed that proposal, as we have already advised you separately by letter, because we believe that the gravity of environmental degradation and the related short-term urgency for concentrated coordination of Government efforts to abate pollution of all kinds are so great as to override all counter considerations. At the same time, unless substantial new funds are also pumped into the pollution abatement programs, after being collected together in the new agency, we very much fear that Reorganization Plan No. 3 will prove to have been merely an exercise in useless paper shuffling. The very reason that the proposal for EPA makes some sense is the same one, in our view, that makes it illogical and improper to set up NOAA, in its proposed structure, within the Department of Commerce. That reason is, as a July 12 New York Times editorial (in part) succinctly stated, that:

"No agency entrusted with promoting the development of * * * natural resources—minerals, seafood, water power—should be entrusted at the same time with protecting the environment against the consequences of that development. The two objectives often conflict, and it is almost invariably the organized exploiters who win, the unorganized public that loses."

It makes sense, for example, to remove regulation of radiological emissions at nuclear powerplants from the AEC, which is charged with promoting their development, and placing that responsibility in an independent EPA. Conversely, it courts disaster to assign the responsibility for conserving marine fisheries resources within the Department of Commerce, which is traditionally devoted to development and exploitation of resources rather than their protection from the consequences of such exploitation.

This is the basic reason why, on July 8, responsible officers of eight national conservation organizations joined together to send the following telegram to President Nixon:

"The undersigned national conservation and environmental organizations endorse the administration's executive reorganization creating an Environmental Protection Agency (EPA) as an independent agency dealing with our Nation's serious environmental degradation problems.

"But we are strongly opposed to a National Oceanic and Atmospheric Administration that proposes to transfer research, management, and regulatory functions of a most important renewable resource belonging to all of the people to the Department of Commerce, which traditionally represents the industrial and economic viewpoint. Moving commercial fisheries management, research and the anadromous fishery program to the Department of Commerce would split executive jurisdiction of the fisheries resources to the detriment of a growing public use of the resource by sport fishermen."

(Signed by: American Forestry Association, William E. Towell, executive vice president; American Institute of Biological Sciences, Donald R. Beem, assistant director; American Scenic and Historic Preservation Association, Richard H. Pough, conservation chairman; National Association of Conservation Districts, Gordon K. Zimmerman, executive secretary; National Audubon Society, Charles H. Callison, executive vice president; National Wildlife Federation, Thomas L. Kimball, executive director; Sport Fishing Institute, Richard H. Stroud, executive vice president; Trout Unlimited, Ray A. Kotrla, Washington representative; Wildlife Management Institute, Daniel A. Poole, president.)

Many of the reasons cited in his message to the Congress by President Nixon as contributing to his rationale for bringing together many scattered oceanographic functions, by means of the proposed Reorganization Plan No. 4, make obvious sense. There is a compelling need to research the physics and chemistry of the deep saltwater ocean, its great global currents, its abyssal seabed, together with the overlying atmospheric ocean, with its related physics and chemistry, its great global currents, outer protective shell of ozone, etc., and to do so in a unified agency. That all makes abundant sense because these matters operate more or less independently of the land mass or they dominate rather than being dominated by the latter. That they represent definite areas of discipline that are conducive to logical grouping.

If the proposal for NOAA encompassed only this much, and did not also embrace the living marine resources, it would have our support, preferably as an independent agency, perhaps even within Commerce. With no provision for the living marine resources included in the NOAA proposal, however, we find we could support the more complex concept only within an administrative climate that would assure that conservation of these living resources would be the primary and dominant consideration, with development and exploitation being wholly secondary. Such a climate could have been made possible by a new Department of Natural Resources and Environment such as we believe the President's own Ad Council on Executive Organization recommended be created to replace Interior, with the NOAA organization included therein. Any other institutional arrangement, as we see it, is potentially catastrophic to the broad public interest by allowing too much influence to be exercised over policy by narrow special-user exploitive interests.

The danger is that short-term profit motives will prevail at the expense of the broad public interest in long-term resource abundance for protection of a maximum array of future use options. It is no secret that the commercial fishing industry is delighted with and has endorsed the proposed transfer of the marine fisheries functions from the Department of the Interior into NOAA within the Department of Commerce. That industry has long fretted under the conservation restraints that have been imposed upon unrestricted exploitation of marine fisheries under the traditional philosophies of sound natural resources husbandry characterizing the Department of the Interior.

It was in order to achieve these very restraints that commercial fisheries administration was transferred in 1942 from this same Commerce Department to the Interior Department as part of the conservation-oriented Fish and Wildlife Service. Are we now to witness a turning back of the clock through transfer of commercial fisheries administration from a conservation-oriented agency back again to a development-minded agency? It would seem, if we are to take the President's message literally, that this is, indeed, the objective. In his related message, President Nixon said [in part; emphasis added]:

"We also face a compelling need for exploration and development leading to the intelligent use of our marine resources. The global oceans, which constitute nearly three-fourths of the surface of our planet, are today the least understood, the least developed, and the least protected part of our earth. *Food from the oceans will increasingly be a key element in the world's fight against hunger.* The mineral resources of the ocean beds and of the oceans themselves, are being increasingly tapped to meet the growing world demand. We must un-

derstand the nature of these resources, and assure their development without either contaminating the marine environment or upsetting its balance."

This is a very significant and revealing part of the statement of mission for NOAA within Commerce, in our view. It tends to confirm some of our worst fears, partly because it is based on a false premise. The President has evidently been misguided into accepting the now-discredited "food-from-the-sea" myth that purports to offer an easy solution to worldwide hunger. There is admitted potential for significantly increasing present world harvest of food from the sea; however, knowledgeable marine biologists recognize that it is not nearly enough to provide, as the President's message contends, that "Food from the oceans will increasingly be a key element in the world's fight against hunger." Most unfortunately, it would seem that President Nixon has received some bad advice in this matter, though undoubtedly accepted by him in the best of good faith. "Development" appears to be the chief thrust embodied in the stated mission for NOAA. This could spell potential "disaster" for the living marine resources and the environment of the coastal zone.

An important fact that the President's advisers have obviously overlooked, incredible though that would appear, is that most of the problems of the coastal zone—the estuaries and the near-shore marine waters of the Continental Shelf—come by way of the land and not by way of the sea. The unique nature of the semi-enclosed brackish water estuaries is determined by influences of freshwater runoff from the land serving to dilute the close-in sea waters. Upward of about 60 percent, overall, of the fisheries resources harvested on the American Continental Shelf are intimately and vitally-dependent upon estuarine habitat during some critical life history stage(s). Many of the factors affecting the estuaries, and therefore a major fraction of living shelf resources, are controllable on the land mass rather than in the oceans.

At the same time, important biological research programs dealing with estuaries and the shelf would be transferred to NOAA—an agency designed to be oriented principally to physical oceanography and ocean engineering for mineral exploitation, et cetera, in deep offshore waters. Thus, it seems to us that marine ecology and conservation of living estuarine and shelf resources might be worse off rather than better off under the proposed new organization. Moreover, administration of the program for anadromous fisheries (steelhead trout, striped bass, Atlantic salmon, American shad, alewives, several species of sea-run trouts, several species of Pacific salmon, et cetera) would become deeply divided on a wholly arbitrary basis between two distantly separated departments of Government. This can serve only to aggravate the naturally difficult administration of an important research and rehabilitation program affecting very complex living resources. A strong case exists—on biological grounds if not political grounds—for administering anadromous fisheries resources within Interior (or some broadly reorganized replacement natural resources department). Again, the fate of these resources is determined by inland factors, in landlocked situations from a few score miles up to 2,000 or more miles distant (depending on the species involved) from the edge of the sea. Spawning success and year-class strength of anadromous fishes are both fixed in fresh water, in situations where the environment can be favorably manipulated—or destroyed through neglect or mismanagement. We fail to see how Commerce can more effectively administer such a program than Interior, or do it nearly as well for that matter.

Although NOAA is alleged to be concerned solely with ocean problems it would, as we understand it, also acquire administrative jurisdiction over the channel catfish research and development program. Yet, the channel catfish program has been well administered in Interior and that species is a strictly inland freshwater fish having tremendous importance to sport fishing as well as commercial fishing. How can incorporation of this program within saltwater-oriented NOAA be justified? It is not only evident that a successful effort has been engineered to push the Interior Department and its conservation-minded Bureau of Sport Fisheries and Wildlife back from the edge of the sea. It is also clear that an important correlated objective is to achieve increased freedom for the commercial fishing industry to develop and exploit fisheries resources in circumstances where it may expect to operate unrestrained by considerations for competing multiple uses of those resources.

How, then, will Commerce accommodate the legitimate needs and aspirations of the many millions of saltwater anglers and marine resource conservationists? By adopting, intact, the present BCF industry-oriented organizational staffing? The little visible sympathy that has existed there in the past for multiple uses of

marine resources does not at this juncture instill great confidence that appropriate accommodations will miraculously prevail. How will Commerce, in its total ignorance of such matters, accommodate the complex and sensitive relationships with the various State resource agencies and interests? How can Commerce carry out its mission to develop the resources for maximum food from the sea yet apply adequate conservation restraints and accommodate substantial conflicting uses as well?

Because conservationists have already publicly voiced similar reservations, [discussed in some detail in SFI bulletin No. 216; 1-5, July, 1970; copy appended for your further information], administration leaders on the White House staff and in the Department of Commerce have initiated discussions on several occasions with selected representatives of the private sector of the conservation community. They have sought to allay these fears and doubts with verbal assurances that they will do the right thing, that they are conservationists at heart, that exploitation will be kept secondary to proper resource husbandry, and so forth. Doubtless, these are honorable men who are as sincere and well-intentioned as they purport to be. Unfortunately, however, personnel frequently change; additionally, we must recognize that physical scientists and engineers, however competent in their own fields, make frequent blunders in the vastly different arena of biology, ecology, and conservation! This is so well known as to be commonplace.

The plain fact is that NOAA is not so urgently needed—in contrast to EPA—that we can afford to permit these matters to be brushed aside as inconsequential. NOAA has much to recommend it—to the extent, indeed, that it should be the subject of a more orderly legislative procedure. Only by this means may the Congress exercise its prerogatives and responsibilities and may the legitimate concerns of the American public be properly accommodated in formulating this important long-term institutional arrangement for needed new thrust in environmental matters of the oceans and the atmosphere.

For all these reasons, Mr. Chairman—and especially for the lack of demonstrated biological research capability and conservation philosophy and know-how within the Commerce Department, in concert with the overriding fact of close dependence upon influences of the land mass by estuarine and coastal marine and anadromous fishes—the Sport Fishing Institute urges you and your committee to report unfavorably upon Reorganization Plan No. 4 and to recommend that it be disapproved by the House of Representatives prior to the expiration of the 60-session-day period.

Thank you.



NO. 216

"To Help Shorten the Time Between Bites"

JULY, 1970

FEDERAL REORGANIZATION OF ENVIRONMENTAL ACTIVITIES

According to an article by staff writer Thomas O'Toole in THE WASHINGTON POST for June 6, 1970, the Administration has decided to reorganize and regroup some of the federal activities dealing with pollution and other environmental problems and policies. This decision is said to be at least a partial outgrowth of recommendations by President Nixon's Council on Executive Organization, chaired by Roy Ash of Litton Industries. However, the Ash Council Report has not yet been (and probably won't be) released to public view.

The POST reported that these two new federal agencies would be created: (1) an independent super-agency, tentatively labelled the *Environmental Protection Administration*, and (2) a second organization to be set up within the Department of Commerce, to be called the *Oceanographic and Atmospheric Administration* [believed redesignated since as the *National Oceanic and Atmospheric Administration*].

Initial Reactions. On the basis of the June 6 story in the POST, the Chairman (Richard H. Stroud) of the Natural Resources Council of America (NRCA) immediately wrote about it to President Nixon's Special Counsel, Charles Colson. The NRCA Chairman requested that an early briefing, with opportunity for related discussion, be provided representatives of the 44 NRCA member-organizations relative to Administration plans for reorganization of federal environmental agencies and activities. Several days later, in the absence of an interim response, the NRCA Executive Committee met and voted to extend formal invitation for one or more members of the White House staff to provide such a briefing at the forthcoming (early July) regular Annual Meeting of the NRCA. This invitation was subsequently transmitted by the Chairman.

Thus, on June 15, George Bell of the White House staff contacted NRCA Chairman Stroud, indicating that the requested briefing would be held at 9:00 A.M., June 19, and requesting a list of selected NRCA representatives. After some discussion and several successive telephone exchanges, it was agreed that two representatives from each of the 44 member-organizations of the NRCA would be invited to attend the briefing and participate in related discussions.

In the interim, The Evening Star Broadcasting Company (Washington, D.C.) made these related editorial comments over WMAL-TV-7:

The proposed "Environmental Protection Administration" is a bureaucratic reshuffle—not the bold action needed

to fight pollution. The move, under consideration by the White House, would strip agencies from the Interior Department. It would create just another layer of super-agency. Leadership for ecology would be weakened instead of strengthened. The President can make this shift as long as Congress does not veto it in sixty days. There is a better alternative that does not require a new cabinet department. The Interior Department is the logical agency to be converted into a "Department of the Environment." Secretary Walter Hickel has shown he wants to lead his agency in that direction. It would bring together the anti-pollution efforts where they belong. Otherwise, Interior might as well be disbanded as a museum piece of 19th-century totem poles and buffalo. The environmental programs should be pulled together... but in a cabinet-level agency with political muscle. We recommend Congress consider vetoing the proposed environmental agency reorganization. [Broadcast June 17, 1970.]

The proposed "National Oceanographic and Atmospheric Administration" is just what the nation needs to give undersea exploration the same attention given space by NASA. The National Aeronautics and Space Administration is the correct model for the move under consideration by the White House to bring together agencies concerned with sea and air. We know far less about the bottom of the sea than we do about the moon in some cases. Yet the sea is rich. It has the potential for food, minerals, drinking water, energy and living space. The money spent on marine research may provide tangible dividends that space exploration never could. The new agency would also be concerned with prevention of air and water pollution. This long-range function is proper for an essentially scientific agency. We opposed a companion super-agency, the "Environmental Protection Administration" because its effort falls short. The National Oceanographic and Atmospheric Agency is a good idea by itself. It should be sustained by Congress, with the funds to make the '70s a decade of using water for wealth instead of waste. [Broadcast June 18, 1970.]

NRCA Briefing. On June 19, approximately 80 of the NRCA invitees met for their scheduled briefing on Federal Environmental Organization, held in the Indian Treaty Room of the Executive Office Building, adjacent to the White House. It turned out that the briefing was chaired by Russell Train, Chairman, Council on Environmental Quality. He was supported by George Bell, as well as by the Under Secretary of Commerce, Rocco C. Siciliano, by Dr. Steven E. Schanes, special assistant to the Secretary of Commerce for policy development, and by George Costle of The Ash Council staff. At least one other member of The Ash Council staff was in the room, as was John Whittaker, Special Presidential Assistant for natural resources, and perhaps some other representatives of the White House staff.

Mr. Train indicated at the outset that what had been written in THE WASHINGTON POST article of June 6 was carefully correct, concerning the pending Administration proposals for reorganization of federal environmental activities and agencies.

The new Environmental Protection Administration (EPA) would be designated as Reorganization Plan No. 3. It would deal, as the POST indicated, with the immediate massive problems of air and water pollution, principally the setting of environmental quality standards and their enforcement. It would bring together under one new authority the water quality and pollution control functions from the Department of the Interior, air quality and pollution control functions and solid waste management from Health, Education and Welfare, pesticide standards from the Food and Drug Administration, pesticide control from Agriculture, at least some pesticides research from Interior, and radiation regulation from the Atomic Energy Commission. The combined budget for these various activities amounts to about \$300 million at present.

The new National Oceanic and Atmospheric Administration (NOAA) would be designated as Reorganization Plan No. 4, organized to cope with environmental problems and policies. This would include forecasting of pollution problems and the research that must be done to identify and combat the pollution of the coming decades. The new NOAA would incorporate eight separate federal agencies having an expected collective budget of about \$350 million. The largest of these agencies is Commerce's Environmental Science Service Administration (ESSA), whose current director is rumored slated to be the first director of NOAA. Also to be assigned are Interior's Bureau of Commercial Fisheries, including its part of the anadromous fisheries restoration program (partly administered by the Bureau of Sport Fisheries and Wildlife), the Army Corps of Engineers Great Lakes Survey, the Coast Guard buoy development project, and the Navy's National Oceanographic Data Center, plus Sea Grants from the National Science Foundation.

Conservation Stopped At The Seas. NOAA would evidently also get the entire marine game fish research program of the Bureau of Sport Fisheries and Wildlife, now being carried on out of laboratories in California at Tiburon, Florida at Panama City, New Jersey at Sandy Hook, and Rhode Island at Narragansett. The effect of all this would be, in part, to relegate the fisheries function of the Bureau of Sport Fisheries and Wildlife (BSFW) to that of an exclusively inland-oriented, freshwater agency. BSFW would, as we have advocated, get BCF's Great Lakes Fisheries Laboratory (at long last), together with the lamprey control program and presumably the rest of BCF's freshwater activities (Missouri River reservoir research, Mississippi drainage studies, etc.). Thus, the strongly-conservation-oriented BSFW would be stopped at the edge of the sea, granting a goal long sought by commercial fishermen seeking to avoid conservation restraints. Whether this heralds the pending demise of the estuaries and of saltwater sport fishing under the development-oriented Commerce Department vs. their otherwise assured maintenance under the conservation-oriented Interior Department remains to be seen. It is already clear that the vitally-necessary marine biological research, estuary research, and coastal zone conservation will have a tough uphill fight, at best, to amount to anything in the high-seas-oriented, engineer-

dominated NOAA, within a development-minded Commerce Department.

It is a poor secret that the commercial fishing industry is rubbing its hands in glee, expecting to have free rein at exploiting the nation's marine fisheries resources without the conservation restraints imposed under Interior. Saltwater anglers had better look well to their powder and shot because the commercial fishing industry is far better organized at present than it was in 1955-1956 when it made its first (ill-fated) effort to escape the conservation restraints of the Interior Department. This time, the 88,000-man industry has carefully organized itself. It has already met with Commerce Department officials seeking assurances that the Department will be responsive to its desires when BCF is transferred to NOAA.

A central desire is freedom to exploit the nation's marine fisheries resources without the restraints that are needed both for long-term conservation of the resources and for accommodation of reasonable joint use by about 15,000,000 saltwater sport fishermen (10,000,000 of them being habitual adult anglers). The Sport Fishing Institute has strong reason to believe that Commerce officials readily supplied the assurances that were requested by the leaders of the commercial fishing industry. Already, SFI has discovered, first hand, that Commerce's chief trouble shooter, Steven Shanes, has been sold a false bill on the misguided and discredited food-from-the-sea myth.

How, then, will Commerce accommodate the legitimate needs and aspirations of saltwater anglers and marine resource conservationists? Certainly not by adopting the present BCF organization intact. The central staff (with only a few exceptions) and the regional offices of BCF are industry oriented, and at best have no sympathy for marine angling. How will Commerce, in its attempt to accommodate both matters, accommodate the complex and sensitive relationships with the various state agencies and interests?

Both reorganization plans are reportedly to be sent to Congress during the early half of July. In any event, Congress has 60 days "in session" from date of submission to hold hearings on them and to approve or reject them (it cannot amend them). Congress has veto power over federal reorganizations but must act within 60 days or the plans automatically become law.

Questions And Concerns. During the NRCA briefing and discussion session on June 19, inquiry was made whether the two pending plans were intended to represent a comprehensive response to the broad public concern over environmental affairs. The Ash Council's staff men indicated that additional recommendations had been made to the President. However, no suggestions were supplied in response as to what if anything further might follow. Neither was it clear that the Ash Council had recommended establishment of NOAA within Commerce. Indeed, it had generally been understood that NOAA was slated for Interior. At least, that was the indication right up to the time that Interior Secretary Hickel's sharply critical letter to the President about youth relations became public. The official reason appears, however, to be that transferring large ESSA (10,000 employees) to another department would be too destructive of Commerce.

A number of questions were raised during the briefing discussion by NRCA member-representatives looking to a close liaison between the standards setting function and

needed supportive research in pollution control functions, including pesticides. Provided these matters are satisfactorily accommodated, consensus support seemed to prevail for the concept of the proposed EPA. Indeed, there were several comments indicating that strong support would be forthcoming from conservationists that might well offset the opposition expected to derive from agricultural interests apprehensive over possible banning of pesticides.

During the discussion, it became apparent provided certain specific problems can be satisfactorily accommodated before the Plan is sent to the Congress—that there would also be generally strong support from conservationists for the NOAA proposal. There was considerable reservation expressed about the wisdom of transferring biological research functions into Commerce, an agency having no demonstrated biological research capability or resource conservation know-how or sympathy, viz:

1. Great Lakes Fisheries Research Laboratory and staff.
2. Marine fisheries biology and estuarine research.
3. Anadromous fisheries rehabilitation.

The view was expressed, and was strongly supported by various representatives of the conservation community, that this is a potentially harmful split and separation in the research function so vital to conservation of resources as to be prejudicial to the public benefit. It was specifically urged by representatives of several member-organizations of the NRCA that this aspect be reconsidered for regrouping within the Bureau of Sport Fisheries and Wildlife and retained in the Interior Department. It appeared that support for the Plan by conservationists might possibly be contingent on its modification to accommodate this reservation.

The alignment of NOAA as proposed by the Administration is essentially one of physical oceanography and engineering, it was pointed out, with a little biological window-dressing. The latter is too small to amount to anything in NOAA, yet it tends to fragment rather than consolidate the biological research on fisheries resources being conducted presently within the Interior Department.

The Great Lakes States, led by Michigan, are making substantial efforts to rehabilitate the Great Lakes fisheries economy on the basis of a substitute sport fisheries development. This has a potential of generating ten times the business activity based on commercial exploitation of the fisheries resources. In addition, several million sport fishermen benefit compared to several hundred commercial fishermen. Conservationists stated that they believe that the proper role for the Great Lakes Fisheries Research Laboratory should be that of a research support function to the state agencies to provide resource data needed in developing and sustaining a viable, continuing, year-round sport fishery at a high level of recreational and economic yield.

Conservationists stressed, also, that estuarine ecology is determined by actions on land; in turn, the inshore coastal ecology and the nature of fish production on the adjacent Continental Shelf is an extension of estuarine ecology. It was similarly noted that the anadromous fisheries (Pacific salmon, steelhead trout, striped bass, American shad, alewives, sea-run trouts of several species, Atlantic salmon, etc.) are also closely bound to the land, with their reproductive success or failure determined wholly within inland waters and within the estuaries.

For these reasons—a lack of demonstrated biological research capability, and conservation know-how and philosophy within Commerce (contrasted to Interior), the close dependence upon influences of the land mass by estuarine and coastal marine and anadromous fisheries; and the wholly freshwater, inland, and sport-oriented character of the future Great Lakes fisheries research program—the representatives of NRCA member-conservation groups expressed conviction that it would be a resource conservation blunder to transfer the three listed functions to Commerce. It was recommended, on the contrary, that they be consolidated within the Bureau of Sport Fisheries and Wildlife under Interior.

A Better Reorganization Plan Proposed. Our own view (i.e., SFI's) is that drastic reorganization of federal environmental activities is badly needed. We question whether the Nixon Administration's proposals if they are substantially as outlined above are made in the most appropriate frames of reference or go far enough. For example, we see short-term advantages but long-term disadvantages in the independent agency approach—a la Atomic Energy Commission for environmental pollution control functions. Similarly, we question both whether ESSA is the appropriate nucleus (what distinguishes it for national focus?) and Commerce the most desirable vehicle (transferring Commercial Fisheries and anadromous fish there gives one the uncomfortable feeling that the chickens are being tossed into the fox den) for developing a viable comprehensive ocean program in the broad public interest.

In mid-April we responded to a White House communication (similar to that received by some other national conservation organizations) which requested our views concerning reorganization of the environmental activities of the Federal Government. Our response (for comparison purposes) pointed out, first of all, that the present diffusion and diversion of major environmental activities among a number of major departments has reached the point in time when what was once most useful has now become potentially or actually counter-productive in many ways.

For example, we have witnessed the spectacle of the Interior Department striving to prevent drainage of wetlands in the interest of conservation of habitat for waterfowl (not to mention muskrats, various water-associated song birds, or a variety of fishes and other lesser aquatic life), and for purposes of natural beauty generally, whilst the Department of Agriculture has vigorously promoted drainage at the same time. We know that the latter, in at least some cases, has contributed to subsequent aggravation of flood damage. As another example, we have witnessed the channelization and other disruption of coastal bays and estuaries for purposes of navigation, under permit from the Corps of Engineers. At the same time, the Interior Department has attempted to secure modifications, even denials, of dredging for the benefit of natural resources conservation, with rather little result.

In these two examples, among many, strong inter-departmental administrative initiatives at Secretarial level have proved of little avail in achieving desirable levels of coordination and accommodation of natural resource conservation needs. Therefore, a drastic regrouping of the environmental functions and activities of the Federal government is indicated, doubtless best at this time.

Environmental Super-Department Needed. A new Department of Natural Resources and Environmental Affairs (DNREA) should be created to take the place of the outmoded Department of the Interior. The latter grew up in its present form more or less haphazardly, substantially through gradual accretion of a variety of functions, certainly not by intelligent design. This new Department should provide the central focus for the conservation (wise use) of all the natural resources and the restoration of the nation's natural environment. The latter, in turn, should be recognized to consist of many bits and pieces—the nation's air, water, soil, forests, grasslands, fish, wildlife, and open space.

It follows, logically, that the proposed new DNREA should include air and water pollution control and solid waste management programs, and all construction agencies impacting land and water resources such as reclamation. These include the civil works functions of the Corps of Engineers, the agricultural conservation practices program (after abolishing a good part of it), and the small watershed program (with substantial revisions). In addition, DNREA should include the soil conservation service, the forest service, public land management (these latter should probably be merged), national parks, wildlife resources, outdoor recreation and open space functions, fisheries resources, coastal zone and oceanographic functions, and the geologic survey. Those other functions should also be included that relate to minerals and mining, both surface and subsurface, and to energy resources.

There would be a number of things, equally, that should doubtless be transferred to other departments. In the latter connection, Indian Affairs comes to mind, which could be best served, for example, in the Department of Health, Education and Welfare. Some existing bureaus within Interior need to be reorganized, as well, in the process transferring certain functions to other departments. For example, various commercial fishing industry association type activities, promotion of fish as food, food technology, exploratory fishing for exploitation purposes, gear development, unemployment compensation, vessel construction subsidies, and related functions are better assigned elsewhere, or terminated altogether.

SFI earlier took the following position on reorganization of the current U.S. Fish and Wildlife Service in connection with reorganization proposals S. 2435 (in 1966) and the more recent equivalent S. 1446 (in 1969), through a Board of Directors resolution, viz:

REORGANIZATION OF THE DEPARTMENT OF THE INTERIOR

WHEREAS, from time to time, numerous proposals have been introduced into the Congress that would in varying degree affect the organization and character of the U.S. Department of the Interior, the most far-reaching among them being the bill (S. 2435) introduced by Senator Frank Moss to create a new Department of Natural Resources, by incorporating various related resource agencies from other executive departments; and

WHEREAS, the recently adopted Reorganization Plan No. 2 of the President, by transferring the Federal Water Pollution Control Administration into Interior from the Department of Health, Education and Welfare, has already in effect set in motion a similar if piecemeal process; and,

WHEREAS, consideration of S. 2435 would provide an opportunity to resolve some troublesome conflicts within the U.S. Fish and Wildlife Service by reorienting it along strict

lines of resource conservation, bereft of user-interest biases, by transferring to another more appropriate department all its overt trade-associated activities, as presently authorized within the Bureau of Commercial Fisheries;

NOW, THEREFORE, BE IT RESOLVED, by the Directors of the Sport Fishing Institute, this 24th day of May, 1966, in regular Annual Meeting at St. Louis, Missouri, that any reorganization of the Department of the Interior or of the Fish and Wildlife Service, such as is contemplated under S. 2435, should consider the desirability of replacing the present Bureau of Sport Fisheries and Wildlife and Bureau of Commercial Fisheries by a new Bureau of Fishery Resources and a new Bureau of Wildlife Resources, the former new Bureau to concern itself with inland, estuarine and marine fishes, and related matters, and the latter new Bureau to concern itself principally with mammalian and avian resources, and related matters, both without overt reference to special user interests.

Fisheries Resources And Wildlife Resources. The kind of approach recommended above would provide an opportunity to resolve some of the conflicts within the Fish and Wildlife Service by reconstituting it along strict resource-oriented lines. This would require that 11 trade-association type activities, as presently authorized for the Bureau of Commercial Fisheries, be transferred to some other department, perhaps Commerce. If this were done, it would become possible to effect a constructive reorganization of the Fish and Wildlife Service that would be very much in the public interest. Thus, the present Bureau of Sport Fisheries and Wildlife and the present Bureau of Commercial Fisheries ought to be replaced, respectively, by a Bureau of Fisheries Resources and a Bureau of Wildlife Resources. (The Fish and Wildlife Service superstructure, i.e., the Commission's Office and staff, would serve little or no future purpose, if it remained.)

The Bureau of Wildlife Resources would concern itself with game and fur-bearing birds and mammals, and all matters relating to the conservation of wild birds and vertebrate resources. The Bureau of Fisheries Resources would concern itself with inland, estuarine, and marine fishes, and related matters, and all matters relating to the conservation of wild birds and vertebrate resources.

The fishery resource scientists of both existing bureaus could then be brought together in a truly productive team capable of concentrating on and finally resolving the many very difficult and urgent problems of conserving precious fishery and other aquatic life resources, in both fresh and salt water. In such an orientation they would be relatively uninfluenced by many heretofore troublesome biases and prejudices that are unfortunately generated by the self-serving pressures of special interests. Thus, conservation progress would be accelerated.

Urgent National Commitment Remains Pending? There is an urgent necessity to group together a majority of the presently scattered major Federal government activities, now found in 18 or 20 different agency programs and several departments, related to the coastal zone and to non-military aspects of oceanography. Such a grouping should occur as a new Bureau or Administration or Agency, within the new DNREA that SFI proposes to replace the Interior Department. It must be accorded high visibility and given a substantial thrust by the White House of sufficient magnitude to make clear that its mission in the seventies is to be equivalent as a national goal to that given the space program in the sixties.

The new DNREA proposed by SFI should be a superdepartment and become subdivided into three major Departments after the fashion of the Department of Defense—each headed by a Secretary (not an Assistant Secretary) or an Under Secretary (the DNREA Secretary ought to be a super-secretary like the DOD Secretary). The major subdivisions would correspond to more or less natural subject area groupings, suggested as the Department of Renewable Terrestrial Resources; the Department of Aquatic Ecology and the Atmosphere; and the Department of Subterranean Energy and Mineral Resources. The word "Aquatic" is used here in its broad meaning of "water-related," thereby including the marine environment.

The foregoing is obviously not a comprehensive analysis, being only an outline. Any such massive reorganization would require some corresponding realignment of Congressional Committees, which may be extremely difficult of accomplishment.

It is regrettable that the conservation community was not given the opportunity to make formal input to the thinking of the Ash Council during its formative stage. As matters seem to stand, if the forthcoming plans for reorganization of Federal environmental activities turn out reasonably close to those outlined June 6 by Mr. O'Toole in THE WASHINGTON POST, the Nixon Administration's recommendations are a disappointment. Sweeping as they may appear to be, they fall far short of what is needed as a sufficient accommodation of the entire range of current environmental concerns.

The biological research programs (marine, estuarine, and fresh water) of the Interior Department's Bureau of Commercial Fisheries and Sport Fisheries and Wildlife, and the anadromous fish restoration program (for striped bass, American shad, salmon, steelhead trout, etc.), jointly administered by the same two Bureaus, belong clearly in the conservation-oriented Bureau of Sport Fisheries and Wildlife in Interior rather than in development-minded Commerce. As a matter of fact, this is the very department from which Commercial Fisheries was extricated nearly three decades ago (1942) in a desperate and then successful effort to help save the resources from overexploitation. The industry now apparently "wants out," so it can fish as it pleases, without conservation restraints—and at the expense of multiple use of the resource by sport fishermen.

It appears to us that there is much merit in drastic reorganization. Our objection to what we've seen and heard so far is that it does not go nearly far enough, and that the dough requires further kneading on the bread board, and returning to the oven for further baking. . . .

ATMOSPHERIC OXYGEN

A study to measure the world's atmospheric oxygen supply was initiated three years ago, now concluded, because several marine scientists had suggested that pesticide pollution of the oceans might be depressing the photosynthetic activity of marine plant life (principally algae). This was alarming because some 60 to 70 per cent of the world's annual supply of newly-released oxygen is produced in photosynthesis by such oceanic plant life. Small changes, if detected, might be indicative of later disaster even if not immediately harmful to the earth's animal life (including humans).

Results of the study, by Dr. Lester Machta (Environmental Science Service Administration) and Ernest Hughes (National Bureau of Standards) to be published in SCIENCE, are reported to be reassuring (by feature writer Harold M. Schmeck, Jr., in THE NEW YORK TIMES for June 25). First, they are said to show no detectable changes over a period of more than a half century. Second, the new figures set a standard against which to measure any future trends.

Schmeck reported that only about five dependable sets of measurements of this type have been made in the last 60 years. None of the earlier measurements were done on the scale of the new study, in which ESSA and NSF scientists collected 78 atmospheric samples between Lat. 50 degrees N. and Lat. 60 degrees S. Further samples were taken early this year in rural Maryland by a scientist of the NSB.

All of this work led to the conclusion, Schmeck reported, that the atmosphere's oxygen content at sea level is 20.946 per cent by volume. Most of the rest of air is nitrogen. Analysis of sampling done as early as 1910 gave almost exactly the same figure for oxygen. Since 1910, the researchers concluded, changes with time over the globe appear to be either zero or less than the variability in the accuracy of the measurements.

48 PESTICIDES HARNESSSED

Secretary of the Interior Walter J. Hickel recently announced a policy banning the use by his department of 16 pesticides and sharply restricting the use of 32 others. About one-third of the nation's land area is federally owned, and the Interior Department manages about 70 per cent of the federal land holdings.

Banned were: DDT, Aldrin, 2-4-5-T, Dieldrin, Endrin, Heptachlor, Lindane, Toxaphene, Amitrol, inorganic arsenic compounds, Azodrin, Bidrin, DDD (TDE), mercurial compounds, Strobane, and Thallium sulfate.

Pesticides placed on a restricted list are to be used "only if other systems will not work, and then only in small applications," a department announcement said.

The restricted list includes these pesticides: Aramite, organic arsenical compounds, Azinphosmethyl (Guthion), Benzene hexachloride, Carbophenothion (Trithion), Chlordane, Coumaphos, cyanide compounds, Demeton, Diazinon, Dioxathion, Diquat, Disulfoton De-syston, DN compounds such as dinitrocresol 1, Dursban, Endosulfan, EPN, Ethion, Kepone, Methyl parathion, Mevinphos (phosdrin), Mirex, Nicotine compounds, Paraquat, Parathion, Phorate Thimet, Phosphamidon, Picloram, Sodium Monofluoroacetate 1080, Temik, TEPP, and Zectran.

The new Interior guidelines on pesticide use require that chemical pesticides should not be used alone when non-chemical, or integrated chemical and non-chemical, techniques offer an alternative option. No pesticide will be used when there is "basis for belief" that water quality will be degraded, and hazards exist that will unnecessarily threaten fish and wildlife, their food chain, or other components of the natural environment. Large scale non-specific applications will not be made of any pesticides, the guidelines specify. A contingency plan will be developed for all pesticide storage areas under Interior control to prevent spills; provide remedial action in case they do occur; and formulate disposal methods.

US/POLAND AGREEMENT

The United States and Poland signed an agreement in Washington on June 13, 1970, concerning fisheries off the Middle Atlantic Coast of the United States. The agreement constitutes an extension and modification of a fisheries agreement which was originally concluded on June 12, 1969, in Warsaw, to protect scup, flounder, and hake—species of important concern to American sport and commercial fishermen. Today's agreement continues and expands protection for those species. It also broadens the protective measures in order to apply to black sea bass, menhaden, and river herring as well.

American scientists agree that fishing on these resources should be limited. As a result, Poland will not fish for any of those species along the Middle Atlantic Coast. In addition, fishermen of that nation will take special precautions to avoid depletion of those resources throughout the year.

Poland will continue to refrain from fishing during winter months in a specified offshore area of the Middle Atlantic, roughly between the 50-100 fathom zone where bottom species concentrate early in the year. The effective period of this provision has been extended 15 days under the new agreement, to apply from January 1 through April 15.

Polish fishermen, in return, will continue to be allowed to use three areas along the mid-Atlantic Coast within the 9-mile contiguous fishing zone of the U.S. for unloading and transferring their fish catch. One of these areas is located off Long Island. The second area is off the coast of New Jersey south of Atlantic City. The third loading zone provided the Polish fleet is located off the coast of Virginia, north of Chesapeake Bay. The Polish fishing fleet may use these loading zones except during the summer. No aerial fishing activity by Polish vessels is allowed within the contiguous fishing zone of the U.S.

Each Government will continue to provide for entry of a certain number of fishing and support ships into certain ports of the other country. In return for Polish cooperation in conserving species of special concern to American fishermen, U.S. facilitation of entry by Polish fisheries vessels into certain U.S. ports was broadened.

The agreement provides for cooperation in fishery research designed to improve future conservation programs in the Middle Atlantic. Provision is also made for visits of fisheries representatives as well as fishery inspectors of the two countries to each other's fishing vessels operating in the Middle Atlantic.

The agreement will remain in force through September 30, 1971. The expanded features of the new agreement are an important step forward in efforts to develop more effective international cooperation in fisheries conservation.

The Polish delegation was led by Vice-Minister Romuald Pietraszek of the Ministry of Shipping. The U.S. delegation was headed by Ambassador Donald L. McKernan, Special Assistant to the Secretary of State for Fisheries and Wildlife. Both delegations contained fishing industry representatives as well as technical advisors. The U.S. delegation also included representatives of sport fisheries interests.

ATLANTIC SALMON PACT

In 1969, the International Commission for the Northwest Atlantic Fisheries (ICNAF) adopted a resolution

calling upon its 14 member-nations (Canada, Denmark, France, West Germany, Iceland, Italy, Norway, Poland, Portugal, Romania, Spain, Soviet Union, United Kingdom, and United States) to halt high-seas net and long-line fishing for Atlantic salmon in affected waters of its jurisdiction (near Greenland). This action was favored by a necessary majority of nations, but was opposed by Denmark and West Germany, with Portugal abstaining. Ultimately, Denmark and West Germany refused to ratify the action, thereby preventing it from coming into force. The regulatory action had been sought because of widespread, increasing concern that the growth of high-seas fishing would cause a general decline in salmon abundance. Such fishing is wasteful of the resource and non-selective as to salmon rivers of origin. It poses the threat of extirpation of various races of Atlantic salmon, thus making conservation efforts chaotic.

A similar problem had also arisen with respect to fishing for Atlantic salmon in waters off Norway, within the jurisdiction of the Northeast Atlantic Fisheries Commission (NEAFC). Again, it involved Danish fishermen, this time "raiding" sea salmon stocks off Norway. Now, after more than a year of wrangling, the Northeast Atlantic fishing nations have reached a compromise agreement to control salmon fishing in international waters. Where there had previously been no controls whatever, there will be a 45-week ban on salmon fishing each year between July 1 and the following May 5. In addition, two areas north and south of the Lofoten Islands off northern Norway will be closed to salmon fishing the year round.

The nations agreed to a minimum fish length of 60 centimeters (nearly two feet) as well as a minimum net mesh size of 100 millimeters (about 4 inches) and there are further restrictions on the gear fishing gear and the use of non-selective nets. The rules take effect next January 1 and are to be reviewed by the NEAFC every two years.

The matter was next considered by the ICNAF, a few weeks ago (early June) in Newfoundland. By then, the stage was substantially set by the earlier actions taken, with respect to Atlantic salmon fishing by Danes, by the NEAFC in London. So, it was not altogether surprising that the following less stringent action was agreed to for the ensuing year:

A British newspaper, THE SUNDAY TIMES, commented that "in certain circles, the international reputation of Denmark is at its lowest since the Vikings hacked their way around Western Europe." Britain has been adamant in its insistence on a 10-year ban on salmon fishing in the Northeast Atlantic as the only way to provide breathing time for adequate research and to allow stocks to replenish. For example, the catch in Scottish rivers fell by 48 per cent in 1968.

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"Recognizing that the proposal adopted at the 1969 Annual Meeting for the prohibition of the fishery for

salmon outside national fishery limits, not having been accepted by all Contracting Governments, has not been fully effective;

"Considering that interim measures are desirable in order to avoid the escalation of fishing for salmon throughout the Convention Area pending a more accurate assessment of its effects on coastal and river fisheries and on the stocks; and

"Noting that Contracting Governments which have not participated in the fishery have no present intention of doing so;

"The Commission also proposes that:

"1. Each Contracting Government which has participated in the fishery for salmon take appropriate action to limit the aggregate tonnage of vessels employed or catch taken by its nationals in the fishery in the Convention Area to a level not exceeding the aggregate tonnage of vessels so employed or catch so taken in 1969;

"2. That Contracting Governments which have not accepted the prohibition on fishing for salmon outside national fishery limits take appropriate action to prohibit fishing for salmon outside national fishery limits in the Convention Area before 31 July and after 30 November.

"3. The use for salmon fishing of any trawl net, any monofilament net or any troll be prohibited throughout the Convention Area provided that Contracting Governments may authorize the continued use of monofilament nets acquired before 1 July 1970.

"4. These measures be in force for the year 1971 subject to review within that period, in the event of substantial changes in the catches of salmon in the Convention Area or in home waters or in the fish stocks."

The measures agreed to appear to be pretty much in line with what the Danes had previously indicated they would accept. They had maintained that there is no proof that their fishermen are taking amounts of fish that will prove harmful to young salmon, despite that the fact that last year Danish boats took a record 2,200 tons of salmon off Greenland equivalent to about a 17 per cent addition to world harvest in home waters. In 1961 the catch had amounted to only 127 tons. The Danes contend that the real danger to salmon is in low water levels, pollution and disease in British and Canadian waters.

Biologists maintain that the salmon issue is symptomatic of man's approach to his environment. One British fisheries expert was quoted as saying: "We feel a ban is needed to allow for thorough investigation to ascertain the behavior pattern of salmon and to take the measures needed to conserve the species before it's too late to do so."

PUBLIC LANDS STUDY

After five years of study, at a cost of seven million dollars, the Public Land Law Review Commission (PLLRC) has concluded that the 3,700 Federal laws dealing with the nation's public lands (755 million acres, mostly in the West) need a thorough overhaul, with provision for tighter Congressional oversight. The purpose would be to meet changing goals of American life and to eliminate conflicts and reduce inefficiencies. For example, the once-imaginative Homestead Act, which sent thousands of farmers streaming across the Mississippi River to settle the West, would be repealed. At present, farming claims can still be made anywhere on unappropriated, unreserved

public lands only in Alaska, where 95 per cent of the land remains in Federal ownership. This and numerous other specific recommendations are contained in a 342 page report by the PLLRC, entitled ONE THIRD OF THE NATION'S LAND, delivered to President Nixon on June 24 (copies may be purchased from the U.S. Government Printing Office, Washington, D.C. @\$4.50).

The Commission recommended transferring the U.S. Forest Service from the Department of Agriculture into the Department of the Interior and renaming the latter as the Department of Natural Resources. It also proposed adding a variety of environmental protection clauses to all public land laws, establishing new fees for public land use, applying pollution controls and banning the sale of products from any plant that violates pollution standards. On the other hand, the PLLRC advocates that about half of the total forest land in federal ownership, including nearly a fourth of the existing National Forests, should be earmarked for increased timber production.

Another major area of concern dealt with recommended reassertion of Congressional authority over public lands by legislation sharply restricting government agencies from withdrawing land from the public domain or even setting it aside for limited uses. Consolidation of legislative responsibility for public lands in single House and Senate committees as a companion to the merger of all major public land agencies in the proposed Department of Natural Resources.

Representative Wayne N. Aspinall (D-Colo.), chairman of the House Interior Committee, headed the 19-member PLLRC. The Commission, composed of seven members of the House, six Senators, and six presidential appointees, repeatedly emphasized the importance of public lands. More than a third of the nation's domestic production of wood products comes from federal lands. Oil, gas and coal extracted in 1968 alone were valued at \$796.9 million. Almost all the hydroelectric power in 11 western states depends on water originating on public lands.

The report recommended a reversal of the long-standing statutory policy that the United States should gradually dispose of its acreage. It said, "Most public lands would not serve the maximum public interest in private ownership." At the same time, the commission said that much of the public domain could be sold or set aside for private use with fair-market value as the general standard of payment.

PLLRC Chairman Aspinall, recognizing that some of the recommendations could have widespread political reverberations, made clear that implementation of the report will not be easy or immediate. He indicated that he would sponsor some of the legislative proposals, but not until next year, after the November elections. "I'm going to wait six months, I'll tell you that," he said.

SEA-FOOD MYTH

A significant article, entitled "The-Food-From-The-Sea-Myth," appeared in CONNECTICUT CONSERVATION [Volume 3(3):9-15] for June, 1970, published by the Connecticut Conservation Association (Mystic, Conn.). It was extracted, presumably by permission, from the book by Paul R. Ehrlich and Anne H. Ehrlich, POPULATION, RESOURCES, ENVIRONMENT: ISSUES IN HUMAN ECOLOGY, published by W. H. Freeman & Co., San

Francisco. The article is significant because it points out that there is a finite practical limit to the so-called food-riches of the seas, rather low in terms of fishes, probably on the order of 150 million metric tons, perhaps less.

At most it is believed that world harvest of fishes might be increased by 70 million tons. Moving down the food chain to plankton, often envisioned, would require more calories and energy and money than could be realized. In addition, fish production would be adversely affected if such harvest were substantial. Overexploitation of fish stocks and oceanic pollution are the big obstacles seen preventing optimum utilization of ocean fish stocks—thereby precluding harvest of the full 70 million additional tons of fish believed otherwise available for harvest.

MERCURY POLLUTION SPREADING

Early in 1970, as is generally known, dangerous levels of mercury contamination were found to occur in various species of fish taken in Lake St. Clair, located between Lake Huron and Lake Erie, and in the St. Clair River. As a result commercial fish caught from these waters were seized and all fishing, both sport and commercial, was banned there by Canadian and Michigan authorities. The restrictions were extended, temporarily, to Lake Erie but later relaxed after extensive sampling cleared fish there.

Following considerable soul-searching, Michigan Governor Milliken lifted his earlier ban (coordinated with Ontario authorities) on fishing in Lake St. Clair and the St. Clair River. Purpose was to permit catch-and-release sport fishing—i.e., catching but not keeping—on those waters, commencing with the Memorial Day weekend. Despite the relaxed restrictions, however, few people tried their luck.

Reports by agents of the Michigan Department of Natural Resources (DNR) indicated that the amount of fishing was negligible, as was boating—both down practically 100 per cent. These observations tend to bear out on large scale the fact oft demonstrated in small-scale tests that being able to keep and eat at least a small part of the catch is an essential aspect of angling. They also strongly confirm otherwise available statistics to the effect that fishing is the principal reason and motivation for boating.

Recent studies by Michigan DNR scientists demonstrated that mercury levels in Michigan pheasants are well below the upper limit (0.5 ppm) set by the Food and Drug Administration (FDA) for commercially-marketed fish. By contrast, however, tests on 39 waterfowl from Lake St. Clair and the Detroit River—mostly “over-wintering” ducks, 27 of them scaup—revealed mercury levels in their breast muscles ranging from 0.01 to 1.7 ppm. The average level was 0.6 ppm, which is 20 per cent higher than the FDA's criterion of acceptability. Tests on 14 other ducks revealed

mercury residues below the critical 0.5 ppm level. At least 8 species of waterfowl besides scaup were included in the sample, so that the findings may be significant only for the latter. Scaup actually account for a relatively small fraction (20%) of the bag of waterfowl taken by Michigan duck hunters.

Now comes a report from the Atlanta regional office of the Federal Water Quality Administration that mercury-laden pollution sources have contaminated fish in two Alabama rivers at levels exceeding the maximum tolerance level (0.5 ppm) set by the FDA. According to the FWQA, fish with potentially dangerous levels of mercury were recently collected from the Mobile River below Stauffer Chemical Company and from below Olin Mathieson Corporation in the Tombigbee River at McIntosh. Both plants are involved in the manufacture of caustic and chlorine utilizing a mercury cell.

John R. Thoman, FWQA Regional Director, stated that: “Based on results just received from our Southeast Water Laboratory on edible portions of fish collected from these sources, the public should be advised against eating fish from these areas until further notice.” He emphasized that at the present time only two restricted areas were found with contaminated fish and that FWQA's investigation will be continuing in this area to determine the extent of contamination.

Thoman stated further that the Alabama Water Improvement Commission, the Alabama State Health Department, and the Federal Food and Drug Administration have been advised of the results reported from several species of fish, including largemouth bass, bluegill, channel catfish, and carp. The results reported are part of an intensive Southeast Region study recently initiated following reports of mercury contamination in the Great Lakes states and Canada. According to Thoman, the FWQA is currently conducting a nationwide investigation to fully evaluate the mercury problem and isolate all potential pollution sources. This is the first reported incident in the Southeast.

PARTY BOAT ANGLING

According to recent advice from the California Department of Fish and Game, California party boat anglers hauled in an average of 7.1 fish during 1969. The 802,811 fishermen logged during the year aboard the active sport fishing boats caught a near-record 5,725,575 fish. That's just 5,626 fish short of the record set in 1968.

The relatively high catch per angler was made possible by substantial landings of bonito, rockfish, kelp and sand bass, and halfmoon—a newcomer, more commonly called Catalina blue perch. Barracuda, yellowtail, and albacore landings were 20 to 40 per cent below the 1947-69 average.

(Subsequently, the following information was supplied by Mr. Stroud:)

SPORT FISHING INSTITUTE,
Washington, D.C., July 30, 1970.

HON. CHET HOLIFIELD,
Subcommittee on Executive and Legislative Reorganization, Committee on
Government Operations, House Office Building, Washington, D.C.

DEAR CONGRESSMAN HOLIFIELD: I am writing with further reference to one of the questions you posed during my recent (July 29) testimony before the subcommittee in opposition to Reorganization Plan No. 4. That concerned my information about what the Ash Council recommended to the President, and how you could get similar information direct.

As you will recall, I recommended that you should invite some responsible Ash Council staff people to appear before you for further questioning. I suggested that if you asked a series of specific questions, designed to yield "yes" or "no" answers, that you would receive truthful answers.

Now, I call your attention, and submit for your use as a supplement to my testimony the following verbatim extract from an article (on pp. 1581-1584, of vol. 2, No. 30 of the National Journal, dated July 25, 1970) by Richard Corrigan, entitled "Environment Report/Conservationists Prepare to Fight Plan Giving Commerce Lead Oceanography Role." viz:

"White House decisions: Using Stratton report as their basic working document. White House officials last summer set about drawing up a list of options for submission to President Nixon. The tempo speeded up this year, when the Ash Council in January sent a preliminary memorandum to the President on the subject.

"Among those coordinating the final White House staff work were John C. Whitaker, deputy assistant to the President for natural resource and environmental affairs, and William E. Kriegsman, staff member of the Domestic Council. Presidential Assistant Peter M. Flanigan had been involved in earlier consideration of the issue.

"Independent agency—The Ash Council memorandum opposed formation of an independent agency for several reasons, saying that various marine programs might share a common medium—the seas—but otherwise had little in common with which to build an independent unit. Noting the growing congressional interest in the NOAA concept, the memorandum suggested that if the President were determined to take immediate action he should propose a reorganization of the Interior Department and place most of the NOAA components there.

"But the memorandum recommended further delay while the council studied the broader question of whether Interior should be reconstituted as a Department of Environment and Natural Resources. The memorandum also noted that the move it suggested could prove 'detrimental' to Commerce."

I attach copies of tear sheets of the entire article for your further information.

Sincerely yours,

RICHARD H. STROUD,
Executive Vice President.

(The attachments referred to are maintained in the subcommittee files.)

Mr. HOLIFIELD. Dr. Edward Wenk was unable to get accommodations out of Minneapolis and would like to have his statement placed in the record at this point, which we will do.

(The prepared statement of Dr. Wenk follows:)

PREPARED STATEMENT OF DR. EDWARD WENK, JR., PROFESSOR OF ENGINEERING AND
PUBLIC AFFAIRS, UNIVERSITY OF WASHINGTON, SEATTLE

Mr. Chairman and members, I am pleased to have the opportunity to appear today to urge your endorsement of President Nixon's Reorganization Plan No. 4 submitted on July 9.

I do so in a dual capacity—as a vice president of the National Oceanography Association and the American Society for Oceanography and from my personal background of 4 years as executive secretary of the Marine Sciences Council served under two administrations.

Let me say a brief word about the two organizations on whose behalf I appear—NOA and ASO possess diverse memberships from varied backgrounds and with different points of view. Yet, both groups are united on one fundamental point—the importance of the oceans to this Nation and, in fact, to all the people of the world.

There is widespread agreement that the reorganization and centralization proposed in the plan before you will be an important step toward realizing the oceans' benefits. To quote from a statement issued June 22 on behalf of the board of directors of the National Oceanography Association:

"The organization being proposed by the Nixon administration to lead Federal civilian oceanographic affairs appears to be a good one.

"While many of us would have preferred a national oceanic and atmospheric agency independent of any existing department, the planned assignment of a NOAA-like organization to the Department of Commerce is a workable compromise.

"It is important to keep in mind the basic objectives of reorganization. It is the NOA board's belief that the national need for a stronger oceanographic effort requires better Federal focus, more attention, and improved coordination. All of these basic aims will be well-served by the proposed National Oceanic and Atmospheric Administration (NOAA) in the Department of Commerce.

"On balance, the Nixon administration organization recommendation for oceanography merits our support as serving the national interest. We look forward to working with the administration and Congress to perfect this proposal."

I am attaching a list of the directors.

The major question before the Congress with regard to the oceans has been how to achieve the goal of a strong national program.

It was Congress which took the initiative by declaring the importance of the oceans and the need for a greater effort. This idea is stated in the Marine Resources and Engineering Development Act (Public Law 89-454) of June 17, 1966. It contained an unprecedented statement of national purpose in advancing not only our study of the oceans, but our beneficial use of them. Also, the act assigned responsibility for leadership to the President. It is worth pointing out that this statement of policy does not have a finite life as does the Marine Sciences Council set up as an interim measure to assist the President. At the same time, Congress established the Commission on Marine Science, Engineering, and Resources primarily to assess the organizational needs of the Federal Government.

It is important to note that the Commission represented a broad range of interests and that most of its members came from outside the oceanography field. Its report "Our Nation and the Sea" is a landmark document in marine affairs.

Congressional support for the themes of a stronger ocean policy and reorganization needs is today and has been through the years strongly bipartisan.

Support has been voiced by leaders of both parties during the past year—Congressman Rogers Morton and former Vice President Humphrey—and also by other leaders such as Senators Warren Magnuson, Ernest Hollings, Claiborne Pell, John Tower, Mark Hatfield, and George Murphy and Congressmen Alton Lennon, Charles Mosher, John Anderson, Bob Wilson, George Miller, Paul Rogers, and many others.

The backing which has been forthcoming came without a national crisis or threat such as marked our space effort. Also, the bipartisan congressional support is not the result of intensive special-interest lobbying.

Rather, the support which is voiced is based on a conviction that important national needs can be met in the oceans and that action is required.

Let us think for a moment of our goals in the oceans—and the contribution to these goals which a more unified structural arrangement can make.

In 30 years, it is estimated that fully 70 percent of our population will reside along the coasts and Great Lakes shores. We must act now to control pollution, preserve sanctuaries for waterfowl and fishing nursery grounds as well as provide recreation opportunities for our growing population.

We will have to collect sound ecological intelligence about our coasts so we can better manage the growing demands upon them.

In addition to traditional uses of the coastal areas, we will be looking to them for offshore airports and supertanker terminals.

Mineral resources, especially petroleum for our energy-hungry economy, present in and under the oceans challenge us to develop economical and nonharmful methods of extraction.

The oceans are an important source of protein-rich food. We will want to increase productivity for the sake of the hungry of the world, taking care

not to deplete stocks or disrupt recreational fishing. We have to increase our knowledge about the effects of pollutants on marine life, dramatically brought home recently by the discovery of the presence of mercury in major rivers. We want to increase the catch of U.S. fishermen which has declined in recent years.

Our use of the oceans for transport will continue to increase—there are predictions that worldwide shipping will quadruple to 8 billion tons a year in 30 years.

The potentials from improved knowledge of weather systems for all citizens—in the heartland as well as along the coasts—is enormous. As we learn more about the interaction of oceans and atmosphere, our predictions about and ability to modify or perhaps control weather conditions will be enhanced.

Research on drugs in the sea is a promising field. Already antiviral substances come from sea life; an agent for use against high blood pressure has been extracted from an octopus, it is reported.

With this background of the demonstrated importance of the oceans and coastal areas and in light of the declared national policy that we have a coordinated, comprehensive and long-range national program in marine science, we come to the question before us today—do the fragmented missions and line agency organizations established piecemeal over the years add up to a coherent whole, capable of fulfilling the charge given by Congress 4 years ago?

My answer is clearly no.

What would the National Oceanic and Atmospheric Administration proposed in Reorganization Plan No. 4 give us?

We would gain an efficiency in our study of the oceans by combining the technological capabilities of ships, buoys and spacecraft with biological and atmospheric research.

We would cut down the wastage involved in interagency competition.

We would have at last in the Federal civilian structure a focal point of attention and operating ability in one, visible place.

We would have a high-level spokesman within the Government to insure that civilian marine matters receive adequate attention in the setting of priorities.

We would gain uniform standards for research and exploration.

We would have, by virtue of the components of NOAA, built-in recognition that the proper focus of our ocean program is on the multiplicity of uses in contrast to research and development.

We would now have a unity in budget presentation and consideration.

For persons outside the Government, NOAA will provide benefits. For persons seeking ocean technical data, for businessmen wanting to know the direction and content of Federal civilian oceanographic activities and for the student wanting basic information, the existence of a centralized civilian oceanic home in Washington will cut down confusion and delay.

Also, we will have less uncertainty on the part of the public on our ocean policies by cutting down the number of centers within the Government seeking to influence that policy.

What are the alleged limitations of the President's proposal?

It is said the makeup of NOAA gives an unbalanced emphasis to the physical sciences versus the biological.

Objection is made by some to the exclusion of the Coast Guard from NOAA and that the entity is not independent of an existing department.

Anxiety is expressed that NOAA will give preference to industrial development ahead of conservation needs.

Let me try to answer these points.

I would say to the first mentioned concern that NOAA should be an aggregate of the existing missions, and not merely a sewing together of the existing organizations. In internal organization, there should be what I have termed the "mix master" approach. Also, NOAA will want to determine if gaps exist in its program as it may well find the existing components do not add up to a balanced capability.

In other words, if there is an unbalance, the creation of NOAA provides us an opportunity to redress this situation in line with today's priorities.

We must place confidence in the leadership of NOAA to meet the Nation's needs as charted by you gentlemen in Congress and not necessarily to follow the present emphasis and distribution of funding among the constituent agencies. While independent status would have been desirable, I feel the high-level prominence planned for the head of NOAA offers some assurance the activities will receive top-level attention in the Government.

With regard to the omission of the Coast Guard from NOAA, first of all we note the buoy program is transferred so NOAA will have control of its capabilities.

The Coast Guard will continue to deal with oil spills and is not in anyway weakened in this regard by formation of NOAA.

The Coast Guard will relate to the new grouping in the same way that other organizations with impact on the oceans not included in NOAA will, such as the National Science Foundation, the Navy, State, and Interior Departments. With the Coast Guard's tradition of cooperation, I'm sure the relationship with NOAA will be a harmonious one.

On the matter of conservation of resources, the problem here is not a question of one agency being for it and another against.

Rather, until recently, the Nation has lacked a policy commitment in this field. This situation is being remedied by establishment of the Council on Environmental Quality (P.L. 91-190, signed Jan. 1, 1970) as strengthened by the Water Quality Improvement Act of 1970 (P.L. 91-224).

We have an additional need for policy on preservation of the marine environment, particularly in coastal management, which Congress will no doubt be considering.

Environmental protection requires that we understand that environment—and the combination of agency capabilities that will be present in NOAA, combining the physical and biological, will enable us to accomplish more for the marine and coastal environment than has been possible heretofore.

We need coastal laboratories to serve State and local needs and also articulate with Federal research capabilities. These coastal labs will couple with the Federal programs much better through a single Federal office than having to deal with five separate entities.

In order for us to make significant strides against pollution and in protection of our marine environment, we must enlist the cooperation and talent of private industry.

In thinking about our total national effort in the oceans, let's recall that the private role is larger than the governmental and that what we are discussing here today is not a NASA-style endeavor.

There is no thought here of an all-Federal crash effort. Federal stimulus, research support, pollution standards or fundamental technology development, yes; but Federal shipping, resource development, takeover of State coastal functions—no one wishes to see this.

So in NOAA, we are not talking about new subsidies or an all-Federal effort. We are talking about a cooperative Government-Industry program to maintain United States standing in the world and we are talking about the fact that Industry feels it has been ahead of the Government in moving into the sea, and that now is the time for the Federal Government to begin implementing some of its high-sounding phrases.

Now, Mr. Chairman, you are faced with the decision about whether or not to approve the initiative that the executive branch has at long last come up with.

The stakes are considerable. In summing up his presentation of the recommendations of the commission which he headed, Dr. Julius Stratton said, "A failure to meet the transcendent need for such a consolidation and the building of strength—a failure to take bold and major actions will in my own judgment be disastrous to the best interests of our country and condemn us to another decade of studies and debate."

If, after the great debate that has proceeded this reorganization plan, it should be defeated, I feel it will be very difficult to get affirmative action in the near future.

Such defeat would deal a profound setback—to both advocates of better knowledge and use of the oceans and persons interested in our environment.

Reorganization Plan No. 4 of 1970 is not a perfect plan, of course, but I do believe it goes a long way toward improving Federal management.

I do not know if there will be any dollar savings, but I am sure you will realize increased efficiency and better value for the dollars now appropriated. Initially, in fact, there should not be any additional cost because of the improved performance that will be enjoyed.

The important thing is that we will create in NOAA a nucleus with capability both to deal with present assignments and problems of the future and such responsibilities as Congress may care to add.

Organization is no panacea and will require strong leadership, vision, dedication, managerial skill and the other requisite qualities to realize its potential.

Also essential for a success is continued congressional interest which has been a key ingredient of progress.

Gentlemen, I urge your endorsement of Reorganization Plan No. 4 so that this country can get on with the job of advancing our knowledge of and ability to beneficially use the oceans and atmosphere.

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Mr. Richard C. Vetter, executive secretary, National Academy of Sciences, Washington, D.C.

Dr. James H. Wakelin, Jr., chairman of the board, The Oceanic Foundation, Oahu, Hawaii.

The executive director, Mr. Richard N. Rigby, Jr.

Mr. HOLIFIELD. Our next witness is Mr. Ted Pankowski, conservation associate, Izaak Walton League.

Can you allow your statement to be accepted for the record and make any specific comment that you want to?

STATEMENT OF TED PANKOWSKI, CONSERVATION ASSOCIATE,
IZAAK WALTON LEAGUE

Mr. PANKOWSKI. Yes, I can.

Mr. HOLIFIELD. As I understand it, you do endorse, with certain reservations which you delineate, Reorganization Plan No. 4.

Mr. PANKOWSKI. No, on the contrary, we are opposed to plan No. 4 and endorse plan No. 3. If I could suggest—

Mr. HOLIFIELD. Why don't you confine your remarks then to plan No. 4? We will take note of your reservations. We can do nothing about that, because we have to vote the plan either up or down; but for the record they will appear with regard to plan No. 3. Give us as succinctly as you can your observations on Reorganization Plan No. 4.

Mr. PANKOWSKI. Yes, I will be glad to do that. Beginning on page 4 we discuss this in detail.

Mr. Chairman, our qualified support for Reorganization Plan No. 3 cannot be extended to creation of a National Oceanographic and Atmospheric Administration at this time. In fact, we strongly recommend disapproval of plan No. 4 as being totally unresponsive to the needs of the American public for a truly meaningful national oceanographic and marine program.

We are not opposed to the transfer of some of the agencies in plan No. 4 to the Department of Commerce—many of them belong there. Nor are we opposed to having the Department of Commerce administer its programs in a way which is responsive to the needs of the environment.

In fact, from our conversations with the Commerce Department's representatives, they should be commended for giving such consideration more attention than would have been possible a few years ago. We are opposed because NOAA is being held out as the national environmental program for our oceans and estuaries.

Quite frankly, we don't see how the American public can be expected to believe that any more than any other agency of Government can be considered an environmental agency simply because it relies on, administers, regulates, or has control over some of the basic resources which the environment provides.

In our view, approval of Reorganization Plan No. 4 would be tantamount to making a fundamental decision that the basic ocean and marine policy of the United States is first and foremost to develop and exploit these resources. We do not believe that this was the intent of Congress when, over the years, it authorized the various programs and agencies which would be transferred to Commerce. They were individual responses to specialized needs and while many of them belong in Commerce, some do not. Consolidating them in NOAA at this time, particularly in the absence of a legislatively determined comprehensive marine policy, would be doing by executive indirection what Congress has yet to decide.

The current debate over a coastal zone management plan illustrates that point rather conclusively. In fact, we believe that the issues raised by the coastal zone management plan are central to the development of a comprehensive marine policy and that matter should be disposed of first before we assign scientific and technological capabilities to any agency of the Government.

Mr. HOLIFIELD. In your opinion, is it too inimical toward the goal of really looking at our environment in its entirety?

Mr. PANKOWSKI. Yes, and it is misdirected. As a matter of fact, we think the reorganization plan does by executive indirection what Congress has failed to do as yet by legislation.

There is considerable debate now concerning coastal zone management plans and what is going to be the national policy for our ocean resources. That question is still unresolved. We think Reorganization Plan No. 4 for that reason is not only inadequate but too short. I would like to read a statement that I clipped out from one of the proponents of NOAA, and I think it shows the dimension and scope of plan No. 4 as envisioned by interests in the Department of Commerce as well as by the oceanographic community. I have the highest regard for this man.

NOAA was not conceived solely as an oceanographic agency devoted to the science of the ocean. It was conceived as a social and scientific agency. It was conceived to provide technological capability to the Nation. Equally important are the economic, legal, political, diplomatic and other activities it would perform. Its responsibility would begin in the coastal zone of the United States and extend to the global seas.

Mr. Chairman, this is far more than a legislative tinkering in order to make the departments function better. We are laying the groundwork for an entirely new national program. And we are doing it on the basis of transferring these functions to the Department of Commerce—and this could be the transfer of any agency of Government of certain vital engineering and scientific capability which national policy with respect to marine environment is going to need, irrespective of who administers it. We would suggest that Reorganization Plan No. 4 is really like hitching any national policy we might develop for the marine resources to the cart, which is the Department of Commerce, and that is why we oppose Reorganization Plan No. 4, not because of any fancy fit between commercial and sport fisheries or arguments about whether the Department of Commerce would have the ability to muster men or biological teams and so forth, but we have no national policy for the oceans now, and we think it is premature to develop it in this fashion.

Mr. HOLIFIELD. You have no comment on the recommendations of the Council for Marine Resources?

Mr. PANKOWSKI. They outline what the problems are and they delineate a course which the Nation should give consideration to. None of these interests are accommodated in Reorganization Plan No. 4.

Mr. HOLIFIELD. You don't think NOAA could then take into consideration the coastal zone management plan and the recommendations of the National Council on Marine Resources? You don't think they would be embodied to do that?

Mr. PANKOWSKI. I think they can consider them, but in view of their primary mission to promote commerce, what the national effect will be is that all of these other considerations, as well as all the other programs of Government, would be subject to the primary mission of that department, which is to promote commerce. That is putting the cart before the horse.

Mr. HOLIFIELD. Well, I think you have made a very good statement, and I am asking you to excuse us for not giving you more time on this, but I suppose we took a little too much time with the first witness.

Mr. PANKOWSKI. Well, I understand the problem, Mr. Chairman.

Mr. HOLIFIELD. Thank you very much. I think your statement is very well thought out.

(The prepared statement of Mr. Pankowski follows:)

PREPARED STATEMENT OF TED PANKOWSKI, CONSERVATION ASSOCIATE,
THE IZAAK WALTON LEAGUE OF AMERICA

Mr. Chairman and members of the committee, I am Ted Pankowski, Conservation Associate for the Izaak Walton League of America. As you know, the league is a national organization of volunteer citizens who are dedicating their time, energies, and resources for the protection and restoration of the environment. We believe that our membership represents a good cross section of the concerned public and that it brings to national debates such as this a respectable consensus of informed public opinion, as well as some experience. We are grateful to the committee for this opportunity to express them.

There is little question, Mr. Chairman, that Reorganization Plans No. 3 and No. 4 have been received with cautious optimism on one hand and outright consternation on the other—and in that order.

We believe the Nation is ready for an independent Environmental Protection Agency organized along functional lines and dedicated to the single mission of ending pollution and contamination wherever it exists and whatever the source. Beholden to no special interests, armed with important new authorities and responsible directly to the President, EPA should have the potential for becoming the single-purposed, mission-oriented agency which our times and needs demand.

The transference of pesticide regulation and radiological standards from the Department of Agriculture and from the Atomic Energy Commission, respectively, would in itself be an important and necessary achievement and one which we wholeheartedly support and recommend. At the present time, the Izaak Walton League, along with four other conservation organizations, is engaged in a suit before the U.S. Court of Appeals for the District of Columbia to ban the use of DDT as an environmental contaminant. That step was not taken lightly and it followed several years of hearings in Wisconsin and the accumulation of rather conclusive scientific evidence. The Department of Agriculture, however, has simply not been in a position to promote the use of DDT for crop yields and at the same time recognize the far-reaching and deleterious effect that DDT has had on nonmarketable resources. Nor has the Department been able to foster alternatives to the use of DDT and at the same time engage in meaningful regulation of that industry. Similarly, the attitude of the Atomic Energy Commission, whose mission it is to promote peaceful use of atomic power, has been overly protective of the industry with respect to charges and allegations of environmental contamination, both from thermal and radiological discharges. If nothing else, the separation of these developmental and protective functions with respect to these two agencies should increase public confidence and lend greater assurances that the benefits of new technologies and capabilities are not negated by problems far more serious than the ones they solve. Our support for EPA, however, is not unconditional.

Our experience with reorganizations in the past has been that they cause great confusion and yield little gains unless they are matched with commitments of adequate funds and manpower. Many of our most important programs in pollution abatement, such as Public Law 660, are still grossly underfunded while others, such as our system of ambient air quality standards, are in need of major revision if the public is to enjoy the benefits of clean air and clean water. Nonetheless, this is a risk the league is willing to take with respect to EPA. Should these programs lag, or should they continue to be underfunded and undermanned, there will be no question as to where the ultimate responsibility will lie. The President, we believe, has recognized this and is willing to accept the direct responsibility for EPA's operations. We believe he should be given the opportunity.

In addition, we agree with the President's assessment that EPA should not be considered the be-all and end-all of our pollution abatement program. Some important programs which are related to EPA's mission in a direct manner have been untouched by Reorganization Plan No. 3, in particular the sewer grant programs administered by HUD and the Department of Agriculture. We urge that these programs be transferred to EPA by legislative action as soon as pos-

sible. The argument against their transfer has been that they are related to the primary mission of the administering agencies. In our opinion, this smacks of "make work" with disastrous consequences to water quality throughout the Nation. We would like to stress that construction of sewer lines along with the necessary sewage treatment plants will create as many economic opportunities, perhaps more, if fostered through a unified Federal program. The positive benefit will be that the American public will no longer pay the indirect costs in contamination of water supplies and lost water-oriented recreational opportunities created by the dichotomy which now exists.

The question has also been raised that the creation of EPA may diminish the functions and importance of the new Council on Environmental Quality. We hope this will not be the case. It certainly need not be. In fact, the Council now operates with far too few staff people to undertake the extensive technical monitoring which modern pollution abatement programs demand. EPA could satisfy this need so that the specific judgments and recommendations of the Council on pollution abatement needs could take place in an atmosphere of technical confidence.

Mr. Chairman, our qualified support for Reorganization Plan No. 3 cannot be extended to creation of a National Oceanographic and Atmospheric Administration at this time. In fact, we strongly recommend disapproval of plan No. 4 as being totally unresponsive to the needs of the American public for a truly meaningful national oceanographic and marine program.

We are not opposed to the transfer of some of the agencies in plan No. 4 to the Department of Commerce (many of them belong there). Nor are we opposed to having the Department of Commerce administer their programs in a way which is responsive to the needs of the environment. In fact, from our conversations with Department representatives, they should be commended for giving such consideration more attention than would have been possible a few years ago. We are opposed because NOAA is being held out as the national environmental program for our oceans and estuaries. Quite frankly, we don't see how the American public can be expected to believe that any more than any other agency of Government can be considered an "environmental" agency simply because it relies on, administers, regulates, or has control over some of the basic resources which the environment provides.

In our view, approval of Reorganization Plan No. 4 would be tantamount to making a fundamental decision that the basic ocean and marine policy of the United States is first and foremost to develop and exploit these resources. We do not believe that this was the intent of Congress when, over the years, it authorized the various programs and agencies which would be transferred to Commerce. They were individual responses to specialized needs and while many of them belong in Commerce, some do not. Consolidating them in NOAA at this time, particularly in the absence of a legislatively determined comprehensive marine policy, would be doing by Executive indirection what Congress has yet to decide. The current debate over a coastal zone management plan illustrates that point rather conclusively. In fact, we believe that the issues raised by the the coastal zone management plan are central to the development of a comprehensive marine policy and that matter should be disposed of first before we assign scientific and technological capabilities to any agency of Government.

Even the Stratton Commission report (and this in no way disparages the importance of that document) stated rather clearly that there should be an independent NOAA to, among other things, "serve marine industry and the marine interests of the American public." Yet Reorganization Plan No. 4 hardly takes into account the totality of those interests. Side by side with the Stratton Commission report and the proposals for NOAA we have available the equally important estuary study by the Bureau of Sport Fisheries and Wildlife, just as Congress has also authorized for the Nation's direction, the Fish and Wildlife Coordination Act, the Estuarine Protection Act, legislation to establish river basin commissions, the Environmental Policy Act of 1969, and other marine and marine-oriented programs.

Further, the outstanding decision by the U.S. Court of Appeals in *Zabel v. Tabb* raises new hopes and challenges with respect to the Army Corps of Engineers whose own programs have a tremendous impact on our estuarine and deep-sea resources.

In short, Mr. Chairman, plan No. 4 is premature and incomplete in essential ways. Even the Stratton Commission report, on which the proponents of plan No. 4 rely so heavily, appears to have recognized this fact when it recommended an "independent" agency reporting directly to the President. According to the

report, the case "for independent status is compelling." The Commission specifically rejected the idea of consolidating all Federal marine and atmospheric functions into a single, massive organization at this time. Yet the reasons for denying consolidation to the Interior Department or to a Department of Natural Resources 1 year ago are being swept aside in deference to the Department of Commerce—the critical difference being that the cart of Commerce will be pulling the horse of the marine environment, including any coastal zone management plan which Congress may authorize.

We do not think the American public will look kindly on such an arrangement.

The issues in Reorganization Plan No. 4 go beyond any controversy between sport or commercial fisheries and beyond whether the Commerce Department can muster teams of expert biologists in marine ecology. Plan No. 4 is saying that at a time when the marine environment is threatened as never before, the Nation should engage in a program for its development—and it is saying it without a clear declaration of congressional intent.

Mr. Chairman, we strongly recommend that Congress reject plan No. 4 at this time until Congress has an opportunity to articulate a national marine policy and to develop a comprehensive program to implement it. This could begin with consideration of the coastal zone management plan and such other proposals. The argument is being made that such considerations and further reorganizations will follow NOAA. We believe they should come first. Our experience has been that in the race for these environmental resources, the exploiter and the developer reach them before the biologist, the ecologist, and social scientist have an opportunity to understand them and their implications for the betterment of man. The result has almost universally been increased burdens, both on the public and on government.

Further, we recommend that Congress, in establishing a basic marine policy, consider the following recommendations of the National Council on Marine Resources:

1. That the Nation "preserve the ocean environment by accelerating scientific observations of the oceans and its interactions with the coastal margin to provide a basis for (a) assessing and predicting man-induced and natural modifications of the character of the oceans, (b) identifying damaging or irreversible effects of waste disposal factors at sea, and (c) comprehending the interaction of various levels of marine life to prevent depletion or extinction of valuable species as a result of man's activities."

I appreciate the opportunity to comment. Thank you.

Mr. HOLIFIELD. Thank you, Mr. Pankowski.

Our next witness is Mr. Daniel Poole.

STATEMENT OF DANIEL A. POOLE, PRESIDENT, WILDLIFE MANAGEMENT INSTITUTE

Mr. POOLE. Thank you, Mr. Chairman. I wish to state just simply and forthrightly that the institute, as do many other national conservation organizations, views the NOAA proposition as an organization of convenience which follows the physical approach to a biological problem.

In my statement I trace the history of the debate back in the mid-fifties when there was a parallel then, or a movement then, to transfer the Bureau of Commercial Fisheries' functions to Commerce or to otherwise separate it from the conservation restraints of the Department of the Interior. You will see I quote from the testimony there of statements from men representing the Department of Commerce, Interior Department, Budget Bureau and others, all with the common theme; that is, that the resources should be kept consolidated with Fish and Wildlife for the benefit of the resource itself.

When it became known that many of the conservation organizations were apprehensive about the marine biological phases of BCF and some other elements of the Bureau of Fisheries and Wildlife in

the Department of Commerce, administration spokesmen sought to reassure us. We were told, for example, that Commerce has a large scientific staff, up to 60 percent of its working force, and that the agency's purpose is not mainly to stimulate industry and commerce. The compelling fact, Mr. Chairman, and one that apparently is lost on the administration's spokesmen, is that no matter how great their scientific competence in their chosen fields—engineers, physicists, climatologists, and others in the physical sciences—they are neither knowledgeable nor competent in the equally complex specialties of marine biology and fisheries.

Commerce's agency names read like nothing I ever have seen in any biology textbooks—U.S. Travel Service, Office of Business Economics, Office of Foreign Direct Investments, Economic Development Administration, Bureau of the Census, Bureau of International Commerce, Business and Defense Services Administration, Maritime Administration, National Bureau of Standards, and the Patent Office.

Commerce's Environmental Sciences Services Administration, as its budget breakdown shows, focuses predominantly on the physical aspects of the environment. This is reflected in its various activities—weather forecasts and warnings, river and flood forecasts and warnings, earth description and mapping, marine description and mapping, and telecommunications.

Earlier, I expressed the view that Reorganization Plan No. 4 is structured for the convenience of man and not for the welfare of the resources. The plan is quiet about the responsibility for the coastal zone, the area along our coasts where fresh and salt water mix, which is important to so many commercial and sport fish species. Agencies of the Commerce Department have little direct contact with the land, but it is the land mass and its associated runoff through the complex and little understood estuarine system that have great bearing on the abundance, diversity, and well being of fin and shell fish resources. These components of the total habitat of marine fisheries should not be sundered as Reorganization Plan No. 4 would do.

The institute is all for strengthening and expanding marine fisheries programs, Mr. Chairman. But we are doing it within the framework of the Department of the Interior or by some realignment of the Federal agencies having responsibility for land, water, forest, fish and wildlife resources. We are not for banishing this important resource to a department with little tradition or experience in the management of such an important living resource.

(The prepared statement of Mr. Poole follows:)

PREPARED STATEMENT OF DANIEL A. POOLE, PRESIDENT, WILDLIFE MANAGEMENT INSTITUTE

Mr. Chairman: I am Daniel A. Poole, president of the Wildlife Management Institute, with headquarters in Washington, D.C. The Institute is one of the older national conservation organizations, and its program has been devoted to the restoration and improved management of renewable natural resources in the public interest for nearly 60 years.

It is with regret, Mr. Chairman, that the Institute opposes Reorganization Plan No. 4. I say regret because we had hoped that in this day of broadening public concern about the environment that any reorganization would reflect deeper understanding of the complex biological forces that shape the living resources of the sea, including its coastal and estuarine environments. Instead, we have in the NOAA proposition as it relates to the biological elements of

marine and allied freshwater environments—an organization of convenience that follows a physical approach to a biological problem.

Reorganization Plan No. 4 would transfer responsibility for most marine biological programs of the conservation-minded Department of the Interior to the Department of Commerce, an agency that has had no experience in this highly specialized field for nearly three decades. In 1942, the Bureau of Commercial Fisheries was transferred from the Department of Commerce and merged with the Biological Survey from the Department of Agriculture to form the U.S. Fish and Wildlife Service in the Department of the Interior. Some of the same concerns about resource protection that supported separation of commercial fisheries from the Department of Commerce nearly three decades ago constitute valid arguments against its return today.

By way of illustration, I cite some of the key testimony received by the House Committee on Merchant Marine and Fisheries back in 1956 when the commercial fishing industry was pressing for reorganization of the U.S. Fish and Wildlife Service. A Senate-passed bill proposed the creation of a five-member U.S. Fisheries Commission in the Interior Department responsible for "formulation of all policies necessary in the administration * * * of laws relating to fishing and fisheries." The Senate version did not prevail, however, and the Congress instead authorized the framework for the existing Bureau of Commercial Fisheries and the Bureau of Sport Fisheries and Wildlife in the Interior Department, both with equal status under a single Commissioner and an Assistant Secretary.

Other bills before the House committee in 1956 sought to transfer commercial fisheries to the Commerce Department. In rejecting this latter plan, Walter Williams, then Acting Secretary of Commerce, advised the House committee that, "The commercial fisheries functions are so closely related to other natural resources responsibilities of the Department of the Interior that the transfer * * * would require substantial duplication of effort with detrimental results to the industry."

On the same point, Wesley A. D'Ewart, the then Assistant Secretary of the Interior, advised that the bill * * * by proposing to transfer commercial fisheries away from this Department, and by leaving the management of sport fishing under our jurisdiction, would create a legal separation of governmental functions that, as a practical and logical matter, should not be separated. Many species of fish are the object of both commercial fishing as well as sport fishing. Commercial and sport fishing are related and must be dealt with accordingly. The wide scope of this problem becomes apparent when it is considered that many fisheries involve both commercial and sport fishes, and that practically all are directly related in varying degrees with other land and water resource responsibilities of this Department."

D'Ewart continued, "Examples of the interrelation of commercial and sport fishes are the salmon and steelhead runs of the Pacific coast, which support both the important commercial and sport fishing interests. Such species as catfish, perch, and pike, for example, are widespread in the inland rivers, lakes, and manmade reservoirs. While they are best known for the recreational fishing which they afford, they also contribute importantly to the commercial fishing interests. All these and many other fishes are propagated and distributed in many cases from the same Federal fish hatchery. In addition, both commercial and sport fishing needs must be considered in such features of our work as river basin investigations and the negotiation and administration of international treaty obligations such as the Northwest Atlantic Fishery Treaty and the Great Lakes Fishery Treaty."

In a second statement, D'Ewart noted that, "By transferring fisheries management away from this Department, this proposed legislation would undo the gains that have been achieved during the past 15 years, since the former Bureau of Fisheries and the biological survey * * * were consolidated in a single agency * * *"

In the same hearings, Percival F. Brundage, Acting Director of the Bureau of the Budget, expressed opposition to the plan, noting that, "the fisheries functions were placed in the Department of the Interior because of their close association with other resource functions of that Department."

In a perceptive comment, Marshall Smith, Deputy Assistant Secretary for International Affairs of the Department of Commerce, observed that, "the Commerce Department is concerned primarily with the problem of the distribution of fish, the processing and the distribution of fish, rather than the catching of fish, which is entirely out of our jurisdiction or ken."

At another point, Smith noted that one of the bills to transfer Interior's commercial fisheries program to Commerce " * * * is not considered by the Department as being necessary for the solution of this problem and would bring the Commerce Department responsibilities quite different from those which it normally assumes."

My point in reciting these bits of history, Mr. Chairman, is to emphasize that the thrust of Reorganization Plan No. 4 as it relates to the transfer of the Interior Department's marine and commercial fisheries functions to the Department of Commerce has been considered and rejected previously as not being in the best interest of the resource and the public. This stance is in keeping with the mid-1950's report of the President's Cabinet Committee on Water Policy, which recommended the consolidation, not the separation, of related natural resources programs. The task forces of the Hoover Commission also urged the creation of an entirely new natural resources department to achieve maximum unification and coordination of natural resources administration. I have heard, too, that President Nixon's Ash Council on Executive Organization recommended a new Department on Natural Resources and Environment to replace the Interior Department. The NOAA organization would have been incorporated in that new department under the Ash Council's plan. At best, Reorganization Plan No. 4 appears to seek to accomplish administratively what previously has been rejected legislatively.

When it became known that many conservation organizations are apprehensive about incorporation of the marine biological phases of the Bureau of Commercial Fisheries and some elements of the Bureau of Sport Fisheries and Wildlife in the Department of Commerce, administration spokesmen sought to reassure us. We were told, for example, that Commerce has a large scientific staff, up to 60 percent of its working force, and that the agency's purpose is not mainly to stimulate industry and commerce. The compelling fact, Mr. Chairman, and one that apparently is lost on the administration's spokesmen is that no matter how great their scientific competence in their chosen fields, engineers, physicists, climatologists and others in the physical sciences are neither knowledgeable nor competent in the equally complex specialties of marine biology and fisheries.

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The Institute is all for strengthening and expanding marine fisheries programs, Mr. Chairman. But we are for doing it within the framework of the Department of the Interior or by some realignment of the Federal agencies having responsibility for land, water, forest, fish and wildlife resources. We are not for banishing this important resource to a department with little tradition or experience in the management of such an important living resource.

Mr. HOLIFIELD. You make a very fine statement, and you certainly point out very well what the main thrust is of Commerce. This is the way they are set up.

Mr. POOLE. Despite what we are told by administration spokesmen, the best thing we have to go on is the budget appendix, which, as you

know, spells out in great detail the functions and interests of the various agencies.

Mr. HOLIFIELD. In 1965—that is the latest report that I have at hand—the budget for the Weather Bureau was \$190 million, and certainly, as you point out in your statement here, the prediction of flood and storm warnings and weather forecasts, that sort of thing, is certainly a long way from what we are talking about here. It does not get down to the point of the ecology of living organisms.

Mr. POOLE. Entirely correct, Mr. Chairman.

Mr. HOLIFIELD. Thank you very much.

Mr. POOLE. Thank you.

Mr. HOLIFIELD. Our next witness is Mr. Victor T. Boatwright, chairman, Ocean Resources Subcommittee, National Association of Manufacturers.

Mr. Boatwright, the bell is going to ring pretty soon, and I am going to have to get over there and answer a rollcall. It has already rang once. So would you do the best you can to summarize your statement? We will print it all in the record.

STATEMENT OF VICTOR T. BOATWRIGHT, JR., CHAIRMAN, OCEAN RESOURCES SUBCOMMITTEE, NATURAL RESOURCES COMMITTEE, NATIONAL ASSOCIATION OF MANUFACTURERS

Mr. BOATWRIGHT. Thank you. I will do the best I can to summarize what I have to say.

My name is Victor T. Boatwright, Jr. I am chairman of the Ocean Resources Subcommittee of the National Association of Manufacturers. I am also research and development manager for the Electric Boat Division of General Dynamics Corp.

I am privileged to represent the NAM before the subcommittee and am pleased to report NAM support for President Nixon's proposal to establish within the Department of Commerce a National Oceanic and Atmospheric Administration.

As you may know, the National Association of Manufacturers is a voluntary organization of large and small industrial and business concerns, located in every State, and providing a substantial portion of the manufacturing employment in our Nation.

Many NAM member companies have been, and are, leaders in the development of our Nation's capacity to recover and use the living and nonliving resources of the oceans for the benefit of our total society. For several years, the association has had an Ocean Resources Subcommittee whose members study issues and questions connected with the formulation of a national policy for developing the resources of the oceans. This subcommittee has developed, and during recent years, continually refined, a policy position on ocean resources development.

A copy of the association's official policy is attached to this statement.

I will not read the report from here on in, but I would like to repeat that within the Association of Manufacturers we have had for a number of years an Ocean Resources Subcommittee. We have concerned ourselves with the problems of development under a policy of management and conservation of ocean resources, including both living and nonliving resources.

We have developed the policy position which is appended to the

report which we placed before you, sir, in which we have concluded that it is very much in the interest of the country as a whole that we strengthen our efforts in the oceanographic area.

We have felt, and felt strongly, that there should be a NOAA or an independent agency. However, when Reorganization Plan No. 4 was brought out, we felt we could support that and we do support that now. We believe this is an important step that will serve to pull together and give both thrust and direction to the activities we feel are so badly needed within the Federal Government and within the country.

Also, I might say we do applaud the placing of this agency, if it is not to be an independent agency, within the Department of Commerce because we feel that the development of our oceanic resources, which are quite important, is something which has to go forward with the private and public sector together and we think this can be accomplished within the Department of Commerce.

I could elaborate and read further, but I think those are the essential points I would like to make.

Mr. HOLIFIELD. Would you like to have this appendix here to your statement entered as part of the record also?

Mr. BOATWRIGHT. Yes, sir; if we might.

(The remainder of Mr. Boatwright's statement and appendix thereto follow:)

It is the position of the NAM that the development and utilization of ocean resources offer unlimited potential to assist our Nation's growth. The wise and active development of these resources requires that basic responsibility should continue to be shared by the Government and by private groups.

In his message submitting his reorganization proposal to the Congress, President Nixon states that this Nation faces "a compelling need for exploration and development leading to intelligent use of our marine resources * * *. We must understand the nature of these resources and assure their development without either contaminating the marine environment or upsetting its balance."

NAM supports the President's call and concern. It is the responsibility of the Federal Government to develop an orderly national and international legal framework which is necessary for continued progress. It is our position that research efforts relating to national defense, weather forecasting, mapping the oceans' floors, and the gathering and dissemination of basic research information about the oceans are primarily Federal responsibilities.

We think it is clear, however, that it has been the initiative of the private sector that has provided the capacity for the country to gather and use the food, mineral, and other resources of the oceans and to make them available for many uses throughout society. We think that industry should be encouraged to devote the resources and talents to expand this capacity and that it should continue to have the primary responsibility for developing the resources of the oceans.

But until now, we suggest, the oceans-related activities of the Federal Government have been partially hindered by being fragmented and diffused. These efforts have been slowed by competition, not only among agencies with similar functions, but also with other more highly publicized nonoceanic programs.

We agree with the President's emphasis on the need for greater coordination.

Although the association has urged the creation of an independent ocean resources agency, we feel that the essential consideration is to consolidate these diverse activities under a single office. In this regard, we support the President's recommendation. A single agency would allocate priorities and responsibilities, and serve to eliminate duplications and conflicts in Federal programs. It would act as the focal point for industry-Government relations in the ocean development field.

Since the President has decided to place NOAA in an existing Department, we applaud his choice of the Department of Commerce. We share his reasoning in this regard and also suggest that his direction lends credence and support to the concept that development of ocean resources should, in fact, continue to reside in the private sector.

On another item in the President's transmittal message, NAM is pleased at the President's call for the establishment of a National Advisory Committee for the Oceans and the Atmosphere to advise and assist the Secretary of Commerce in identifying and achieving national oceanic and atmospheric objectives. NAM's policy position specifically calls for the establishment of such an Advisory Committee. We believe it should be composed of individuals from outside the Federal Government, broadly representative of the States, industry, science, and other interested areas. We suggest that the Advisory Committee provide continuing guidance for a national ocean resources development program and annually report to the President and the Congress on the progress of private and governmental programs in achieving these objectives.

In his message, the President outlined the Federal activities that are to be moved into the newly established NOAA. We have noted and support the President's directive that the new agency be funded by the existing level of appropriations for these several components.

When reorganization has been effected, we feel it important that NOAA immediately give attention to implementing other recommendations of the Stratton Commission. We are concerned that this reorganization not only be an organizational revision, but that it prove to be a new impetus in formulating a sound national oceans policy.

No one needs reminding of the critical importance of the potential for food and mineral resources that the ocean holds out to our Nation and the world. To assist in the effective development of these resources the NAM urges NOAA to establish a more progressive national fisheries policy to advance the harvesting and utilization of the living resources in the sea. We hope NOAA will endeavor to resolve jurisdictional differences between the States and between the States and the Federal Government and to foster international treaties and commissions which deal with conservation of resources and the law of the seas.

NOAA should work to have the United States promptly and forthrightly assert the exclusive jurisdiction of the United States over the mineral resources of the entire submerged portion of the continent for our Nation's shores seaward of State-owned offshore areas down to its junction with the abyssal floor.

We look to NOAA to assist in refining and improving existing local systems, Government boundaries, conflicting uses, and protection of the environmental quality of the oceans. We suggest that our Nation already has a proven workable body of mining claim laws which can be applied to submerged lands within national boundaries.

The NAM believes implementing these recommendations is essential before the United States can consider any international regime to govern exploration and development of the deep sea ocean floor.

In conclusion, we want to reemphasize that proper ocean resources development will become increasingly vital to our country's economy and security. Again, we feel that industry has proven itself in this area and should be encouraged to continue and accelerate its activities.

We appreciate this opportunity to submit our views to the Subcommittee on Executive and Legislative Reorganization of the Committee on Government Operations of the House of Representatives.

POSITION OF NATIONAL ASSOCIATION OF MANUFACTURERS ON "OCEAN RESOURCE DEVELOPMENT"

Utilization of the oceans' resources offers increasing scientific, military, and commercial values. Basic responsibilities in this area should continue to be shared by Government and private groups.

Industry has devoted considerable time and expense to obtain knowledge of these resources and to develop methods for finding and recovering them and making them available to the channels of commerce. Primary responsibility for further development of these resources in the oceans, and on or under the Continental Shelf should continue to reside in the private area.

It is the Government's responsibility to develop an orderly national and international legal framework which is required for continued progress.

Research efforts that relate to national defense, weather forecasting, and the gathering and dissemination of basic information concerning the oceans are primarily Federal responsibilities. A further responsibility is the extension of the present reconnaissance and mapping of the United States to include the Continental Shelf. In addition, basic engineering data of a nonproprietary nature may need to be developed by Federal agencies, and wherever practicable such

work should be performed by private industry under contract from the Government.

The application of the above knowledge and the actual development of resources should, and will, be pursued by private industry, facilitated and encouraged by Government.

The United States should adopt a progressive national fisheries policy which will advance the harvesting and utilization of the living resources of the sea. This national policy should endeavor to mitigate those jurisdictional differences among the several States and between the States and the Federal Government and should embrace and foster those international treaties and commissions dealing with conservation of resources and the law of the seas.

The United States is urged to assert promptly and forthrightly its exclusive jurisdiction over the mineral resources of the entire submerged portion of the continent off its shores seaward of State-owned offshore areas down to its junction with the abyssal ocean floor. The United States should work with other nations toward the ultimate objective of precise demarcation of the boundaries of coastal nations' natural resources jurisdiction.

There is an inadequacy of knowledge about the natural resources and environment of the deep-ocean floor and the technology of exploration and exploitation. Much more information and data will be required before realistic arrangements can be concluded for the promotion of long-range development. Present consideration regarding legal arrangements for deep-ocean areas should be focused on the formulation of standards of conduct, including the protection of proprietary technology, of individual nations and persons engaging in activity pursuant to existing law in order to encourage orderly recovery of resources. A step which might follow would be the establishment of an international registry, to serve as a public record of exploratory activity. It is premature to move toward the establishment of an international agency with licensing authority. It would be highly undesirable and indeed irresponsible for the United States to commit itself now to any international regime to govern exploration and exploitation in these areas; however activities among nations to explore deep-ocean areas should be encouraged by such international cooperation as that conceived in the International Decade of Ocean Exploration.

As a step prior to solution of international problems, it is urged that the United States improve and refine existing legal systems for the exploration, exploitation, and protection of natural resources within the national jurisdiction, including such matters as fixing boundary lines, accommodation of conflicting uses, and environmental quality. In this connection the United States has a proven workable body of mining claim laws and unless clear reason is shown to the contrary these tested principles should apply to the submerged lands within national jurisdiction.

The National Association of Manufacturers supports the creation of a National Advisory Committee for the Oceans. This committee should be composed of individuals from outside the Federal Government, broadly representative of the States, industry, science, and other appropriate areas. It should provide continuing guidance for a national program for development of ocean resources, and report to the President and the Congress on the progress of private and governmental programs in achieving the objectives of the national program.

The National Association of Manufacturers supports the creation of a new independent agency, reporting directly to the President, to administer and execute Federal ocean resources programs, allocate priorities and responsibilities, eliminate duplications and conflicts, and serve as a focal point for industry-Government relations in this field. It should not function so as to proliferate Government programs and expand Government expenditures.

Both the Senate and the House of Representatives should establish Ocean Resources Committees to oversee the operations of this agency.

Mr. HOLIFIELD. I thank you, Mr. Boatwright. Please do not consider our rushing as any lack of courtesy or inattention on our part.

Mr. BOATWRIGHT. I might add one aside, sir. We do marine biology and research within our organization.

Mr. HOLIFIELD. I can see from your background that you are with an organization that does a lot of things under the sea. I have visited the Electric Boat Division many times, and certainly it is a fine organization and it does a great deal for the defense of our Nation.

Thank you very much for your appearance here.

The subcommittee has received a statement for the record from our colleague, Congressman Rogers C. B. Morton. His statement will appear at this point in the record.

(The prepared statement of Congressman Morton follows:)

PREPARED STATEMENT OF HON. ROGERS C. B. MORTON, A REPRESENTATIVE IN
CONGRESS FROM THE STATE OF MARYLAND

Mr. Chairman, I am very pleased to have this opportunity to address my comments to this distinguished subcommittee of the Committee on Government Operations on Reorganization Plan No. 4 which would establish the National Oceanic and Atmospheric Administration (NOAA).

The creation of an agency such as NOAA has long been awaited, and as stated by the President in his July 9 statement to the Congress of the United States, it has become a necessity. If we are to prevent a contemptible and senseless depletion of the vast and wonderful resources which our oceans and atmosphere contain, NOAA must be established.

NOAA, as outlined, will consolidate many of the agencies which are presently concerned with the observation, recordings, and researching of the oceans and atmosphere. The Environmental Science Services Administration (ESSA) of the Department of Commerce, the Department of the Interior's Bureau of Sport Fisheries and Wildlife, and the Marine Minerals Technology Center of the Bureau of Mines (Department of the Interior) are only a few of the agencies which will be incorporated. Agencies from the Department of the Navy, the Department of the Army, the Department of Transportation, and the National Science Foundation are also to be consolidated.

The coalescence of these diverse agencies will be an important step in the affirmation of our national commitment to environmental concern and awareness. We cannot permit the oceans and atmosphere to approximate the level of misuse which our land and streams have attained. Reorganization Plan No. 4 will insure our citizens that effective action will be taken to preserve our oceans and promote a better understanding of the atmosphere.

I should point out at this time that I introduced a bill, H.R. 4838, last year to establish NOAA as an independent agency. While I still feel that an independent agency may be more influential on a long-term basis, my overriding concern is to see such an agency established. Organizing NOAA within the Department of Commerce will have certain beneficial results—as the largest source of manpower and income will come from ESSA, which is already within the Department of Commerce. This step will therefore be the least disruptive as a reorganizational basis. And I would maintain the incorporation of NOAA into the Department of Commerce would begin the achievement of a long anticipated entity. Hopefully, in future years, the inclusion of additional agencies or the establishment of an independent agency would be considered. But we must proceed one step at a time. Reorganization Plan No. 4 is a first, major step.

An integral part of this plan is the maintenance of a close liaison with EPA and the Council on Environmental Quality. Without this liaison, the envisioned comprehensive national policy on our environment will falter and disintegrate again into its diversified components. It is essential that a national policy be developed and enforced. NOAA will become an integral aspect of the national policy and it is only right that this should be.

While helping to develop our national environmental policy, NOAA will observe and record many of the aspects of our oceans and atmosphere which are practically unknown. Information will be compiled on mineral resources which are available in the ocean and on the ocean floor. Data will be collected on the weather and the natural phenomena which affect our world. Also, additional oceanographic data will be made available to other interested departments and agencies.

Gentlemen, in my opinion, the legislation before you now is of great importance and value to our citizens and a better existence for us all. We cannot let a crime be committed due to a lack of initiative and action on our part. President Nixon has urged this reorganization in recognition of what must be done. Let us also recognize our obligations. I urge you to support Reorganization Plan No. 4.

The subcommittee will adjourn subject to the call of the Chair.

(Whereupon, at 12:40 p.m., the hearing was adjourned, subject to the call of the Chair.)

APPENDIX

LETTERS, TELEGRAMS, AND STATEMENTS RECEIVED BY THE SUBCOMMITTEE

LEAGUE OF OHIO SPORTSMEN,
Columbus, Ohio, July 8, 1970.

HON. WILLIAM B. SAXBE,
U.S. Senate, Washington, D.C.

DEAR SENATOR: Word is now reaching us through our national affairs representative in Washington that consideration is being given to the transfer of the Bureau of Commercial Fisheries from the Department of Interior to the Department of Commerce.

It is our hope you will use every effort to keep and maintain the Bureau within the Interior as we do not believe the philosophy of the Commerce Department to be that which would give the proper understanding and philosophical approach to commercial fishing.

Very truly yours,

LEAGUE OF OHIO SPORTSMEN,
HOWARD J. JACOBY, *President.*

MASSACHUSETTS INSTITUTE OF TECHNOLOGY,
DEPARTMENT OF NAVAL ARCHITECTURE AND MARINE ENGINEERING,
Cambridge, Mass., July 17, 1970.

HON. CHARLES A. MOSHER,
*Committee on Merchant Marine and Fisheries,
House of Representatives, Washington, D.C.*

DEAR CONGRESSMAN MOSHER: I have recently read the press release of the White House dated July 9, 1970, containing President Nixon's message to the Congress on his proposed Reorganization Plan No. 4 to establish a National Oceanic and Atmospheric Administration within the Department of Commerce.

This touches a matter on which I know that you and many other Members of the Congress have a deep concern.

As a member of the Presidential Task Force on Oceanography appointed by President Nixon last October, I should like to record my views on the reorganization plan and strongly urge your support for this step.

It appears to me after extended reflection on this subject that the solution the President has proposed is a very sound, pragmatic one. It proceeds on the principle of bringing a substantial number of bureaus and offices concerning marine affairs together under a single operating head. This is good administrative management. By incorporating these within the Department of Commerce this will permit joining them with the extensive staff of ESSA in a Department that has had a traditional concern for the seas, the environment, and for commerce. The Coast Guard, a single major exception to the recommendations of the Stratton Commission, can be transferred later if this seems desirable. The President's word that "As we see how these changes work out, we will gain a better understanding of what further changes—in addition to these—might be desirable" is assurance that the proposed reorganization is to be treated as a step in an ongoing process. I believe this is eminently sound.

We are all concerned, I believe, with getting the most effective organization we can for advancing the interests of our country in the oceans. The present plan takes a large step forward in coordinating an entire range of agencies that heretofore have been scattered throughout the Government. In so doing the plan moves in line with the objectives of the Congress as enunciated in the Marine Resources and Engineering Development Act of 1966.

The President has made a strong case for not proliferating independent offices further. I believe this should be respected. I further believe that the plan makes excellent sense in two particular respects.

First, it insures close association between NOAA and the Maritime Administration. This is, I believe, essential. The merchant fleet is the principal arm of this country economically, tradewise, and politically on the oceans in time of peace. It must function in harmony with what NOAA is trying to accomplish. The two can best coordinate their activities through a common linkage provided by association together with the Secretary of Commerce.

Second, the proposed reorganization plan assures neat ties between NOAA and the able Committee on Merchant Marine and Fisheries of the House of Representatives on which you are a member, as well as with the Committee on Commerce of the Senate. This will thus assure clearly defined lines of responsibility and connection with two of the most outstanding committees of the Congress for legislative support.

In short, I find the President's plan an excellent step forward for planning and administering marine affairs. With such an arrangement I am convinced we can make strong progress in dealing with the ocean environment. I strongly urge positive endorsement at the earliest possible date and enactment of any needed supplementary legislation.

Much valuable headway has been lost in our national ocean policy. It is vital that momentum and purpose be infused into the enterprise without delay.

Respectfully yours,

NORMAN J. PADELFORD,
Professor of Political Science.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., August 3, 1970.

Hon. JOHN A. BLATNIK,
Chairman, Subcommittee on Executive and Legislative Reorganization, House Government Operations Committee

DEAR MR. CHAIRMAN: Mr. Glenn L. Bowers, executive director of the Pennsylvania Game Commission, has written me to express opposition to the establishment of a National Oceanic and Atmospheric Administration, as proposed by the President.

I am aware of the fact that your subcommittee is currently conducting hearings on the President's plan and I thought a copy of Mr. Bowers' remarks would be of interest.

You will find a copy of the same enclosed herewith.

With warm regards and appreciation,
Sincerely,

GUS YATRON,
Member of Congress.

PENNSYLVANIA GAME COMMISSION,
Harrisburg, Pa., July 31, 1970.

Hon. GUS YATRON,
House Office Building, Washington, D.C.

DEAR CONGRESSMAN YATRON: The President, on July 9, 1970, sent to Congress his plan to establish the Environmental Protection Agency and the National Oceanic and Atmospheric Administration. While we have no quarrel with the establishment of the Environmental Protection Agency and urge you to favor its establishment, we do object to the establishment of the National Oceanic and Atmospheric Administration. This Administration would include the Bureau of Commercial Fisheries and further would embrace marine sports fisheries activities. We feel strongly that this would be a bad move as our estuarine areas and resources will probably not receive proper and adequate attention.

We respectfully urge you to object to the establishment of the National Oceanic and Atmospheric Administration.

Your consideration and interest will be appreciated.

Sincerely yours,

GLENN L. BOWERS,
Executive Director.

AMERICAN FISHERIES SOCIETY,
Washington, D.C., July 21, 1970.

HON. JOHN A. BLATNIK,
Chairman, Subcommittee on Executive and Legislative Reorganization,
Committee on Government Operations, House of Representatives, Washington,
D.C.

DEAR CONGRESSMAN BLATNIK: On July 14, 1970, the western division of the American Fisheries Society adopted the attached resolution opposing the transfer of the Bureau of Commercial Fisheries from the Department of the Interior to the National Oceanic and Atmospheric Administration within the Department of Commerce. As yet, the other divisions of the society and the parent society have not had a chance to take action on President Nixon's Reorganization Plan No. 4.

Basically, opposition to Reorganization Plan No. 4 by society members is two-fold; namely, (1) that a shift of marine research and management activities (Bureau of Commercial Fisheries and Bureau of Sport Fisheries and Wildlife) from the Department of the Interior to the Department of Commerce would give commercial interests priority over the use of marine resources, (2) that no agency entrusted with promoting the development of the Nation's natural resources should be entrusted at the same time with protecting the environment against the consequences of that development. In the latter case, as pointed out in the New York Times, Sunday, July 12, 1970, "the two objectives often conflict, and it is almost invariably the organized exploiters who win, the unorganized public that loses."

Mr. Chairman, I would appreciate it very much if this statement and the attached resolution were included in the printed record of hearings on the President's Reorganization Plan No. 4.

Sincerely yours,

ROBERT F. HUTTON,
Executive Secretary.

RESOLUTION ADOPTED BY THE WESTERN DIVISION OF THE AMERICAN FISHERIES
SOCIETY AT ITS 22D ANNUAL MEETING HELD ON JULY 14, 1970, AT VICTORIA,
BRITISH COLUMBIA

RESOLUTION NO. 3—"RETENTION OF U.S. BUREAU OF COMMERCIAL FISHERIES IN THE
DEPARTMENT OF INTERIOR"¹

Whereas the U.S. Bureau of Commercial Fisheries has a long and proud history of research and management of both marine and freshwater stocks of fin and shellfish under the Department of Interior; and

Whereas it has become a fact that nearly all stocks of both marine and anadromous fish that were once considered for food alone are now becoming equally important as sport fish; and

Whereas there is need for closer coordination in research and management of all stocks of fish between U.S. Federal and State agencies and foreign nations; and

Whereas the publicly announced proposed transfer of the U.S. Bureau of Commercial Fisheries from the Department of Interior, which has long past experience with management of natural resources, to the Department of Commerce with little experience of natural resources, appears to be a backward step in natural resource husbandry; and

Whereas the move of the U.S. Bureau of Commercial Fisheries to the Department of Commerce will widen the friction between sport and commercial fisheries; and

Whereas the fisheries resources now need the combined management efforts of all agencies to provide adequate stocks of fish to all interests: therefore be it

Resolved, That the western division American Fisheries Society urges the Congress of the United States to oppose the transfer of the Bureau of Commercial Fisheries to the Department of Commerce.

¹ Submitted by Oregon chapter, American Fisheries Society.

OCEAN FISH PROTECTIVE ASSOCIATION.
Los Angeles, Calif., July 22, 1970.

Hon. CHET HOLIFIELD,
House Office Building,
Washington, D.C.

DEAR MR. HOLIFIELD: I have read in the local papers, with some concern, President Nixon's proposal for reorganizing several agencies into a new department called Environmental Protection Agency and a transfer of several agencies into the Department of Commerce under a new agency titled "National Oceanic and Atmospheric Administration." I am not well enough informed to comment on all of these changes, but it becomes abundantly clear that the transfer of the marine game fish research of the Bureau of Sport Fisheries and Wildlife to the Department of Commerce, which is certainly not interested in conservation, eliminates any hopes of conserving our marine resources by the Federal Government. How can we promote conservation of our marine resources which is so vitally needed without a conservation agency? Why should the President propose a new Environmental Agency and do away with fishery conservation?

I note that most of the Bureau of Commercial Fisheries is also slated to be transferred to the Department of Commerce. I have always thought that the Bureau of Commercial Fisheries operations were aimed at exploitation of the resources rather than for rational utilization. Such activities of BCF as marketing, economics, statistics, loans and grants, exploratory fishing and gear development, foreign trade promotion, and technology can perhaps be classified properly as commerce functions. However, it hardly seems intelligent or rational to include marine sport fish research in the Department of Commerce. Sport fishermen will lose all representation in the Federal Government.

Marine game fishing in this country, according to a survey carried out by the Bureau of the Census and the Bureau of Sport Fish and Wildlife in 1965, is enjoyed by over 8 million citizens fishing in our marine environment and spending almost \$800 million for the privilege of partaking in over 95 million days of recreation. This large segment of the citizenry was largely ignored by the Federal Government until recent years when game fish research was undertaken by the Bureau of Sport Fish and Wildlife. Under the proposed reorganization plan it will be buried in the Department of Commerce, and conservation of marine species will be ignored.

Many species of fish in California have already been over-exploited. Sardines, an important forage fish, are all but gone, and the commercial fisheries are still trying to catch them. Pacific mackerel are overfished to a very low level and jack mackerel are declining. White seabass and many other species are extremely low in abundance. Where will the conservation of these vital resources be undertaken under the proposed plan?

We have always considered the Department of the Interior as a conservation agency. Why can not it continue to be so? Why, when the Federal Government is so hard pressed for funds, should a new Environmental Protection Agency be formed? Why not reorganize the Department of the Interior into a more efficient conservation agency to protect our dwindling natural resources?

The Department of the Interior could be an all-out conservation agency. To accomplish this the Bureau of Indian Affairs should be transferred to Health, Education, and Welfare. Most of the mineral resources including the Bureau of Mines, principally a mine safety and regulatory agency, more properly belongs in the Department of Commerce; however, the geological survey, I believe, should be retained in Interior. Most of the Bureau of Commercial Fisheries should go to Commerce where it properly belongs, with the exception of the biological research programs.

Interior could intelligently include those agencies proposed for the new Environmental Protection Administration and the conservation oriented agencies now in Interior. It should include Forestry, now in Agriculture, and most of all should include fishery research.

I would appreciate it greatly if you would use your influence to retain marine fishery research within a conservation agency, and in particular the Department of the Interior.

Very truly yours,

ROBERT VILE, *President.*

STATE OF COLORADO, DEPARTMENT OF NATURAL RESOURCES,
DIVISION OF GAME, FISH, AND PARKS,
Denver, Colo., July 23, 1970.

HON. JOHN A. BLATNIK,
Chairman, Subcommittee on Executive and Legislative Reorganization, Rayburn
House Office Building, Washington, D.C.

DEAR CONGRESSMAN: I am writing you on behalf of the Western Association of Game and Fish Commissioners (this includes traditional 11 Western States plus Alaska and Hawaii).

We have reviewed documents 91-364, 91-365, and 91-366 regarding reorganization which were sent from the President to Congress on July 9, 1970. We find very little in these reorganization plans with which we can agree and we find very much in these plans with which we must strongly disagree. I am enclosing a copy of a resolution which was adopted by our association meeting in Victoria, British Columbia, on July 16, 1970. This resolution should be largely self-explanatory and is intended to convey to Congress our strong recommendation that the fisheries conservation efforts of the United States be unified rather than weakened by division.

We strongly urge Congress to communicate to the President that it does not favor the reorganization as proposed in the above named documents. We would be pleased to submit further and additional testimonies from each of our member States if this would be helpful to your committee.

Thank you.

Sincerely,

HARRY R. WOODWARD,
President, Western Association
of Game and Fish Commissioners.

Enclosure.

SEPARATION OF ADMINISTRATION OF WILDLIFE RESOURCES

Whereas the management of the Nation's fishery resources have traditionally and constitutionally been a responsibility of the sovereign States through their fish and game conservation agencies, and

Whereas the proposed transfer of the Bureau of Commercial Fisheries and the marine game-fish research program of the Bureau of Sport Fisheries and Wildlife would remove the function of these agencies concerned with resource management to a new agency not necessarily resource management oriented, and

Whereas the proposed reorganization will have the effect of dividing rather than unifying the Nation's fisheries conservation efforts, and

Whereas, In the opinion of the Western Association of State Game and Fish Commissioners this division would result in less effective professional management of the commercial and sport fishers: now, therefore be it

Resolved, That the Western Association of State Game and Fish Commissioners opposes this reorganization and strongly urges the Congress to reject this reorganization in favor of the creation of a Department of Natural Resources which would include a strong and unified marine and fresh-water program to the benefit of all elements of the public—commercial as well as recreational.

STRIPERS UNLIMITED,
So. Attleboro, Mass., July 27, 1970.

MR. JOHN BLATNIK,
Chairman, Subcommittee on Executive and Legislative Reorganization, House
Office Building, Washington, D.C.

MR. CHAIRMAN: I am writing to you in regards to President Nixon's reorganization plan under which game fish laboratories are being transferred along with the Bureau of Commercial Fisheries to the Department of Commerce. I hold several offices in various conservation clubs around New England and I am presently working on a striped bass transplant program in New England and was very concerned and rather upset by the possibility that two groups with conflicting view points such as the game fish laboratories and commercial fisheries, may be combined under plan No. 4, the National Oceanic and Atmos-

pheric Administration (NOAA), H. Doc. 91-365. In his message to Congress, regarding his reorganization plan, President Nixon stated:

Almost every part of the Government is concerned with the environment in some way, and affects it in some way. Yet each Department also has its own primary mission—such as resource development, transportation, health, defense, urban growth, or agriculture, which necessarily affects its own view of environmental questions.

With this in mind, it seems unreasonable that game fish laboratories are not being considered as a part of the Environmental Protection Agency (EPA), H. Doc. 91-364. I would like to see these game fish laboratories be considered as a part of the EPA rather than the NOAA, for if they are combined with the Bureau of Commercial Fisheries, they will no longer be concerned with the increased abundance and well-being of the fish for the sports anglers but rather be concerned with the economic conversion of this natural resource to food on the table. After studying the NOAA in detail I also understand that it would, in part, relegate the fisheries function of the Bureau of Sports Fisheries and Wildlife to that of an exclusively inland-oriented, freshwater agency. If this should happen, the Bureau, which has always been conservation oriented, would be stopped at the edge of the sea, granting a goal long sought by commercial fishermen seeking to avoid conservation restraints.

I oppose plan No. 4 in its entirety since the combining of the game fish laboratories and commercial fisheries under the NOAA will make it nearly impossible for marine biological research, estuary research and coastal zone conservation to continue in and embark on any of the valuable research that they have been responsible for in the past.

Sincerely,

BOB POND.

NATIONAL FISHERIES INSTITUTE, INC.,
Washington, D.C., July 29, 1970.

Hon. JOHN A. BLATNIK,
Government Operations Committee, Rayburn House Office Building, Washington,
D.C.

DEAR MR. CHAIRMAN: In reference to the hearings being conducted on the proposed National Oceanic and Atmospheric Agency, the National Fisheries Institute wishes to add to the record its endorsement of the proposal. Attached is a statement formed by the National Fisheries Policy Conference which supports our view.

We believe it is essential that the anadromous fish research and management programs pertaining to marine species of the Department of the Interior be included in the new agency. The species of fish dependent upon the anadromous programs are of extreme importance to the U.S. commercial fish industry.

We look for your help in seeing that NOAA will be able to administer these programs as well as all others of the Bureau of Commercial Fisheries, which are so important to our industry.

Sincerely yours,

LEE J. WEDDIG,
Executive Director.

Enclosure.

NATIONAL FISHERIES POLICY CONFERENCE—WASHINGTON, D.C., JUNE 8-10, 1970

PROPOSED MOVE OF BUREAU OF COMMERCIAL FISHERIES

The National Fisheries Policy Conference subscribes to the formation of an agency in which ocean related affairs are grouped for better administration, and for greater effort in management and utilization of the renewable resources of the ocean. This concept is fostered by the report of the Commission on Marine Science, Engineering and Resources, and described as "a National Oceanographic and Atmospheric Administration." Therefore, U.S. fisheries welcome the creation of this new Agency in the Department of Commerce which will include the Bureau of Commercial Fisheries intact.

To preserve and enhance the importance of fisheries, the administrator responsible for commercial fisheries should have a position in the hierarchy of the new organization which will enable fisheries matters to receive prompt attention at a higher administration level than now possible.

Adequate funding should be made available as a matter of national policy, based on the public benefit to be derived over the years of the availability of the resource, because fisheries are a renewable oceanic food resource with nutritive values contemplated to continue for as many years to come as proper management and protection can guarantee.

U.S. fisheries have heretofore been consulted by Government by selection of representatives from the fisheries to serve on committees in advisory capacities and it is recommended that this practice be continued.

It is imperative that the Departments of Interior and Commerce work in close cooperation on all fisheries matter, because of similarities in the life history of aquatic resources and of the functions of commercial and sport fisheries.

NATIONAL SHRIMP CONGRESS, INC.,
Key West, Fla., July 29, 1970.

Hon. JOHN A. BLATNIK,
Chairman, Subcommittee on Executive and Legislative Reorganization, Committee on Government Operations, the House of Representatives, Washington, D.C.

DEAR MR. BLATNIK: I understand that there is presently before your committee the President's Reorganization Plan No. 4 of 1970 which would create a National Oceanic and Atmospheric Administration in the Department of Commerce. The National Shrimp Congress has long advocated the concept of grouping together ocean-related agencies and it has endorsed this specific plan.

At the risk of being repetitive I also attach the statements adopted by the National Fisheries Policy Conference, June 8-10, 1970, in Washington, D.C., in which the undersigned was directly concerned. One of the most important matters before the conference was the matter of the establishment of the National Oceanic and Atmospheric Administration in the Department of Commerce and I served as chairman of the subcommittee which delineated the policy of the conference in this regard.

The National Shrimp Congress heartily endorses Reorganization Plan No. 4, 1970, and urges favorable action thereon by your committee.

Very sincerely yours,

WILLIAM R. NEBLETT,
Executive Director.

Enclosure.

STATEMENTS ADOPTED BY NATIONAL FISHERIES POLICY CONFERENCE

For more information—contact:

Lee J. Weddig, National Fisheries Institute, 1225 Connecticut Ave. NW., Washington, D.C.

Harold E. Lokken, Fishing Vessel Owners Association, Pier 59, room 207, Seattle, Wash.

Jake Dykstra, Point Judith Cooperative, Point Judith, R.I.

Robert D. Nordstrom, National Cannery Association, 1133 20th St. NW., Washington, D.C.

William Neblett, National Shrimp Congress, P.O. Box 431, Key West, Fla.

American Tunaboat Association, George Steele.

Association of Pacific Fisheries, Walt Yonker.

Boston Fish Market Corp., Thomas A. Fulham.

Bumble Bee Seafoods, Ted Bugas.

Cattfish Farmers of America, James Noe, Jr.

Fishing Vessel Owners Association, Harold Lokken.

Halibut Producers Co-op., National Federation of Fisheries, Donald E. Reinhart.

International Shrimp Council, Charles E. Jackson.

Louisiana Shrimp Association, James C. Farrelly, J. H. Summersgill.

Maine Sardine Council, Richard E. Reed.

Menhaden Processors, Ammon G. Dunton.

National Cannery Association, Larry Van Meir, Robert D. Nordstrom.

National Fisheries Institute, Lee J. Weddig.

National Fisheries Institute, The Gorton Corp., Paul Jacobs.

National Fisheries Institute, King Shrimp Co., J. Roy Duggan.

National Fisheries Institute, Sea Pak Corp., Jack Cofer.

National Fisheries Institute, Vita Foods, Larry Schweig.

National Fish Meal & Oil Association, Steele Culbertson.
 National Shrimp Congress, William Neblett.
 North Carolina Fisheries Association, Lew F. Dunn, Linnie Perry.
 Ocean Protein Inc., Harry I. McGinnis.
 OINA/Virginia Seafoods Inc., Frank McGinnis.
 Oyster Institute of North America, Elizabeth Wallace.
 Point Judith Fish Corp., Jake Dykstra.
 Seafood Dealers Association, Howard Nickerson.
 Seiners Association, William G. Saletic.
 Shrimp Association of the Americas, O. M. Longnecker.
 Standard Products Company, James Nelson.
 The Liberty Fish & Oyster Co., John A. Mehos.
 Tuna Research Foundation, Charles R. Carry.
 Wakefield Fisheries, Tak Miyahara.
 West Coast Trollers Association, Jim E. Bolin.

Not all industry representatives were present throughout the 3-day session.

NATIONAL FISHERIES POLICY CONFERENCE—PROPOSED MOVE OF BUREAU OF COMMERCIAL FISHERIES

The National Fisheries Policy Conference subscribes to the formation of an agency in which ocean-related affairs are grouped for better administration, and for greater effort in management and utilization of the renewable resources of the ocean. This concept is fostered by the Report of the Commission on Marine Science, Engineering, and Resources, and described as a National Oceanographic and Atmospheric Administration. Therefore, U.S. fisheries welcome the creation of this new agency in the Department of Commerce which will include the Bureau of Commercial Fisheries intact.

To preserve and enhance the importance of fisheries, the Administrator responsible for commercial fisheries should have a position in the hierarchy of the new organization which will enable fisheries matters to receive prompt attention at a higher administration level than now possible.

Adequate funding should be made available as a matter of national policy, based on the public benefit to be derived over the years of the availability of the resource, because fisheries are a renewable oceanic food resource with nutritive values contemplated to continue for as many years to come as proper management and protection can guarantee.

U.S. fisheries have heretofore been consulted by Government by selection of representatives from the fisheries to serve on committees in advisory capacities and it is recommended that this practice be continued.

It is imperative that the Departments of Interior and Commerce work in close cooperation on all fisheries matters, because of similarities in the life history of aquatic resources and of the functions of commercial and sport fisheries.

NATIONAL FISHERIES POLICY CONFERENCE—THE ROLE OF THE BCF— PRIORITIES; SCOPE

The National Fisheries Policy Conference urges that the Bureau of Commercial Fisheries remain as a complete and identifiable entity and that it retain its present functions. The following activities are regarded as important and essential to the development of the U.S. fisheries:

I. Research.

A. High seas and near-shore research for the purpose of supplying data on stocks of fish that might be the subject of international negotiations.

B. Near-shore and coastal research for knowledge about supplies, characteristics, and habits of species for domestic utilization.

C. Coordination of research with States and universities where Federal funds are used. This does not mean control of this research.

D. Exploration research for data on new stocks of fish.

II. Estuarine management with its technical support.

III. Collection and reporting of economic data on fisheries, together with study of the economic, social, and other institutional problems which result in high cost for the U.S. fishing industry.

IV. Definition of the aims and objectives of the U.S. fisheries and development of projected production levels.

V. Supply of personnel and special expertise for representation on international commissions and similar bodies (Codex and FAO) as well as trained personnel

for foreign posts. The BCF has the responsibility to play an active role in the formulation of international policy and to participate actively in international fishery affairs.

THE ROLE OF THE B.C.F.

VI. Maintain its program of mortgage insurance and loans for modernization as well as construction subsidies.

VII. Supply extension services for proper handling and preparation of catch.

VIII. Conduct marketing studies and activities.

It is emphasized that research is the major function and must be given overriding priority.

NATIONAL FISHERIES POLICY CONFERENCE—DEPARTMENT OF STATE OCEAN ORGANIZATION

The National Fisheries Policy Conference is of the opinion that expanding international activities concerning ocean use and its resources is creating broad attention throughout the world community. While the President in his June 6 announcement consolidated several ocean-oriented domestic agencies, the present organization within the Department of State is such that consideration of international ocean problems and policies is fragmented among several different entities. In the interest of meeting existing and emerging problems in the most effective manner the conference is of the strong opinion that there should be a single office established within the Department of State responsible for ocean affairs, headed by an individual experienced in fisheries as well as oceanic matters.

NATIONAL FISHERIES POLICY CONFERENCE—U.S. POLICY ON COASTAL ZONE MANAGEMENT

The National Fisheries Policy Conference is vitally concerned about U.S. policy on coastal zone management because herein lies the authority by which the American fishery resources can be protected and perpetuated on the one hand or lost forever on the other. Accordingly:

1. All coastal management legislation and planning should recognize that coastal estuaries and nursery grounds are the basic source of and essential to the near shore and Continental Shelf fishery, which now produces more than 4 billion pounds of protein product annually, as well as providing important sport and recreation values.

2. Disregarding the economic value of this product, it represents a major and continuing source of food for an expanding human population.

3. The volume of pending legislation touching on coastal zone management indicates congressional and national concern on this matter. However, at this point some confusion exists as to whether such bills are drawn in a manner that will set the necessary policy for protecting the renewable resources.

The National Fisheries Policy Conference takes the following position on coastal zone legislation:

(a) The overriding need for coastal zone management legislation is to protect the renewable resource, since unregulated depletable resource exploitation and industrial use practices have created the need for coastal zone management.

(b) This being a fact, legislation should recognize this priority and need for protecting the renewable resource.

(c) Since the renewable resources are living things, it follows that the agency having the technical expertise and research capability in this area of Federal and State governments should be designated in the legislation as the responsible group for managing the coastal environment.

U.S. POLICY ON COASTAL ZONE MANAGEMENT

(d) Finally, research and data gathering by these groups will entail considerable additional funding which should be provided.

4. Recently announced reorganization of Federal agencies dealing with environment and marine matters indicates a growing awareness by the Government of such problems, but we note with concern some omissions or a lack of emphasis in these plans with respect to the coastal zone and estuarine areas. These are as follows:

(a) The coastal zone management responsibility must not be separated from

its technical support system (i.e., management should not remain in the Interior Department when BCF goes to the Commerce Department).

(b) Such a separate system would be unworkable. We strongly recommend that these two functions be combined.

(c) We submit that environmental management of the coastal zone is one of the Nation's most pressing problems and should be given higher priority in organization and planning.

(d) Since the obvious and overriding need in coastal environmental management is to protect the renewable natural resources, it follows that BCF or a similar agency expert in natural resource matters be designated as the lead agency and that it be given the authority and funding needed to undertake this critical and important task.

(e) Some systems for continually monitoring the environmental parameters of coastal areas should be established as soon as feasible because, without such continuing data, management decisions may be impossible.

NATIONAL FISHERIES POLICY CONFERENCE—RESPONSIBILITY OF INDUSTRY

The National Fisheries Policy Conference, in order to develop a strong viable fishery including the harvesting, handling, processing, and distribution of fishery products, acknowledges that we have the responsibility individually and collectively to be informed on fishery management and related matters; to use our knowledge and energies in such a manner to communicate effectively with and assist local, State, and Federal agencies, together with all legislative branches and the academic community. We further feel that we have a direct responsibility in the management and preservation of fishery resources, the production of a quality product with the best use of advanced production techniques.

NATIONAL FISHERIES POLICY CONFERENCE—RESOURCE ASSESSMENT

A glaring lack of knowledge of the magnitude and extent of marine fishery resources is increasingly evident. Even where adequate regulatory authority exists, this assessment data lack has resulted in overfishing of stocks of fish, not only by foreign offshore fleets but our own fleets as well.

Qualified scientific personnel and adequate vessel time must be made available to—

1. assess all stocks of fish and shellfish in which we have an interest with priority given to those most vulnerable to depletion by foreign nationals;

2. meet present commitments and allow our Government to make further commitments as needed for bilateral and multilateral agreements.

The primary responsibility for this task should rest with the Federal fishery agency and international fishery commissions, with some sharing of responsibility with States for local species. The latter should be reflected in Federal funding support.

NATIONAL FISHERIES POLICY CONFERENCE—THE VALUE OF THE U.S. FISHERIES AND JUSTIFICATION FOR GOVERNMENTAL SUPPORT

Economic activity of the United States based upon living aquatic resources encompasses a wide range of industries from harvesting in domestic waters and on the high seas to importing raw materials, processing, warehousing, and distribution. All 50 States and the possessions of the United States are involved in the production, processing, and distribution of fish and fishery products. The total sales were about \$3.1 billion at retail level in 1969.

Direct employment in the fishery industry approximated 220,000; 130,000 at the fishery or harvesting level, and 90,000 in processing activities.

Indirect supply functions of substantial economic value include boatbuilding (U.S.-built shrimp boats and equipment are sold throughout the world), ship repairing, supplying of fuel and ice, processing equipment of all kinds, cartons and shipping containers, and a wide range of added ingredients other than seafoods.

Beyond the economic value of U.S. fisheries are very important sociological considerations. A large percentage of the people engaged in the fishing operations, and many of those engaged in fish processing, live in small seacoast towns. Most of these people, because of the specialized nature of their work and the nonurban nature of their location, cannot readily transfer to industrial-type

jobs. The failure of the fishing industry would result in severe unemployment problems for them and costly training and relocation expenses for government.

The living aquatic resources of the United States are, with proper management and control, self-renewable—in contrast to sea-floor mineral resources which, once used, are gone forever. The living self-renewable aquatic resources can be regularly harvested at maximum sustainable yield levels and yet be passed on as part of our Nation's wealth to our children's children.

Private industry accepts the responsibility of carrying out the economic activities and underwriting the normal economic risks involved in the growth and development of the fishing industry. However, there are certain responsibilities associated with the use of public living aquatic resources with a common property status, that, of necessity, must remain the responsibility of Government. These include:

- (a) Assessing the size and characteristics of the fish stocks available to the U.S. fishermen in domestic waters or on the high seas.
- (b) Developing the scientific information necessary for proper management of the stocks.
- (c) Developing the biological data and other information necessary to conduct international negotiations for fish stocks outside U.S. jurisdiction.
- (d) Engaging in international negotiations in order to protect U.S. fishery interests.
- (e) Policing territorial waters and adjacent high seas areas to insure that U.S. fishery interests are not being violated.

In addition, it is government's responsibility to collect data to determine the scope and value of the total industry.

Fishery stocks all over the world are now being rapidly exploited by many competing nations with the result that some species previously fished almost exclusively by U.S. fishermen are facing imminent depletion. Aggressive steps should be taken to protect historic U.S. fishing interests outside our territorial control and to begin the use of important unused stocks of fish in the adjacent high seas areas, so that future American access to these stocks will not be forfeited by our failure to use them.

NATIONAL FISHERIES POLICY CONFERENCE—RESPONSIBILITY FOR FISHERY MANAGEMENT

The National Fisheries Policy Conference urges that a high priority be placed upon developing a clear delineation of responsibility between the Federal Government, the States, the domestic commissions, and the international commissions on management of all fisheries and shellfisheries of present or potential interest to the United States.

To implement this concept, the conference suggests consideration of the following:

- (a) Where a fishery is located wholly within a State or where a fishery is harvested by citizens of a single State, jurisdiction should rest solely with that State;
- (b) Where a fishery is located wholly within two or more States or where a fishery is harvested by citizens of the two or more States, jurisdiction should rest with a commission composed of members from the States whose citizens are engaged in utilizing the fishery;
- (c) Where a fishery is harvested by both domestic and foreign fishermen, jurisdiction should rest with an international commission composed of members from all countries engaged in the fishery;
- (d) Where a fishery is now under the jurisdiction of two or more States or countries, the existing arrangements shall not be disturbed.

FISHERMEN & ALLIED WORKERS' UNION, LOCAL 33 I.L.W.U.
San Diego, Calif., July 30, 1970.

Hon. JOHN A. BLATNIK,
*Chairman of the Subcommittee on Executive and Legislative Reorganization,
House Office Building, Washington, D.C.*

DEAR CONGRESSMAN BLATNIK: President Nixon on July 9, 1970, submitted to Congress Reorganization Plan No. 4, establishing the National Oceanic and Atmospheric Administration (NOAA) in the Department of Commerce; it brings together into a single agency the five major Federal programs dealing with the seas and the atmosphere. One such bureau being proposed for inclusion in the

consolidation is the Bureau of Commercial Fisheries which is presently under jurisdiction of the Department of Interior.

Our organization strongly supports the integration of the five closely related research-oriented agencies, and the transfer to the National Oceanic and Atmospheric Administration of the Bureau of Commercial Fisheries in a manner whole and intact; that is the Bureau with its Marine Sports Fisheries and Anadromous fish activities.

I feel that it will be a giant step in the right direction. Assuredly, it will be fiscally attractive; more significantly the integration is consistent with the current public recognition of the science of ecology which sees and perceives fundamental functioning relationships in the natural scheme of things; and it finally recognizes the research and development nature of each of the agencies.

Working together, these agencies will bring, I am sure, meaningful advances to the commercial fish industry. Fisheries of the world are expanding in variety, volume, and geographical range at an astounding rate. Moreover during the past 20 years, science has come to the full realization of the importance and nature of the dynamic interrelationship of the atmosphere and the oceans, and how, in our case, the interplay determines fish distribution and fish behavior. Knowing, in advance, these patterns of fish areas and fish distribution will contribute substantially to the economic well-being of the U.S. fishermen. It would further provide much of the environmental, both oceanic and atmospheric, information to predict the location and possible abundance of oceanic fish species such as yellowfin tuna, bluefin tuna, albacore, and skipjack tuna.

Additionally, we request that in the establishment of the National Oceanic and Atmospheric Administration, there be included in the top administrative hierarchy some person knowledgeable of and dedicated to research, utilization and conservation of the living resources of the sea.

For these above reasons, we respectfully urge your support of the President's Reorganization Plan No. 4.

Respectfully yours,

JOHN J. ROYAL,
Secretary-Treasurer.

THE NORTH CAROLINA FISHERIES ASSOCIATION, INC.,
New Bern, N.C., July 31, 1970.

HON. JOHN A. BLATNIK,
Chairman, Subcommittee on Executive and Legislative Reorganization, House of Representatives, Washington, D.C.

DEAR MR. BLATNIK: In studying the President's July 9, Reorganization Plan No. 4 of 1970, I note that there are no requirements that the officers in the National Oceanic and Atmospheric Administration have any expertise in commercial fisheries matters. I note also that the office of Director of the Bureau of Commercial Fisheries in the Department of Interior is to be abolished. There is obviously an assumption that this officer would be transferred. This should be defined, not assumed.

To maintain its identity in the U.S. Government, the commercial fishing industry must be represented by an official at the highest level possible who has capabilities in commercial fisheries matters.

Therefore, I request that this matter be given all appropriate consideration.

Yours very truly,

LEWIS F. DUNN,
Executive Director.

WASHINGTON FISH & OYSTER CO. OF CALIFORNIA,
San Francisco, Calif., August 4, 1970.

HON. CHET HOLIFIELD,
*Committee on Government Operations,
House of Representatives,
Washington, D.C.*

DEAR SIR: The President's Reorganization Plan No. 4 calls for establishment of a National Oceanographic and Atmospheric Administration, as well as an Environmental Protection Agency. This proposal includes the move of the Bureau of Commercial Fisheries from the Department of Interior to the Department of Commerce.

I strongly favor this proposal, and urge your support.

On June 8-10, 1970, a national fisheries policy conference was held in Wash-

ington, D.C., and attended by representatives of almost all segments of the commercial fish industry. This representative group also favors the proposed move of the Bureau of Commercial Fisheries to the Department of Commerce, and passed a resolution supporting this move. A copy of that resolution is enclosed for your information. (See p. 146.)

Very truly yours,

JOHN G. PETERSON, *President.*

THE NATIONAL FISH MEAL & OIL ASSOCIATION,
Washington, D.C., August 5, 1970.

HON. JOHN A. BLATNIK,
Chairman, Subcommittee on Executive and Legislative Reorganization, Rayburn Building, Washington, D.C.

DEAR MR. CHAIRMAN: I attended the meetings held by your committee last week on Reorganization Plan No. 4 recently submitted to the Congress by the President for the purpose of establishing the National Oceanographic and Atmospheric Agency in the Department of Commerce. The proposal follows quite closely the recommendations made by the Commission on Marine Science, Engineering, and Resources and is supported by our segment of the domestic fishing industry.

I can appreciate the responsibility you and the others on your committee have in studying and attempting to determine how suitable and effective this proposed reorganization would be for the overall governmental activities and objectives for these agencies to be centered under NOAA. I realize this is a difficult task, and that it is perhaps further complicated by the opposing and conflicting points of view expressed before your committee.

I wish it had been possible for the various segments of the fishing industry to have had representatives present to testify. While they did not, I am sure this shows no disinterest on their part. It was rather that the hearings were held on short notice, and this happened to be the busiest part of the fishing season. Previously, however, most segments of the fishing industry had gone on record as favoring this move.

Since we did not have an opportunity to testify, I wish to take this opportunity to present some thoughts that have occurred to us, and clarify some of the points made in opposition to the proposed reorganization and the transfer of the Bureau of Commercial Fisheries to the Department of Commerce.

First of all, the jurisdiction over U.S. fisheries does not rest with the Federal Government or any of its agencies. Instead, it is the States off whose shores these fisheries are found that have jurisdiction and who exercise regulatory and management control over them. (There are exceptions for those few that are handled through treaty arrangements with other countries.)

It seemed to me that this most important point was glossed over or obscured by those opposing the transfer of fisheries from Interior to Commerce. Some even attacked the proposed reorganization on the basis that the Department of Commerce was not a suitable agency of Government to which the regulation and management of our fishery resources should be transferred when, in fact, Commerce does not have such authority, and neither does Interior.

The history of U.S. fisheries will show, however, that both of these agencies held such responsibility for the valuable and highly important Alaska fisheries prior to Alaska statehood in 1959. Commerce had this control from about the turn of the century until 1940 when the Bureau of Fisheries was transferred to Interior, and then Interior had control through 1959.

Contrary to the impression given or implied that the Department of Commerce was not conservation minded but rather oriented toward development and exploitation, the records will show that Commerce was conservation minded and responsible for the passage of outstanding legislation for the study, regulation, and management of the fisheries of Alaska during the time it exercised control over those fisheries. The best-known pieces of legislation for this purpose were the acts for the protection of Alaska fisheries passed in 1924 and 1926. Other fishery conservation acts were also passed when fisheries were under Commerce, and such outstanding treaties as the Fur Seal Treaty, Halibut Treaty, and Sockeye Salmon Treaty came into being under Commerce. All of these were accomplishments that have been outstanding for their success in the field of conservation. And from the time the Alaska salmon fisheries became developed about the early 1920's until the mid-1940's, 5 years after the Bureau was transferred from Commerce to Interior, the Alaska salmon case pack was maintained at an average yearly production of approximately 5 million cases.

It was during the next 15-year period under Interior, from 1945 until statehood in 1959, that the decline in the Alaska salmon resource caused the average annual production to drop to approximately 3.4 million cases.

Based upon the long history that U.S. fisheries had under Commerce, and the accomplishments, it certainly seems that Commerce can again be a good home for the Bureau of Commercial Fisheries and its important functions and activities. Its success in serving the best interest of the fishing industry from its new position in Commerce, however, is going to depend to a large extent upon its leadership and the dedication its leaders have for development and maintenance of our fisheries and fishery resources.

Sincerely yours,

J. STEELE CULBERTSON, *Director.*

Members of the National Fish Meal & Oil Association are engaged in commercial fishing and in the manufacture of fish meal, fish oil, and condensed fish solubles.

The principal species caught and used for this purpose is menhaden which are not desirable as a food fish because of the high bone and oil content. This fishery extends along the Atlantic and gulf coasts from the New England States to Texas and annually accounts for 35 to 40 percent of all fish and shellfish harvested by U.S. fishermen.

Fish meal is a high quality animal protein containing all the essential amino acids that are so essential to health and growth of young animals. It is primarily used in the manufacture of broiler feeds. Fish solubles have about the same qualities and are used in swine feeds. Fish oil is mostly exported to Europe where it is used for the manufacture of margarines. Menhaden is also the most promising species we have for use in the manufacture of fish protein concentrate (FPC) for human use when this product is fully developed.

UNIVERSITY OF MIAMI,
SCHOOL OF MARINE & ATMOSPHERIC SCIENCES,
Miami, Fla., August 5, 1970.

Hon. JOHN A. BLATNIK,
Chairman, Subcommittee on Executive and Legislative Reorganization,
House Office Building,
Washington, D.C.

DEAR CONGRESSMAN BLATNIK: In view of the possibility that the Bureau of Commercial Fisheries may be transferred to the Department of Commerce, as part of the National Oceanic and Atmospheric Administration organization, I would like to express my concern for the future of the Bureau. In the opinion of those of us closely concerned with the sorry state of the U.S. sea fisheries, the Bureau has been very poorly supported by the Department of the Interior. We had hoped that, if the reorganization plan is approved, the Bureau will be given a better opportunity to carry out its work. I can attest that it has the capability of doing a very sound job if given a reasonable opportunity. Many of us feel that the only way this can be accomplished is by appointing the head of the Bureau at executive level 5.

Sincerely yours,

F. G. WALTON SMITH, *Dean.*

JOHN G. MARTIN, FOOD BROKER,
San Francisco, Calif., August 5, 1970.

To the Following Members of Congress:

Senator John L. McClellan,
Senator Henry M. Jackson,
Senator Edmund S. Muskie,
Senator Abraham A. Ribicoff,
Representative William L. Dawson,
Representative Chet Holifield,
Representative John A. Blatnik,
Representative John E. Moss,
Representative Florence P. Dwyer,
Representative Paul N. McCloskey.

GENTLEMEN: I am a fish broker and I specialize in fish and shellfish from the Atlantic, the gulf, Alaska, and the Pacific.

I think that the administration's proposed formation of the National Oceanic and Atmospheric Agency is of utmost importance to the commercial fish industry.

Its importance to the commercial fish industry is small in comparison to its importance to the consumer. The American consumer's increased demand for fish and shellfish is forcing increased prices for the limited supplies available.

Our present fisheries supplies come from sources that have grown on a hit-and-miss basis like Topsy. If these same sources could be developed by a scientific-oriented agency such as the proposed NOAA, greater supply and more orderly marketing will be the result.

It is essential that the Bureau of Commercial Fisheries be made an integral part of NOAA without decrease in budget.

I trust you are giving this program careful consideration and your cooperation will be appreciated.

Sincerely,

JOHN G. MARTIN.

K & C FOOD SALES,
Los Angeles, Calif., August 7, 1970.

Hon. CHET HOLIFIELD,
House Office Building,
Washington, D.C.

DEAR CONGRESSMAN HOLIFIELD: I'm writing to you to express my views on the proposed formation of the National Oceanic and Atmospheric Agency, as proposed by President Nixon. Acceptance of this plan is most important to the commercial fish industry.

Currently, the U.S. fish industry is a \$3 billion business at retail. Consumers are depending more and more on food from the sea. Over 140,000 jobs are involved, many in remote areas. Yet, the economic and nutritive potential of the oceans has hardly been tapped. Other industries too are looking to the seas and the ocean floor as a source of economic and recreational value to the public. Development and management of our great oceanic resources must of necessity be centralized in a dynamic, science-oriented agency, such as the proposed NOAA. In order to make NOAA work, at least in the view of our industry, it must have authority over the research programs in the anadromous fish area. Likewise, we expect that the transfer of the Bureau of Commercial Fisheries from Interior to NOAA will carry the full current budget. There is extreme concern over bureaucratic budget juggling prior to the transfer.

Finally, the new NOAA becomes the logical home for coastal zone management as this program develops in the Congress.

In summary, we ask that you do all you can to speed the formation of NOAA, maintaining the full budget and authority of the Bureau of Commercial Fisheries in the new Agency. Dynamic development of oceanic resources means food, jobs, and increased GNP for our Nation.

Thank you for your consideration.

Sincerely,

RAY LEMOL.

GLOUCESTER FISHERIES ASSOCIATION,
Gloucester, Mass., August 7, 1970.

Hon. CHET HOLIFIELD,
House of Representatives,
Washington, D.C.

DEAR MR. HOLIFIELD: I'm writing to you to express my views on the proposed formation of the National Oceanic and Atmospheric Agency, as proposed by President Nixon. Acceptance of this plan is most important to the commercial fish industry.

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Thank you for your consideration.

Sincerely,

WILBUR J. GROSS,
President.

EMPIRE FISH CO., INC.,
Gloucester, Mass., August 7, 1970.

HON. CHET HOLIFIELD,
House of Representatives,
Washington, D.C.

DEAR MR. HOLIFIELD: I'm writing to you to express my views on the proposed formation of the National Oceanic and Atmospheric Agency, as proposed by President Nixon. Acceptance of this plan is most important to the commercial fish industry.

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In summary, we ask that you do all you can to speed the formation of NOAA, maintaining the full budget and authority of the Bureau of Commercial Fisheries in the new agency. Dynamic development of oceanic resources means food, jobs and increased GNP for our Nation.

Thank you for your consideration.

Sincerely,

JAMES BORDINARO,
President.

THE GREAT ATLANTIC & PACIFIC TEA COMPANY, INC.,
Boston, Mass., August 7, 1970.

MR. WILLIAM L. DAWSON,
Chairman, Government Operations Committee,
House of Representatives, Washington, D.C.

DEAR MR. DAWSON: I am writing to you to express my views on the proposed formation of the National Oceanic and Atmospheric Agency, as proposed by President Nixon. Acceptance of this plan is of the greatest importance to the commercial fish industry.

Currently, the U.S. fish industry is a \$3 billion business at retail. Consumers are depending more and more on food from the sea. Over 140,000 jobs are involved, many in remote areas. Yet, the economic and nutritive potential of the oceans has hardly been tapped. Other industries, too, are looking to the seas and the ocean floor as a source of economic and recreational value to the public. Development and management of our great oceanic resources must of necessity be centralized in a dynamic, science-oriented agency, such as the proposed NOAA. In order to make NOAA work, at least in the view of our industry, it must have authority over the research programs in the anadromous fish area. Likewise, we expect that the transfer of the Bureau of Commercial Fisheries from Interior

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Finally, the new NOAA becomes the logical home for coastal zone management as this program develops in the Congress.

In summary, we ask that you do all you can to speed the formation of NOAA, maintaining the full budget and authority of the Bureau of Commercial Fisheries in the new agency. Dynamic development of oceanic resources means food, jobs, and increased GNP for our Nation.

Thank you for your consideration.

Sincerely,

C. H. SHACKELFORD,
General Manager.

MIDWEST FEDERATED FISHERIES COUNCIL, INC.,
Grand Haven, Mich., August 6, 1970.

HON. CLEMENT J. ZABLOCKI,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN ZABLOCKI: Many people in the Middle West are disturbed over the fact that the Great Lakes Fishery Laboratory at Ann Arbor, Mich., has been excluded from the new National Oceanographic and Atmospheric Administration (NOAA) when similar laboratories on the coasts have been included.

The Great Lakes are little oceans and in the past have been included in all Federal planning regarding ocean research. In many respects the Great Lakes can be used as models to solve ocean problems. Thermal pollution, as an example, could be studied on the Great Lakes with more definitive results than on the ocean with its stronger currents and greater natural changes in water temperature.

The attached sheet lists other reasons why we think the Ann Arbor Laboratory should be included in NOAA. The people who are planning the program are apparently ocean oriented and have failed to consider the contribution that the Laboratory at Ann Arbor can make to the overall program.

Your consideration of these facts in the interest of having the Great Lakes more fully represented in NOAA will be appreciated.

Sincerely,

CLAUDE VER DUIN,
Executive Director.

GREAT LAKES FISHERY LABORATORY

1. The Great Lakes Fishery Laboratory is the only Laboratory carrying out research relating to the environmental and fishery problems of all the Great Lakes. This Laboratory has for many years collected and analyzed information on the physical, chemical, and biological qualities of the Great Lakes. This information is now in great demand by Federal and State pollution enforcement agencies. Ten years ago the Great Lakes Laboratory was the first to direct public attention to the environmental problems of Lake Erie.

2. Agencies which work closely with the Great Lakes Fishery Laboratory in studying the environmental problems of the Great Lakes will be included in NOAA. These agencies include the Great Lakes survey (Corps of Engineers) sea grant universities, and the Weather Bureau (ESSA). The Great Lakes Fishery Laboratory must be an integral part of this research complex.

3. The Federal Government has recommended establishment of centers of excellence for marine research, including the Great Lakes. Such a center should be established on the north campus of the University of Michigan (site of the Great Lakes Fishery Laboratory), with this Laboratory as its nucleus. Land is available from the University of Michigan for expansion, and the university as an established sea grant university would be an important part of this center of excellence.

4. The Vice President has recommended cleanup of the Great Lakes as part of the five point Federal marine environmental program. The Great Lakes Fishery Laboratory has more information on the environment of the lakes than any other agency, and must be included with other agencies in NOAA to solve lake problems. The baseline information which the Great Lakes Fishery Laboratory has gathered on the environment and living organisms is essential to evaluate progress of pollution abatement in the Great Lakes.

5. Federal marine laboratories including the Great Lakes Fishery Laboratory should direct their research efforts toward solving the problems of the aquatic environment and all fish in the environment. Fish are probably the best overall indicators of changes taking place in the environment. It is impractical, uneconomical, and inefficient to have separate sport fish and commercial fish laboratories. All fishery laboratories including the Great Lakes Fishery Laboratory should be included in NOAA, and each laboratory should have responsibilities for both sport and commercial fishery research.

[Telegram]

PORTLAND, OREG., July 22, 1970.

HON. JOHN BLATNIK,

Chairman, Subcommittee on Executive Reorganization of the House Government Operations Committee, House Office Building, Washington, D.C.:

Congressman Blatnik reference hearing to begin July 22 on reorganization plan. In the interest of the sensitive fish and wildlife resources this council of 14,000 persons pleads that the Fish and Wildlife Service not be dismembered as proposed in the reorganization plans. If there is a compulsion to reorganize the Fish and Wildlife Service please create within the Service two departments; a Department of Wildlife and Department of Fishery which would include inland fishery and marine fishery. One experienced agency would then have supervision over the anadromous fishery; this includes migrating to salt water to grow and to fresh water to spawn. This council pleads with you to take the initiative to salvage fish and wildlife resources from the proposed governmental shuffle. Please make this wire a part of the hearing record.

HOWARD E. NELSON,

Secretary, Washington States Sportsman Council.

[Telegram]

SAN DIEGO, CALIF., July 23, 1970.

Congressman J. A. BLATNIK,

Chairman, Subcommittee on Executive and Legislative Reorganization, House Government Operations Committee, House Office Building, Washington, D.C.:

This is to advise you that the American Tunaboat Association is in support of the President's Reorganization Plan No. 4 of 1970, transferring to the Secretary of Commerce all functions vested by law in the Bureau of Commercial Fisheries and the establishment of a National Oceanographic and Atmospheric Administration.

We are unable to appear at the scheduled hearing, therefore request that this telegram be placed in the record to indicate support of such reorganization.

AUGUST FELANDO,

General Manager, American Tunaboat Association.

[Telegram]

SAN PEDRO, CALIF., July 28, 1970.

HON. JOHN A. BLATNIK,

Chairman, Subcommittee on Executive and Legislative Reorganization, Committee on Government Operations, Washington, D.C.:

In your consideration of and deliberations on the President's Reorganization Plan No. 4 at public hearing on July 28, may I respectfully request that you include into the record this telegram which favors the proposal to transfer Bureau of Commercial Fisheries from the Department of Interior to new National Oceanic and Atmospheric Agency in Department of Commerce.

Fishermen and Allied Workers' Union, Local 33, ILWU, represents approximately 800 fishermen and has jurisdiction over 50 purse seiners with main offices in both Los Angeles Harbor and San Diego.

We urge transfer of entire Bureau of Commercial Fisheries intact to Department of Commerce plus transfer anadromous fish plus transfer of marine sport fisheries activities of the Department of Interior.

Additionally and most importantly, we request that in reorganization Department of Commerce include among the top administrative hierarchy of this agency, someone knowledgeable of and sympathetic to research utilization and conservation of living and marine resources.

Respectfully submitted.

FISHERMEN AND ALLIED WORKERS' UNION,
LOCAL 33, ILWU,
JOHN J. ROYAL,
Executive Secretary-Treasurer.

[Telegram]

SEATTLE, WASH., July 28, 1970.

Representative JOHN BLATNIK,
Government Operations Committee,
House Office Building,
Washington, D.C.:

The Fishing Vessel Owners Association consisting of operators of fishing vessels in the North Pacific urges approval of transfer of Bureau of Commercial Fisheries from Interior Department to Commerce Department. The Bureau should be transferred as a complete unit and operate as a unit in Commerce Department under a top official with experience in management of living resources.

FISHING VESSEL OWNERS ASSOCIATION.

[Telegram]

TERMINAL ISLAND, CALIF., July 28, 1970.

Congressman JOHN BLATNIK,
Chairman, Subcommittee on Executive and Legislative Reorganization, House
Government Operations Committee, House Office Building, Washington, D.C.:

Understand your subcommittee considering President Reorganization Plan 4 at public hearing on July 28. Short notice prevents our sending representative to testify personally considering this plan. We would appreciate your including in records this telegram favoring proposal to transfer Bureau of Commercial Fisheries from Department of Interior to new National Oceanographic and Atmospheric Agency in Department of Commerce. If record is kept open for suitable length of time we will file more detailed statement explaining why we favor this proposal. Research Foundation represents approximately 75 percent of U.S. canned tuna production plus substantial proportion production such other species as canned mackerel, squid, etc., and important segment production industrial fish products. We urge transfer entire Bureau of Commercial Fisheries intact to Department of Commerce plus transfer anadromous fish plus transfer marine sport fisheries activities of Department of Interior additionally, and most emphatically we request in reorganization Department of Commerce include among top officials of this agency someone familiar with and sympathetic to development and conservation living marine resources.

Respectfully submitted.

CHARLES R. CAREY.
Executive Director Tuna Research Foundation.

STATEMENT ON BEHALF OF THE BOARD OF DIRECTORS, NATIONAL OCEANOGRAPHY
ASSOCIATION, JUNE 22, 1970

The organization being proposed by the Nixon administration to lead Federal civilian oceanographic affairs appears to be a good one.

While many of us would have preferred a National Oceanic and Atmospheric Agency independent of any existing department, the planned assignment of a NOAA-like organization to the Department of Commerce is a workable compromise.

It is important to keep in mind the basic objectives of reorganization. It is the NOA board's belief that the national need for a stronger oceanographic effort requires better Federal focus, more attention and improved coordination. All of these basic aims will be well-served by the proposed National Oceanic and Atmospheric Administration (NOAA) in the Department of Commerce.

It is also important to remember that private efforts in the ocean should dominate. We think the Department of Commerce with its tradition of support for responsible private enterprise is a logical "home" for Federal oceanographic programs.

We hope Congress will approve the administration's reorganization proposal when submitted. We hope Congress will consider—and the private oceanographic community will support—establishment of an industry-academic National Advisory Committee on the Oceans and Atmosphere, along the lines of the proposal of the Commission on Marine Science, Engineering and Resources, either by legislation or the reorganization proposal. NOAA has supported this concept as one of the essential features of a successful oceanographic program.

Additionally, we hope consideration will be given by Congress and the administration to assignment to NOAA of responsibility for coastal zone management and coastal zone laboratory programs. These two programs are the top-priority oceanography efforts of the Nixon administration and should be assigned to the administration's oceanography organization.

On balance, the Nixon administration organization recommendation for oceanography merits our support as serving the national interest. We look forward to working with the administration and Congress to perfect this proposal.

THE OCEAN SCIENCE AND TECHNOLOGY ADVISORY COMMITTEE OF THE NATIONAL SECURITY INDUSTRIAL ASSOCIATION, COMMENTS ON REORGANIZATION PLAN NO. 4 OF 1970 TO ESTABLISH NOAA

OSTAC applauds the issuance by the White House of Reorganization Plan No. 4 as an effective plan to unite the scientific, technological, and administrative resources now scattered through various Federal departments and agencies. The establishment of a National Oceanic and Atmospheric Administration—NOAA—should consolidate these efforts into a unified whole with the leadership and sense of purpose necessary to develop the potentials of the ocean, atmosphere, and floor of the sea; to resolve the inevitable conflicts in these multiple developments; and to assure their progress without adverse effect on the balance of nature.

The accompanying White House press release of July 9 also announced the intention, upon the establishment of NOAA, to transfer to it by executive action the National Oceanographic Data and Instrumentation Centers of the Navy Department, and the National Data Buoy Program of the Department of Transportation. It further stated that the President will request, upon approval of the plan, that the Secretary of Commerce establish a National Advisory Committee for the Oceans and Atmosphere to advise him on the progress of governmental and private programs in achieving the Nation's oceanic and atmospheric objectives.

The National Oceanographic Data and Instrumentation Centers are already intended, as their names imply, to serve national purposes, although they are managed by the Navy Department. Their transfer to NOAA upon its establishment would be a natural and productive part of the general consolidation which is the purpose of the plan.

The National Data Buoy development project is intended to produce oceanic and atmospheric data for the benefit of many users. The users may be characterized in one way as operational, industrial and scientific. Of these, NOAA itself would undoubtedly be among the major users of the environmental data, together with that obtained from other platform sources, such as satellites, ships of opportunity, and aircraft. It appears essential that this developing program be included in the NOAA organization. In the absence of any knowledge of the intended manner of implementing the transfer, OSTAC, however, must express some reservations. The program is in the nearly developmental phase. Much preliminary study, analysis, planning and other advance development work has been done, but it is not yet an operational system. It is instead in the research, development, test and evaluation (R.D.T. & E.) phase requiring much additional work and support in the form of seagoing buoy tenders, communications, and shore based facilities, in addition to management and engineering capabilities. The operational implementation of the developed National Data Buoy Systems will require similar services. OSTAC does not feel qualified to comment in any detail on matters of Federal Government reorganization, but we are impelled to suggest caution in the manner of transferring responsibilities for this program lest duplication of facilities be required, the already existing R.D.T. & E. expertise be

lost, and no provision be made for operation of the developed system in the years ahead. It is noted that the satellite programs currently serving ESSA are intended to remain under NASA. OSTAC respectfully suggests consideration of a similar arrangement whereby the program would continue with the present R.D.T. & E. and operational concepts by the Coast Guard, but NOAA would exercise complete technical control over the data output of the system and manage its progress and scope by controlling its funding. In this manner, the dangers cited would be obviated.

It is assumed that the functions assigned to the Administrator of NOAA would include the coordination, as directed by the President, of the activities of other Federal agencies which relate closely to its own responsibilities. This was recommended by the Stratton Commission as an essential function once performed by the Interagency Committee on Oceanography (ICO) and for which no permanent mechanism now exists. OSTAC recommends that the execution of this function be specified.

OSTAC is pleased to note the intention to establish an advisory committee, as recommended by the Stratton Commission. It is assumed that the membership of this committee would be drawn principally from the private sector, including industry, universities, and oceanographic institutions and that it would be provided with its own permanent staff so as to insure its independence and effectiveness in encouraging the responsible growth of private sector participation in oceanic and atmospheric developments. It is further anticipated that the advisory committee will greatly assist the Administrator of NOAA in his coordination function. OSTAC concurs with the Stratton Commission recommendation that the advisory committee should, among other functions, report periodically to the President and to the Congress. This function should also be specified.

OSTAC recognizes that consideration of a coastal zone management act must await on Reorganization Plan No. 4. With the establishment of a NOAA however, OSTAC reaffirms its concurrence with the Stratton Commission recommendations concerning NOAA's functions in coastal zone management.

TROUT UNLIMITED.
Washington, D.C., July 31, 1970.

HON. JOHN A. BLATNIK,
*Chairman, Subcommittee on Executive and Legislative Reorganization,
House Office Building, Washington, D.C.*

DEAR MR. BLATNIK: In accordance with request of July 21, 1970, the enclosed statement on President Nixon's Executive Reorganization Plan No. 4 of 1970 (H. Doc. 91-365), to establish within the Department of Commerce the National Oceanic and Atmospheric Administration, is submitted for inclusion in the record of public hearings.

Trout Unlimited appreciates the opportunity to be heard on this very important development in safeguarding our environment and I personally enjoyed the informal discussion with you and your most helpful staff.

Respectfully,

R. A. KOTRLA.

PREPARED STATEMENT OF RAYMOND A. KOTRLA, WASHINGTON REPRESENTATIVE.
TROUT UNLIMITED

Mr. Chairman and members of the committee, my name is Raymond A. Kotrla. I am a member of the National Board of Directors of Trout Unlimited and their Washington representative. Trout Unlimited is an association of trout, steelhead, and salmon anglers founded in 1959 by a group of sportsmen who were concerned with the deterioration of our fishing habitat. We are funded through our membership fees and donations by conservation-minded sportsmen and organizations. Trout Unlimited's objectives are the perpetuation and improvement of quality trout, steelhead, and salmon fishing through the protection and improvement of fish habitat and the preservation of our water resources.

Trout Unlimited appreciates this opportunity to be heard. Mr. Chairman, in order that we might record our general support for Executive Reorganization Plan No. 3 (House Document 91-364) to establish the independent Environmental Protection Agency (EPA). After carefully reviewing the proposal, we agree with the views expressed by Mr. Roy L. Ash, Chairman of the President's Advisory Council on Executive Organization, in his testimony before this com-

mittee on July 23, 1970, (1) that an overall antipollution agency is urgently required and (2) that the proposed Environmental Protection Agency, while neither perfect nor immutable, is the strongest organizational alternative to our present state of disarray. Accordingly, we recommend the Congress accept Executive Reorganization Plan No. 3.

Regrettably, Trout Unlimited cannot similarly support Executive Reorganization Plan No. 4 which would create a National Oceanic and Atmospheric Administration (NOAA) within the Department of Commerce.

It is not that Trout Unlimited is opposed to the creation of an NOAA as such. Indeed, there is much merit to most of the NOAA proposal. However, Trout Unlimited is opposed to the establishment of a NOAA within the Department of Commerce, thereby transferring to that Department the management of commercial fisheries and the anadromous fisheries program.

Should the committee question the trout angler's concern about NOAA, an essentially salt water agency, commercial fishing, and the anadromous species, may I point out that these species include the steelhead trout, other sea-run trout, the Atlantic salmon, and the several species of the Pacific salmon. The maintenance of these species of greater fish are directly affected by their commercial harvesting on the high seas and estuaries and also by the commercial fishing for their principal fodder—the alewife, sardine, anchovy, herring, etc. Thus the effects of estuarine and high seas fishing programs and research can affect our domestic fresh water recreation fishing over great distances from the sea in some cases.

Today we hear much public criticism of Federal agencies originally created with highest of intentions, but which over the years have ultimately become the captives or proponents of the industries they were intended to regulate in the public interest. I would point out one agency which happily is not currently subject to major criticism—the Bureau of Commercial Fisheries. It is considered significant that to further the conservation functions of this Bureau, it was transferred out of the Department of Commerce to the Department of the Interior in 1942. It is Trout Unlimited's recommendation that the Bureau remain in the Department of the Interior (or a successor department concerned with the conservation of all natural resources).

An additional matter not mentioned in the administration proposal is invited to the committee's attention—the international protective treaty function. Currently, the officials of the Department of State and the Department of the Interior represent the United States at international conferences concerned with protection of endangered species of migratory sea life on the high seas and some territorial waters. I raise the question whether the Secretariat in Department of Commerce is prepared to participate in the conservation role in connection with such international conferences in the future as the Secretariat of the Department of the Interior has so ably done to date. I respectfully invite the committee's attention to the historical functions of the Department of Commerce as clearly set forth in its self-stated purpose at page 278 of the U.S. Government Organizational Manual 1969-70 (copy appended). This statement of purpose does not reflect any tradition of expertise in marine biological matters or functions related to conservation of natural resources.

Trout Unlimited's position in this matter has been made known to the White House. On July 8th we joined with seven other conservation organizations in a telegram to the President stating our views. (Copy appended.)

For the foregoing reasons, Trout Unlimited recommends that the committee report unfavorably upon Executive Reorganization Plan No. 4 and that the House of Representatives disapprove the plan prior to the expiration of the 60 session-day period.

Thank you, Mr. Chairman.

TELEGRAM TO PRESIDENT NIXON DATED JULY 8, 1970

"The undersigned national conservation and environmental organizations endorse the administration's executive reorganization creating an Environmental Protection Agency (EPA) as an independent agency dealing with our Nation's serious environmental degradation problems.

"But we are strongly opposed to a National Oceanic and Atmospheric [Administration] that proposes to transfer research, management, and regulatory functions of a most important renewable resource belonging to all of the people to the Department of Commerce, which traditionally represents the industrial and economic viewpoint. Moving commercial fisheries management, research and

the anadromous fishery program to the Department of Commerce would split executive jurisdiction of the fisheries resources to the detriment of a growing public use of the resource by sport fishermen."

(Signed by): American Forestry Association, William E. Towell, executive vice president; American Institute of Biological Sciences, Donald R. Beem, assistant director; American Scenic and Historic Preservation Association, Richard H. Pough, conservation chairman; National Association of Conservation Districts, Gordon K. Zimmerman, executive secretary; National Audubon Society, Charles H. Callison, executive vice president; National Wildlife Federation, Thomas L. Kimball, executive director; Sport Fishing Institute, Richard H. Stroud, executive vice president; Trout Unlimited, Ray A. Kotrla, Washington representative; Wildlife Management Institute, Daniel A. Poole, president.

DEPARTMENT OF COMMERCE

"Purpose.—The mission of the Department is to promote full development of the economic resources of the United States. It does this through programs and actions that encourage and assist States, regions, communities, industries, and firms toward economic progress. Specific programs carried out include collection, analysis, and dissemination of demographic, economic, business scientific, and environmental information; the promotion of exports and increased travel to the United States; and the provision of financial and technical assistance to regions and communities with lagging economies.

"Other important functions include promoting policies for strengthening the international economic position of the United States and the healthy growth of the private economy; providing incentives for private commercial investment in new technology; assuring maximum use, growth, and transfer of the Nation's scientific and technical resources; fostering development of the American merchant marine; and coordinating Federal programs in the field of minority business enterprise.

"Commerce also administers the national patent and trademark systems, provides weather and other environmental services, exercises control over the export of strategic materials, and carries out materials priorities and industrial mobilization programs. A further important aspect of its mission is the conduct of scientific research and service in physical measurement standards, in engineering, product and commodity standards, in extending knowledge of the oceans, earth and atmosphere, and in advancing selected fields of technology." (Pp. 278-279, U.S. Government Organization Manual, 1969-70.)

STATEMENT OF DENIS HAYES, NATIONAL COORDINATOR, ENVIRONMENTAL ACTION

Environmental Action, Inc. is the successor organization to the Environmental Teach-in which coordinated activities on a national scale for Earth Day, April 22, 1970. On that day of national environmental concern over 2,000 community and college groups, as well as over 10,000 high schools, made known their collective voice on the matter of environmental quality. It is estimated that over 20 million Americans took part in local rallies, seminars, and activities on that day. It was the largest peaceful demonstration of issue-oriented concern this country has ever seen. Those who were involved in planning Earth Day, and those that participated are determined to follow through on their commitment to environmental quality. We are determined to change the priorities of this country to insure the right to live 30 years from now.

We are determined to watchdog this administration and any other that uses rhetoric to compensate for any real commitment to ridding this Nation of a pollution problem that is so bad that our cities are not fit for living, our water is not fit to drink or swim in, and our air is not fit to breathe safely. Most attempts to alleviate this complex set of problems have been a matter of mere bureaucratic fumbling. We now have before us another plan to further that bureaucratic fumbling and, indeed, worsen the problem. I refer to the proposed Reorganization Plan No. 4, The National Oceanic and Atmospheric Administration (NOAA) which would be placed in the Department of Commerce.

This administration proposed plan for reorganization in matters of the environment is a new chapter in a long history of betraying the resources manage-

ment experts and ecologists in favor of the resource exploiters and blind economic developers. NOAA would join those who are concerned with the development and exploitation of the world's oceanic resources with those charged with managing and preserving those resources. I refer to the inclusion of the marine sport fish program of the Bureau of Sport Fisheries and Wildlife with the Environmental Science Services Administration, parts of the Bureau of Commercial Fisheries, the Marine Minerals Technology Center, the Office of Sea Grant Programs and parts of the U.S. Lake Survey.

The latter organizations are concerned primarily with development. The nature of the manpower and resources (financial) presently being allocated to NOAA implies a definite bias toward exploiting, not protecting, the resources of the seas.

To further exacerbate a potentially disastrous situation for the world's oceanic resources, NOAA is slated to become part of the Department of Commerce. One need only take a look at the stated purposes of the Department, and at the types of activities it has historically encouraged to confirm that the Department of Commerce is really the Department of economic development.

If the new Environmental Protection Agency was limited to the control of pollution in land, air, and water, why was NOAA allowed to become a tool of the developers? If EPA was not allowed to mix its regulatory functions with promotional ones, why was NOAA compelled to do so? What exactly is the function of NOAA? Certainly the contradictory administration testimony has not made it clear.

We have now in existence a perfect and infamous example of an attempt to combine both the regulatory and the promotional functions in one agency—the Atomic Energy Commission. I cite an example of such a disastrous policy. During the mid-1950's the Commission wanted very much to develop a fast-breeder reactor program and so they subsidized the Power Reactor Development Co. (PRDC) in Detroit. The PRDC was a coalition of utilities and nuclear industrial corporations which was subsidized heavily in order to build the first commercial breeder reactor—the Fermi reactor.

A group within the AEC, the Advisory Committee on Reactor Safeguards, advised the AEC in 1956 that "the Committee believes that there is insufficient information available at this time to give assurance that the PRDC reactor can be operated at this site without public hazard." The AEC not only disregarded this recommendation from its own blue ribbon committee, but actually suppressed the report.

Of course, the reactor was built and it did indeed suffer a significant and extremely dangerous fuel meltdown as soon as it was brought up to full power in October 1966.

Let us not permit the same kind of mistakes to happen with the world's oceans. Perhaps it is a sad, but we feel a realistic commentary, on the bureaucratic process that we cannot trust the study, preservation, and wise use of the seas to a series of agencies and programs which show such a definite bias in favor of promotion and exploitation. It would be dangerous to test the bureaucratic fumbling evident here beyond its capabilities as we most surely would with NOAA's creation.

We are not alone in our concern. Many distinguished environmental and conservation organizations and their constituents have also made known their opposition to NOAA. We ask that Reorganization Plan No. 4 be rejected by Congress and that legislation be considered in the House and Senate which would provide clearer and more prudent directions for those concerned with the oceans.

Thank you.

STATEMENT OF NATIONAL AUDUBON SOCIETY

The National Audubon Society appreciates this opportunity to comment on Reorganization Plan No. 4.

Although we are not opposed to the establishment of a National Oceanic and Atmospheric Administration per se, we have serious reservations about this plan. We believe there are a great many questions that should be asked before setting up this agency which will have such an important impact on two vital resources—the oceans and the atmosphere—and indeed the whole environment. Unless these questions can be answered satisfactorily in the remaining days Congress has in which to act, we believe the plan should be shelved.

One of the first questions the committee should explore is the wisdom of placing NOAA in the Commerce Department, instead of making it an independent agency as the Stratton Commission recommended. In a dialog with this committee, Congressman Alton Lennon admitted that he would have preferred an independent NOAA, but said he felt the problem was too important to delay acting upon. We agree that the problem of our oceans and atmosphere is important, but should expediency rather than wisdom be the criterion for enacting it?

Although proponents of NOAA have scoffed at conservationists' reservations about placing NOAA under Commerce, they have never satisfactorily resolved our doubts.

We are not casting a slur upon the Commerce Department, nor are we judging it by its name. Whatever its title, the fact is that historically and statutorily this is the agency whose function is to promote economic development, and this is certainly a legitimate function. Although in recent years, scientific-technological programs such as those as ESSA have constituted a large portion of the Department's activities, we can only assume that the Department is still charged with responsibility to the commercial or business segment of our economy. But given this dual thrust, what priority will NOAA and environmental problems have? Presumably, the Secretary of Commerce will have ultimate authority over decisions made by the Administrator of NOAA. Given human nature, the Secretary's judgment will obviously reflect the total Department's philosophy and, we believe, its "institutional biases."

In testimony on plan 4, Dwight A. Ink, Assistant Director of the Office of Management and Budget, said, "The President noted his objection in principle to the creation of new agencies in his message transmitting plans Nos. 3 and 4. He stated that he was making an exception to that principle in creating the Environmental Protection Agency mainly to avoid the institutional biases that the primary missions of existing Departments were almost certain to bring to bear on environmental decisions generally and on the critical matter of standard setting in particular."

We find it difficult to believe that the Department of Commerce is the only Federal agency free of institutional bias. Incidentally, we are supporting EPA primarily because of the problems which have been evident in the past caused by institutional biases in the regulation of pesticides and other pollutants.

Through ESSA and other programs, the Commerce Department has a strong base in technology and science, according to the Secretary. We agree. But if our Nation has learned one thing in recent years, it is that technology alone—without broad consideration of its environmental impact—can be a mixed blessing. We submit that a broad base in science and technology and expertise in data gathering does not automatically guarantee the wisdom and sensitivity needed to make critical decisions about the environment.

One of the arguments advanced for placing NOAA in the Commerce Department is that ESSA will be the new agency's largest component. This argument might be acceptable if you considered only the number of personnel to be shuffled, but it has no bearing on philosophical and policy questions. It is understandable that no Secretary wants to lose 40 percent of his personnel to another agency, but is that any reason to place additional personnel in the agency?

Another very important question which should be explored by this committee is: What is NOAA and what will it become? Obviously whatever decision is made about NOAA will have an effect on important existing programs and proposed programs such as coastal zone management.

We understand that during the Senate hearings on this plan Secretary Stans said that he expected NOAA to grow. He also said that the administration has not decided whether coastal zone management should be put into NOAA if it is enacted. This is somewhat surprising since the administration's coastal zone bill, written months before the reorganization plan was submitted to Congress, puts the coastal zone program under the jurisdiction of the Secretary of Interior. But it now appears obvious that the Secretary of Commerce would like to have it in NOAA.

This points out the vagueness of just what NOAA will encompass, and what dominoes will fall if it is enacted now. According to the President's message on plan No. 4, "NOAA would exercise leadership in developing a national oceanic and atmospheric program of research and development * * *." According to Dwight Ink, "the bulk of its activities will involve research, monitoring and data gathering on various aspects of the environment." What is it then? We believe the limits and responsibilities of NOAA need to be better defined. Its components

If coastal zone management winds up in the Commerce Department—which we hope it will not—how will it fit into NOAA? Where does jurisdiction over the ocean stop—at the water's edge, at the 12-mile limit, or somewhere else?

Because of the importance of our oceans and atmosphere, we respectfully urge this committee to give thoughtful consideration to the long-range effects of approving plan No. 4 as constituted without further, very careful study.

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This image shows a blank, aged, cream-colored page, likely an endpaper or flyleaf of a book. The paper has a slightly textured appearance with some minor discoloration and small dark spots, possibly due to age or handling. A vertical crease is visible near the left edge, and the binding edge of the book is visible on the far left.