

U.S. OCEAN POLICY REPORT CARD 2012



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U.S. OCEAN POLICY REPORT CARD 2012

he Joint Ocean Commission Initiative's 2012 U.S. Ocean Policy Report Card is an assessment of the nation's progress toward implementing the National Ocean Policy. The Joint Initiative applauds President Obama for creating the National Ocean Policy through Executive Order in July 2010 and for establishing the National Ocean Council to lead its implementation. This policy responds directly to a long-standing priority of the Joint Initiative for a national ocean policy to more comprehensively manage our ocean resources, improve coordination among federal agencies, and enhance collaboration among federal and state agencies, regional initiatives, local governments, and tribal nations. Effective implementation of the policy is critical to enhance our national security, support our coastal economies and the millions of American jobs that depend on them, and improve the health of our ocean resources.

The 2012 U.S. Ocean Policy Report Card uses the Joint Initiative's June 2011 report, *America's Ocean Future*, as the baseline for assessment. *America's Ocean Future* provides ten recommendations for actions needed to support implementation of the National Ocean Policy. The Report Card grades progress made on those recommendations and other critical elements of implementation, organized into five subject areas: National leadership and support; Regional, state, and local leadership and implementation; Research, science, and education; Funding; and Law of the Sea Convention. The results of this evaluation are based upon careful monitoring of ocean policy developments and communication with leaders who are responsible for implementing the policy in Congress, the Administration, and the states. The Report Card issues grades to the nation as a whole, while the details in the narrative describe progress and improvements needed by specific federal and state-level authorities.

For the period from July 2010 to June 2012, while a number of laudable efforts laid the foundation for advancement of the National Ocean Policy, overall implementation of the policy fell short of expectations.

The Joint Initiative recognizes two areas of notable progress:

Multi-state regional ocean partnerships continue to lead the way by facilitating increased
engagement of ocean resource users, advocates, and citizens; fostering coordinated ocean
science and research; harnessing federal agency support; and leveraging limited resources
to advance regional priorities that benefit local ecosystems, communities, and economies.

 Federal agencies made meaningful strides in improving interagency coordination so that they work more efficiently and effectively to support the priorities of regions, states, and local communities.

The Joint Initiative identifies three areas of significant shortcomings:

- Implementation of the policy has been slow and ineffective communication about the need for and intent of the policy has led to misunderstandings by stakeholders.
- Ocean management, science, and education programs remain severely underfunded, hindering them from effectively supporting our national security and economic interests and undermining the health of ocean resources.
- Inaction by the Senate to provide its advice and consent to the President to join the Law
 of the Sea Convention continues to jeopardize our nation's national security interests and
 opportunities to benefit from and effectively manage global ocean resources of economic
 and ecological importance.

The Senate has the opportunity to take immediate action and provide its advice and consent to the President for U.S. accession to the Law of the Sea Convention. The Joint Initiative urges the Senate to act expeditiously to put the United States in a leadership position to guide the implementation and enforcement of an important international legal framework that is instrumental to our national security and economic growth, as well as to ocean science and research and the sound management of ocean resources.

The Joint Initiative is committed to providing assistance to leaders at all levels of government as well as the private sector, nongovernmental organizations, and academic communities to successfully implement the National Ocean Policy. Coordinated, comprehensive, and effective implementation of the National Ocean Policy requires shared commitment and support from all Americans to ensure healthy oceans that will support our nation's national security and economic needs into the future.

The Joint Ocean Commission Initiative is a bipartisan collaboration of senior leaders representing a diversity of viewpoints and interests in our oceans and includes former members of the U.S. Commission on Ocean Policy and Pew Oceans Commission. A primary goal of the Joint Ocean Commission Initiative is to accelerate the pace of change that results in meaningful ocean policy reform. For more information, please visit www.jointoceancommission.org.

TAKING ACTION ON A NEW APPROACH TO OCEAN MANAGEMENT

he National Policy for the Stewardship of the Ocean, Our Coasts, and the Great Lakes was created by Executive Order in July 2010. The policy establishes a national commitment to:

Ensure the protection, maintenance, and restoration of the health of ocean, coastal, and Great Lakes ecosystems and resources, enhance the sustainability of ocean and coastal economies, preserve our maritime heritage, support sustainable uses and access, provide for adaptive management to enhance our understanding of and capacity to respond to climate change and ocean acidification, and coordinate with our national security and foreign policy interests.

The Joint Initiative applauds President Obama for establishing this new National Ocean Policy, a critical step toward improving the way we do the business of managing our nation's valuable ocean, coastal, and Great Lakes resources.

The National Ocean Policy resulted from a series of actions taken by both Democratic and Republican Presidential administrations. It is an essential tool for better focusing and coordinating agencies that manage ocean resources, a benefit that has historically found strong support on both sides of the aisle. This bipartisan path toward a national ocean policy started with the National Ocean Conference in 1998 and the eventual passage of the Oceans Act in 2000 during the Clinton Administration. The Act called for the creation of the U.S. Commission on Ocean Policy, whose members were appointed by President George W. Bush in 2001. The U.S. Commission on Ocean Policy worked in parallel with the independent Pew Oceans Commission and, in 2003 and 2004, both bipartisan blueribbon panels issued recommendations to the nation that featured creation of a national ocean policy as a foundational element. As a collaborative effort to advance the priorities of the two ocean commissions, the Joint Initiative has consistently championed the need for a national ocean policy. The Joint Initiative has also called for that policy to be supported by effective coordination among federal agencies in collaboration with regional, state, and local governments, as well as a dedicated funding source to provide sustained support for improved ocean and coastal management, science, and education.

The National Ocean Policy calls for management of our oceans to be more comprehensive and grounded in greater coordination across all levels of government. It also calls for increased engagement of stakeholders who use and care about ocean resources and the communities

that depend upon them. In an era of shrinking budgets at all levels of government, the need for efficient and effective coordination to maximize scarce resources has never been more critical. The Joint Initiative strongly believes that management grounded in interagency coordination and robust local stakeholder input will lead to better use of public resources, strengthen our economy, provide for healthier ocean resources, and reinvigorate coastal communities across the nation. The establishment of the National Ocean Policy was a clear step in the right direction. Now it needs to be effectively and thoughtfully implemented to ensure the many resulting benefits to our economy, communities, and environment are realized.

The Joint Initiative recognizes that implementation of the National Ocean Policy is not without challenges. Our oceans are important to the lives of all Americans, and all Americans should contribute ideas and input to help shape the implementation process and ask critical questions that will lead to the most effective and efficient process possible. Effective implementation will require shared commitment and support from leaders in government at all levels, as well as in the private sector, nongovernmental organizations, and academic communities.

The Joint Initiative strongly encourages America's leaders to put aside partisanship and instead engage in a productive dialogue about how implementation of the National Ocean Policy can best be used to comprehensively manage our nation's ocean and coastal resources to protect and create jobs and grow our economy, while supporting the healthy ocean resources on which those jobs and our coastal communities depend. Support for the bipartisan principles behind the policy and sincere exchange of ideas can lead to improved implementation and to achieving the full suite of ocean-related goals of this great nation.

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Subject	Grade	Comments Examples below do not reflect the full scope of activities upon which final grade is based. See detailed comments in following narrative.
National support and leadership	Good groundwork laid but need for better communication, expanded stakeholder engagement, and tangible results	Notable Progress National Ocean Council and supporting structures established, leading to increased federal interagency coordination Governance Coordinating Committee of local and state-level advisors established National Ocean Policy Draft Implementation Plan released National workshop held to kick-off regional ocean planning processes Improvements Needed Stronger communication and outreach efforts to educate and actively engage private sector stakeholders and citizens in the National Ocean Policy implementation process Expanded engagement of the Governance Coordinating Committee to increase input from states, tribes, and local governments and of the Ocean Research Advisory Panel to provide expert input on ocean research, science, and education priorities Interagency review of ocean-related policies to reduce duplication and inefficiencies and resolve interagency conflicts in the current ocean management system Constructive engagement from Congress to improve and support National Ocean Policy implementation and reject efforts to restrict or prohibit its implementation
Regional, state, and local leadership and implementation	Regional ocean partnerships continue to make progress but need more support from states and federal agencies	Notable Progress • Multi-state regional ocean partnerships demonstrate leadership by facilitating increased stakeholder engagement, fostering coordinated ocean science and research, harnessing federal agency support, and leveraging limited resources to advance regional priorities • Significant progress on advancing ocean priorities across the country, including in the Great Lakes, Gulf of Mexico, Mid-Atlantic, Northeast, South Atlantic, Pacific Islands, and on the West Coast Improvements Needed • Maximum flexibility for states and regions working to implement actions consistent with the National Ocean Policy, including ocean planning • Consistent, high-level support from states and federal agencies for advancing regional priorities • Meaningful engagement of stakeholders and the public on implementation of priorities at the national and regional scales
Research, science, and education	Some progress but funding and program cuts, as well as delayed implementation of critical tools, weakened ocean science, research, and education	Notable Progress Notional Ocean Council ocean data portal created to serve as central place for federal data and tools, complemented by regional portals that provide access to regional, state, and local data Strong regional efforts to coordinate on regional ocean and coastal research, observing, mapping, and restoration priorities Improvements Needed Fully develop and support the Integrated Ocean Observing System Release updated Ocean Research Priorities Plan and Implementation Strategy and move affirmatively toward achieving the goals outlined in this plan Reverse decreases or elimination of ocean education funding in the FY 2013 President's Budget Request and maintain strong ocean education programs in NOAA, NSF, EPA, and other federal agencies
Funding	Ocean programs continue to be chronically underfunded, highlighting the need for a dedicated ocean investment fund	Notable Progress NoAA Regional Ocean Partnership Grants provided modest funding to regional ocean partnerships Improvements Needed Enact a dedicated funding source to provide sustained support for improved ocean and coastal management, science, and education Rebalance NOAA's funding portfolio so satellite programs and ocean and coastal programs each have adequate resources to fulfill their respective missions Increase funding for regional ocean partnerships Prioritize and initiate funding of activities and infrastructure identified in the pending update of the Ocean Research Priorities Plan and the National Research Council's Report Critical Infrastructure for Ocean Research and Societal Needs in 2030
Law of the Sea Convention	Strong support from Administration and private sector leaders but no successful Senate vote yet	Notable Progress Strong support for accession to the Law of the Sea Convention from the Secretaries of Defense and State and other senior leaders within the Administration Active support for the Convention by a bipartisan coalition of national security, industry, and nongovernmental organization leaders Senate Committee on Foreign Relations hearing on accession to the Law of the Sea Convention Improvements Needed Senate advice and consent to accede to the Law of the Sea Convention

NATIONAL SUPPORT AND LEADERSHIP



Why is national support and leadership important?

The health of our ocean ecosystems are declining, threatening the coastal communities and ocean-based economies that depend on healthy marine resources and that are essential pillars of the U.S. economy and quality of life. This decline results in large part from decades of uncoordinated, sector-based management of these resources. The National Ocean Policy creates a more integrated approach to management by setting up mechanisms to increase coordination and reduce duplication of federal agency policies and activities in a manner that is transparent, supports predictable and efficient decision making, and is undertaken in close collaboration with regional, state, and tribal entities. This coordinated approach is critical to ensure that federal agencies work together and with state, regional, and tribal partners to better manage ocean and coastal resources for the benefit of the nation and to reduce conflicts, redundancies, and inefficiencies that waste time and money.

What has been done to improve national support and leadership?

- National Ocean Council and supporting structures established, leading to increased federal interagency coordination
- Governance Coordinating Committee of local and state-level advisors established
- National Ocean Policy Draft Implementation Plan released
- National workshop held to kick-off regional ocean planning processes

The National Ocean Council established by the National Ocean Policy provides muchneeded senior-level leadership for the implementation of the policy and serves as the
coordinating structure for the federal ocean agencies. Co-chaired by the Chair of the Council
on Environmental Quality and the Director of the Office of Science and Technology Policy,
the members of the National Ocean Council are heads of the 27 federal agencies and offices
whose actions affect the oceans, coasts, and Great Lakes. The creation of the National Ocean
Council has resulted in tangible, improved interagency communication and coordination at the
federal level to address pressing ocean issues. This includes strong participation from federal
agencies that traditionally have not been deeply engaged in ocean management despite a close
relationship between their activities and ocean resources, including the Department of Defense,
Department of Agriculture, Department of Transportation, and Department of Energy.

As called for by the National Ocean Policy, the National Ocean Council established the Governance Coordinating Committee in early 2011 to coordinate with and receive advice from states, tribes, and local governments that play a direct role in implementing the policy. The Governance Coordinating Committee consists of 18 members from states, federally-recognized tribes, and local governments.

The National Ocean Council has laid a solid foundation for implementation of the National Ocean Policy and its nine national priority objectives: ecosystem-based management; coastal and marine spatial planning; inform decisions and improve understanding; coordinate and support; resiliency and adaptation to climate change and ocean acidification; regional ecosystems protection and restoration; water quality and sustainable practices on land; changing conditions in the Arctic; and ocean, coastal, and Great Lakes observations, mapping, and infrastructure. Over the last two years, notable actions by the National Ocean Council include:

- In order to provide guidance on how to advance the nine national priority objectives laid out in the National Ocean Policy, the National Ocean Council released strategic action plans for each objective in June 2011. The Council conducted outreach to gather input and feedback on the plans from various stakeholder groups.
- Based on the strategic action plans and public input, the National Ocean Council released the National Ocean Policy Draft Implementation Plan in January 2012 to provide a cohesive framework for implementation that covers all nine objectives. An extensive public comment period provided stakeholders, users, and the public an opportunity to provide their input on the draft plan. The Joint Initiative recognizes the value of having an implementation plan that enhances government accountability by laying out clear actions, assigning specific commitments to federal agencies, and establishing timeframes for results. The Joint Initiative looks forward to the release of the final National Ocean Policy Implementation Plan and encourage federal agencies to live up to their commitments and look for opportunities to leverage resources to implement common priorities.
- The National Ocean Council hosted the National Coastal and Marine Spatial Planning Workshop in June 2011 to bring together people from across the country to develop a shared understanding about regionally-led ocean planning, learn about the range of perspectives and concerns, and consider how to move forward on launching regionally-based ocean planning. In attendance were representatives from federal, state, tribal, and local authorities; Regional Fishery Management Councils; indigenous communities; stakeholders; and the general public. Following the national workshop, several regions began organizing similar workshops at the regional scale.

What remains to be done to improve the grade?

The Joint Initiative is encouraged that the federal ocean agencies are improving communication and coordination among themselves and with the states, but recognizes that there is still a great deal of room for further improvement. The National Ocean Council should work more closely with regions, states, and local communities to identify priority needs and issues that could benefit from the National Ocean Policy. In those areas, the Council should support and help assist with the development of collaborative strategies to achieve locally driven goals, while advancing the implementation of the National Ocean Policy.

As the National Ocean Council works on improved engagement with stakeholders and citizens, an effective communication and outreach effort is needed to clearly articulate the intent of the National Ocean Policy and clarify how it will lead to improved management of ocean resources, more efficient regulatory processes, and greater coordination among levels of government. A major misstep in the rollout and initial implementation of the National Ocean Policy was unclear communication about why a new approach to management is needed, how the policy will be coordinated with existing federal and state laws and regulations, and what the short and long term outcomes of the policy will be. Concerns about regional ocean planning specifically need to be addressed, and the National Ocean Council should reach out directly to stakeholders and citizens to clarify the role of regional ocean planning, how it may impact existing ocean uses, and the extent to which it will affect inland activities. It has become urgent that these questions be answered clearly and explicitly.

The Joint Initiative continues to emphasize the importance of strong stakeholder engagement as the National Ocean Council works with the states and regions to implement the National Ocean Policy. We urge the National Ocean Council to address the concerns being raised and provide increased opportunities for stakeholders to ask questions and give input directly to members of the Council. To this end, the National Ocean Council should establish routine opportunities in all regions for stakeholders to engage with the Council members, through inperson forums or workshops, in order to gather input on the implementation process, listen to concerns, and discuss specific examples and opportunities of how the region may benefit from the more comprehensive and coordinated approach of the National Ocean Policy. The National Ocean Council should also reach out specifically to ocean industries to work with them to better understand their ideas and seek their increased engagement on how to best implement the policy so that it leads to more efficient regulatory processes, reduces conflicts between uses, and provides other benefits that achieve economic growth while protecting the health of the ecosystems on which the industries depend.

As a part of this communication effort, the Joint Initiative urges the National Ocean Council to better utilize the Governance Coordinating Committee by engaging them more in advising and providing feedback on Council activities and documents. The National Ocean Council should encourage and help support the members of the Committee so they can better reach out to their communities to understand concerns about the National Ocean Policy and its implementation, identify and share opportunities for outreach and engagement, and overall serve as conduits for information between stakeholders in their communities and the National Ocean Council. The Joint Initiative also encourages the National Ocean Council to further clarify the direction and priorities of the Ocean Research Advisory Panel, which serves to provide independent advice and guidance to the Council on ocean research, science, and education efforts. The Council should further employ the experience and expertise of the

Ocean Research Advisory Panel members to coordinate input from experts from academia, state and federal agencies, and private industries on implementation of the National Ocean Policy.

The National Ocean Council should also conduct a comprehensive interagency effort to review ocean-related policies to reduce duplication and inefficiencies and resolve interagency conflicts in the current ocean management system. The Joint Initiative continues to believe this is a valuable role of the National Ocean Council and should be done in a timely manner to identify additional opportunities for regulatory efficiencies, resource leveraging, and expanded federal agency coordination.

The Joint Initiative also strongly encourages Congress to reject efforts to restrict or prohibit funds from being used to implement the National Ocean Policy and recognize that achieving the goals of the National Ocean Policy will be critical to the health of ocean resources so that they can support our ocean, coastal, and Great Lakes economies and the jobs and communities on which Americans depend. A more comprehensive policy for managing our ocean and coastal resources has long been called for by leaders from both parties, including bipartisan members of the U.S. Commission on Ocean Policy and Pew Oceans Commission. Steps toward this type of policy were initiated during the Clinton Administration, with further actions taken throughout the Bush and Obama administrations. While the Joint Initiative understands that some members of Congress may not agree with all of the components of the National Ocean Policy, such members should engage in constructive debate on how implementation of the policy can reduce duplication and increase efficiencies and ensure it achieves its goals of supporting healthy resources and strong economies.

Finally, the Joint Initiative's *America's Ocean Future* report made a number of recommendations that echoed those of the National Commission on the Deepwater Horizon Oil Spill. The Oil Spill Commission recently released a two year assessment, *Assessing Progress*, in which it generally commends industry and most federal agencies for making improvements in safety, environmental protection, and spill response and containment, but noted that continued improvements are required. The Commission pointed out that in the area of impact assessments and restoration and in Arctic research, only small steps have been taken and much more needs to be done. Most notably, the Oil Spill Commission gave Congress the lowest grade in its assessment, D, since many of the recommendations that have not been carried out are due to inaction by Congress. Congress has failed to pass any legislation to make the needed changes in oil spill liability limits, safety provisions, or agency coordination. The Joint Initiative believes that a comprehensive legislative response by Congress to the Deepwater Horizon oil spill and implementation of the full suite of recommendations of the Oil Spill Commission will be critical to improving overall management of our valuable ocean resources.

REGIONAL, STATE, AND LOCAL LEADERSHIP AND IMPLEMENTATION



Why is regional, state, and local leadership and implementation important?

More than 50 percent of the U.S. population lives in coastal counties. Much of the activity that sustains the livelihoods and quality of life of these Americans, and the nation as a whole, depends on the health of ocean and coastal resources. In addition, engaging coastal regions, states, and communities as partners in implementation of the National Ocean Policy is critical. The people who live and work near and on our oceans have the greatest stake in sound ocean management, best understand the unique challenges and opportunities in those places, and know the right stakeholders to engage in crafting durable and effective solutions. In addition, support by regional, state, and local partners for the National Ocean Policy will help our national leaders understand the many local benefits of a more coordinated management approach and why investing in better ocean resource management is good for state and local communities.

What was done to advance regional, state, and local leadership and implementation?

- Multi-state regional ocean partnerships demonstrate leadership by facilitating increased stakeholder engagement, fostering coordinated ocean science and research, harnessing federal agency support, and leveraging limited resources to advance regional priorities
- Significant progress on advancing ocean priorities across the country, including in the Great Lakes, Gulf of Mexico, Mid-Atlantic, Northeast, South Atlantic, Pacific Islands, and on the West Coast

For many years, multi-state regional ocean partnerships in the Great Lakes, Gulf of Mexico, Mid-Atlantic, Northeast, South Atlantic, and West Coast regions have worked to address regional ocean issues across state boundaries. These regional partnerships often work closely with federal agencies that dedicate time and resources to supporting the advancement of regional priorities. Increased collaboration through these partnerships has furthered progress in a number of areas, including: identifying and protecting marine habitat and removing marine debris; understanding and preparing for sea level rise and the development of ocean renewable energy; fostering coordinated ocean science and research; facilitating increased stakeholder engagement; reducing duplication of effort; and leveraging limited resources. The leadership and innovation of these multi-state regional ocean partnerships is invaluable. Their continued leadership, and robust support from the federal government for their efforts, will be the cornerstone of successful implementation of the National Ocean Policy.

Several regions of the U.S. have prioritized moving forward with regional ocean planning. Ocean planning is a tool to better understand the spatial dimensions of important ocean resources—and human uses of those resources—to inform decision making. It also serves as a forum for increased coordination and collaboration among states, federal agencies, tribal nations, and stakeholders with regard to management of ocean resources and space. Finally, it helps to identify compatibilities among an increasing suite of uses of our oceans. Use of this tool has been encouraged through the National Ocean Policy, which promotes establishment of Regional Planning Bodies to carry out regional ocean planning. These bodies would be composed of state, federal, and tribal representatives and would closely engage stakeholders in designing an ocean planning process that meets the needs and addresses priority issues determined by the regions themselves.

States and regions across the nation are leading the way in advancing better understanding and management of ocean resources through a variety of collaborative tools and strategies. Notable highlights of recent progress include:

- In the Northeast, the five New England states worked in partnership with their federal counterparts through the Northeast Regional Ocean Council to launch a regional ocean planning effort to better coordinate the use and conservation of ocean space. The region made significant progress in collecting key data, establishing a publicly available ocean data portal to increase access to ocean information, launching a robust stakeholder engagement effort, and working across jurisdictional boundaries on a number of priority issues. Ocean plans in Rhode Island and Massachusetts served as an important foundation for these efforts.
- In the Mid-Atlantic, states continued to coordinate on important ocean issues through
 the Mid-Atlantic Regional Council on the Ocean, collecting needed data, establishing a
 regional ocean data portal, and laying the groundwork for ocean planning. They also
 reached out to federal partners to foster cross-jurisdictional collaboration in preparation
 for regional ocean planning that is being driven by shared priority ocean issues, such as
 offshore renewable energy development and habitat protection.
- On the West Coast, California made significant progress on establishing the nation's largest network of marine protected areas along its coast and Oregon passed legislation to establish a pilot marine reserves network. Washington launched and funded a spatial ocean planning effort that complements important progress in the Puget Sound. In addition, federal, state, tribal, and local government leaders from Washington and Oregon coordinated with key industries and stakeholders to develop specific strategies for implementation of the National Ocean Policy in the Pacific Northeast, and California initiated similar efforts.

- In the Gulf of Mexico, the Gulf of Mexico Alliance continued to serve as an essential venue for states and federal agencies to collaborate on ocean issues in the region. This capacity has been particularly valuable in the aftermath of the Deepwater Horizon oil spill in 2010. The Gulf Alliance played a critical role in establishing a balanced, participatory process for the prioritization of scientific research into the effects of the oil spill, which is being funded by BP through the Gulf of Mexico Research Initiative. The Alliance is also working to engage the business community in the Gulf region in finding solutions to ocean-related challenges and is laying the groundwork for ocean planning in the region.
- In the Southeast, the Governors' South Atlantic Alliance established an implementation
 plan for addressing ocean priorities in the region and prioritized short-term actions.
 Coordination among entities engaged in this partnership has improved despite difficult
 budgetary times through the creativity and determination of leaders in state and
 federal agencies.
- In the Great Lakes, federal and state agencies, tribes, municipalities, and nongovernmental organizations are coordinating through the Great Lakes Restoration Initiative to advance large-scale restoration of Great Lakes waters and ecosystems. The initiative addresses regional priorities identified in a comprehensive strategy that is based on sound science and robust stakeholder input. Through this coordinated effort, the region is creating jobs and stimulating economic growth while improving the nation's freshwater resources.
- In the Pacific Islands, federal and state agencies are coordinating with local community members and stakeholders to explore regional ocean planning and the creation of a regional ocean partnership.

What remains to be done to improve the grade?

The Joint Initiative encourages the National Ocean Council to provide flexibility for regions implementing the National Ocean Policy. Some regions may choose to focus on certain priorities of the National Ocean Policy to align with their regional, state, and local needs. With regard to the national process developed for ocean planning, the National Ocean Council should view it as a suggested framework and, wherever appropriate, work with states to take actions and establish processes that will allow individual regions to move forward as they deem appropriate to meet the needs of their states, tribes, and local communities.

Federal agencies operating in the regions should be enthusiastic and committed participants in implementation of the National Ocean Policy by supporting regional ocean partnerships, and exploring how regional ocean planning can be carried out effectively in partnership with states. There is a sense in some regions that a number of agencies continue to struggle to adopt a broader view of their responsibilities. Under the new approach, agencies are required to think beyond their specific missions and collaborate across jurisdictional boundaries

to address the priorities of the region in which they operate and support the goals of the National Ocean Policy. Demonstrating commitment to this effort should include consistent and high-level participation by all relevant federal agencies, a willingness to think creatively to leverage resources, and a dedication to improving the way decisions are made within their agencies. The National Ocean Council should provide clarity and encouragement to federal agencies regarding their roles in supporting the regions, while allowing the regional approach to progress in a flexible manner. Regarding state-level commitment, in a number of regional ocean partnerships, the level of decision making represented by state participants varies across states. Consistent, high-level support from all states will help maintain momentum for these important partnerships and ensure realization of valuable on-the-ground results that enhance local communities and economies.

The Joint Initiative urges Congress to boost federal funding for regional ocean partnerships. Even the modest funds that were provided in Fiscal Year 2011 (FY 2011) and FY 2012 made a significant impact on the ability of the regional partnerships to make progress. The Joint Initiative recognizes the challenge of increasing funding in this difficult budgetary time, but strongly believes that the existing funds provided to the regional ocean partnerships led to greater effectiveness in decision making and reduced duplication of effort, and additional funds would be a worthwhile investment.

Clear and frequent communication to stakeholders and the public about the benefits of regional collaboration, regional ocean planning, and the National Ocean Policy is critical. The Joint Initiative recommends that the National Ocean Council and regional ocean partnerships more robustly engage the public and private industry stakeholders, particularly those with a strong stake in and concerns about the National Ocean Policy. They should work with stakeholders to identify specific ways that it is in their interest to implement a more collaborative, science-based approach to decision making. They should also work to identify and clarify misunderstandings about the intent and outcomes of the National Ocean Policy. As part of this, federal agencies and states should ensure that implementation includes emphasis on the collection, vetting, and sharing of data and information about how economies, communities, and stakeholders use and benefit from ocean resources. This information will be essential for making effective decisions about ocean resources and space going forward. It warrants emphasizing that collaborative efforts, including regional ocean planning, offer significant opportunities for stakeholders to participate in the collection and vetting of ocean-related data and information on which management decisions are based.

RESEARCH, SCIENCE, AND EDUCATION



Why are research, science, and education important?

As called for by the National Ocean Policy, ocean and coastal management decisions must be grounded in the best available science and knowledge. This requires improved and coordinated ocean observation, monitoring, modeling, and forecasting capabilities. These systems provide crucial data that supports ocean-related industries that drive jobs and economic growth, including shipping and ports, energy development, agriculture, commercial fisheries, and tourism. Strong science and research are critical to advance our understanding of the oceans' role in major public policy challenges, including responding to changes in the hydrologic cycle, shifts in weather patterns, climate change, evaluating and preparing for renewable energy opportunities in coastal waters, and contributing to the science and technology base that is central to our nation's economy. In the face of an aging workforce, the United States must also invest in ocean sciences and technology education as part of a major national effort to train the next generation of ocean scientists and engineers. They will be an essential ingredient for our nation to continue to lead an innovation-based global economy, one that is paying increasing attention to the economic potential of ocean resources.

What was done to address research, science, and education?

- National Ocean Council ocean data portal created to serve as central place for federal data and tools, complemented by regional portals that provide access to regional, state, and local data
- Strong regional efforts to coordinate on regional ocean and coastal research, observing, mapping, and restoration priorities

In an effort to improve the coordination of data collection, analysis, and accessibility across federal, state, and local agencies, nongovernmental organizations, universities, and private industries, the National Ocean Council launched a new data portal, ocean.data.gov, in December 2011. The portal serves as a clearinghouse for access to non-confidential federal ocean data and planning tools. The portal is designed to continually evolve to incorporate additional data sources, as showcased by the Arctic region data that was recently added. The portal also is designed so users can advise the government on additional data that should be added, provide feedback on the portal and available information, and give overall input on how to make the portal best work to meet the needs of ocean stakeholders, scientists, and managers. The Joint Initiative commends the National Ocean Council for designing a transparent portal that allows users to not only access most federal ocean data, but also to contribute and vet the information. The Joint Initiative also recognizes the value of regional portals that complement this work by providing a single access point to regional, state, and

local data and tools that are needed to advance better planning and decision making about regional ocean resources and uses.

While federal ocean agencies continued to struggle to support science and observing programs overall, the Joint Initiative commends the National Science Foundation (NSF) for funding the Ocean Observatories Initiative to provide 25 to 30 years of sustained ocean measurements to study ocean circulation and ecosystem dynamics, air-sea exchange, climate variability, seafloor processes, and plate-scale geodynamics. While the effort is in the initial phase of development, this type of long-term investment in critical to understanding ocean processes that impact our communities, our economies, and our ecosystems. The Ocean Observatories Initiative is a major contribution to the broader effort to establish of a national Integrated Ocean Observing System (IOOS) and a Global Earth Observation System of Systems.

At the regional scale, the Joint Initiative commends the numerous efforts of government agencies, local partners, and often private industries to coordinate on regional ocean and coastal science, research, and restoration priorities. In the Gulf of Mexico, the coordination of federal and state agencies, local and community partners, and the nongovernmental and academic communities to organize a strategic approach to respond to and monitor the impacts of the Deepwater Horizon oil spill is noteworthy, despite confusion early on in the response process. This coordinated approach resulted most notably in the Gulf of Mexico Research Initiative, which engages states and academic experts in prioritizing research and distributing grants from the \$500 million committed by BP to be used to study the impact of the spill over 10 years. The Joint Initiative also recognizes the importance of several large scale restoration initiatives, including the Great Lakes Restoration Initiative and Gulf of Mexico Initiative, to rehabilitate lands and waters that are critical to our environmental, social, and economic needs. On the state level, California and Oregon continue to advance human use mapping to understand the full range of human uses in state and federal waters, while Washington has initiated the Washington Shellfish Initiative as a mechanism for coordination among federal and state governments, tribes, and the shellfish industry to restore and expand the state's shellfish resources to support local industries and create jobs.

What remains to be done to improve the grade?

Successful implementation of the National Ocean Policy and its strategic goals will require greater coordination and investment in ocean and coastal observing, long-term monitoring, modeling, and ecosystem assessment. The nation needs to increase its commitment to long-term investment in ocean science and research, including full development and deployment of the IOOS. The IOOS—which includes data collected from sensors below, on top, and above the ocean—allows us to better understand, model, and forecast changes to the planet

and its oceans. This in turn improves our understanding of how changes will affect ocean industries and coastal businesses, improves the safety of marine operations, enhances national and homeland security, and mitigates the impacts of natural hazards. Unfortunately, these benefits have been limited by insufficient commitment and investment, resulting in the lack of continuous data at varying scales—global, national, regional, and local—and limiting the capacity to identify meaningful trends that provide the foundation for sound decision making. The Joint Initiative urges Congress and the Administration to make the long-term commitment of resources necessary to fully implement IOOS, including the regional ocean observing network. This investment is comparable and complementary to that provided for weather forecasting, providing core information on ocean-coastal and ocean-atmosphere dynamics that influence economic, national security, and ecological drivers important to the nation.

Ocean observing and monitoring systems are especially vital to understanding the cause and consequences of climate change, which is one of the priority objectives of the National Ocean Policy. Information about climate impacts is particularly important for coastal areas with infrastructure that is vulnerable to rising sea levels and coastal storms, including naval facilities and transportation and energy infrastructure. It is also important for coastal businesses sensitive to changes in the distribution and populations of marine life, including commercial and recreational fishing, whale watching, and scuba diving. The Joint Initiative calls for continued investment in climate research and observing and encourages the federal agencies to continue to coordinate climate change research, data, and products and make them available to local communities at the proper scales so they can make decisions about how to mitigate and adapt to the impacts of climate change.

Investments in research infrastructure and monitoring programs are urgently needed to understand changing conditions in the Arctic, another National Ocean Policy priority objective. The Arctic is a sentinel site for both shifts in climate-related processes as well as the impact of these changes on natural resources and humans. With the expansion of commercial activities in the region, including marine transportation, energy exploration and development, and commercial fisheries, the Joint Initiative urges the Administration and Congress to invest in infrastructure needed to operate safely and effectively in the Arctic environment, including vessels, polar class icebreakers, and research platforms. A commitment of resources in the Arctic region will greatly enhance our understanding of trends in weather and climate patterns that could have significant economic, environmental, and human health impacts. This investment will have the added benefit of providing critical baseline information that is required to evaluate and guide economic development in the region and allow us to be prepared for contingencies that arise when economic activities take place in sensitive marine environments.

The Joint Initiative also highlights the need for increased attention on the role of oceans in the water cycle. As evidenced by El Niño and La Niña, changes in ocean circulation patterns greatly influence weather patterns. The capacity to anticipate longer-term trends in precipitation, including both drought and flooding, will have immense economic implications for core elements of the U.S. economy. Expanding in-water ocean observing systems and enhancing modeling capabilities is essential to making the transition to the next generation of weather and climate predictions—predictions that will ultimately guide hundreds of billions of dollars in economic investments in coastal infrastructure and heartland agriculture development during the coming decade.

The Joint Initiative encourages the National Ocean Council to move quickly to complete the updated *Ocean Research Priorities Plan and Implementation Strategy* so that decision makers can appropriately prioritize funds for ocean research in this difficult budgetary climate. Originally released in 2007, the plan provides a national strategy to guide ocean-related research and education activities among governmental, academic, and nongovernmental entities, as well as guide the translation of ocean science into products and information for decision makers. The Joint Initiative also encourages governmental, academic, and private stakeholders engaged in ocean science to actively participate in implementation of the *Ocean Research Priorities Plan* when it is released. This includes further aligning priorities with National Ocean Policy implementation activities, developing an investment strategy and exploring public-private partnership opportunities, and identifying immediate and long-term infrastructure requirements needed to support the priorities.

In the face of an aging workforce, the Joint Initiative recognizes the critical importance of education in ocean and coastal sciences and technology to train the next generation of ocean scientists and engineers so that the United States can continue to lead an innovation-based global economy. President Obama has showed commitment to improving the performance of our nation's students in science, technology, engineering, and mathematics through his "Educate to Innovate" campaign. However, the President's FY 2013 budget request calls for cuts that would effectively eliminate the National Environmental Education Act programs at the Environmental Protection Agency (EPA), cut the National Oceanic and Atmospheric Administration's (NOAA) environmental literacy grants programs, and dramatically reduce NSF's climate change education grants. The Joint Initiative urges restoration of these federal education funds to the mission agencies and encourages the Administration, Congress, and the states to place greater emphasis on enhancing our nation's commitment to formal and informal education about our oceans and coasts.

FUNDING



Why is funding for ocean science, management, and education important?

During these difficult budgetary times, it is important to identify and maximize government efficiencies and ensure that public money is spent wisely on all activities, including ocean and coastal management, science, and education. Over the long term, implementation of the National Ocean Policy will make decision making more effective and lead to efficiencies in the use of agency resources. Agencies are currently transitioning to a new way of doing business that is grounded in collaboration, coordination, and leveraging of resources. As with any major transition, in the short term, establishing new processes and forums for interagency coordination will require some investment. Allowing a delay in achieving management efficiencies would be counterproductive at a time when long-term budget deficits are dominating the attention of our nation and its leaders.

Strong ocean science and management programs provide important products and services to our nation that, if severely degraded, would place our economy, human health and safety, and quality of life at risk. Industries and other stakeholders rely on these programs for the information they need to make day-to-day decisions about their operations and to manage important living marine resources, such as fisheries, that provide jobs and are important to our food security, health, and cultural heritage. Programs that seek to understand and measure coastal and ocean processes help governments, communities, and individuals make informed decisions about an environment that should be sustained to ensure future prosperity.

Maintaining a commitment to ocean science, management, and education is critical to preventing erosion of our nation's leadership position on a wide range of global ocean issues, including political, environmental, jurisdictional, scientific, and economic concerns. Unfortunately, ocean management, science, and education programs have been chronically underfunded. This jeopardizes our capacity to understand, manage, and address existing and emerging needs, such as evaluating ocean energy and transportation priorities, strengthening fisheries science, responding to global changes, and providing assistance to regional, state, and local decision makers in their important efforts to address regional ocean challenges.

What was done with regard to funding ocean policies and programs?

 NOAA Regional Ocean Partnership Grants provided modest funding to regional ocean partnerships The Joint Initiative recognizes the importance of the modest funds that were provided to regional ocean partnerships in FY 2011 and FY 2012. These funds made a significant impact on the ability of the regional partnerships to make progress on ocean issues that are real priorities for states and local communities. The Joint Initiative understands the challenge of increasing funding for regional partnerships in this difficult budgetary time, but highlights that the funds that were provided led to a significant increase in the effectiveness of decision making and efficient use of resources in those regions. This indicates that additional funds for the regional ocean partnerships would be a highly worthwhile and cost-effective investment.

The Joint Initiative recognizes that federal funding supporting ocean and coastal science, management, and education is widely distributed throughout the federal government. Funding for the range of these activities over the past two years has varied, with some modest increases provided to restore some of the past cuts to the National Aeronautics and Space Administration's (NASA) Earth Science program, the U.S. Navy's continued commitment to increased support for basic ocean research, and NSF's dedication to developing the next generation of ocean observing systems.

What needs to be done to improve the grade?

Funding for most federal ocean agencies and many state and local programs that manage coastal and ocean resources has been level funded or reduced over the past years. In a time of stressed federal and state budgets, it is critical to maintain programs that support fundamental research, routine observations, and ongoing management of ocean and coastal resources. As a long standing priority, the Joint Initiative strongly urges Congress to establish a dedicated ocean investment trust fund to provide the financial support for national, regional, state, and local programs working to understand and manage our ocean and coastal resources. The monies for an ocean investment fund are readily available from an assessment of resource rents generated by private commercial activities occurring in federal waters on the outer continental shelf. These revenues should not replace existing, regular appropriations but rather be available to all coastal states and federal ocean agencies to maintain and expand core ocean and coastal science, observing, education, and management functions.

NOAA, our nation's lead ocean agency, has faced a particular challenge in recent years due to increased responsibilities for funding its satellite programs. At the same time, a number of key ocean management and science programs across the agency have been scaled back, most recently in the Administration's FY 2013 President's Budget Request. These key ocean and coastal management programs should be given the same support as satellite programs, many of which are essential to developing a sustained, national system to observe and inform the management of our oceans. The current significant funding shortfalls have challenged

NOAA's capacity to maintain important ocean and coastal programs. The Joint Initiative urges the Administration and Congress to address this shortfall and make it a priority to rebalance NOAA's funding portfolio so satellite programs and ocean and coastal programs each have adequate resources to fulfill their respective missions.

The Joint Initiative also encourages the Administration and Congress to boost funding for state and regional efforts to address ocean, coastal, and Great Lakes priorities, including funding for regional ocean partnerships. Federal support for these regional efforts to find and implement locally-supported, collaborative solutions will be critical to successful implementation of the National Ocean Policy and to sustaining ocean ecosystems and economies into the future.

With regard to funding ocean science and research, a top priority of the Administration and Congress should be reinvestment in the core infrastructure that is the foundation for scientific advancement. Ships, satellites, buoys, underwater sensors and vehicles, equipment, and computing and data management capacity are the backbones of the ocean science enterprise. Reinvestment in scientific infrastructure, as recommended by the National Research Council in its recent report *Critical Infrastructure for Ocean Research and Societal Needs in 2030*, must be complemented by increasing programmatic support for ocean-related science programs, which have also been chronically underfunded. Immediate support is needed for basic ocean research in NSF and the U.S. Navy, as well as applied science and monitoring programs in NOAA, Department of the Interior, and EPA. Additionally, robust ocean observing and forecasting systems, including the IOOS, inland water monitoring, and remote observing systems in NOAA and NASA are critically important. Likewise, sufficient funding for ocean exploration programs is necessary to provide NOAA and the nation the capability to discover and investigate new ocean areas and phenomena and conduct the basic research required to capitalize on discoveries.

Finally, an additional way to improve coordination among federal programs that address ocean and coastal issues is to create an integrated ocean and coastal budget. This would make it easier to track support for and analyze progress of programs that are spread across the federal government that are closely related, and in some cases overlapping and duplicative.

LAW OF THE SEA CONVENTION

Why is U.S. accession to the Law of the Sea Convention important?

Oceans and the activities that occur on and in them, both our own and those of other nations, are vital to our economy, national security, and the long-term health of the planet. By virtue of having one of the world's largest exclusive economic zones, our nation's interests are deeply entwined with those of every other country that shares jurisdiction over the world's oceans. The Law of the Sea Convention is a comprehensive international accord supported by more than 150 countries, including virtually every industrialized nation except the United States. As is emphasized in the National Ocean Policy, it is critical that the Senate provide its advice and consent to accede to the Convention to avoid further compromising our national economy, security, and conservation interests.

The United States must accede to the Law of the Sea Convention to protect our national security interests, secure sovereign rights over extensive marine areas, promote international commerce, and further the conservation of ocean resources. As one of the few remaining nations that is not a party to the Convention, the United States has been a free-rider on the stability and protection of the Law of the Sea Convention since 1982. As such, the United States is unable to participate as a member of important bodies that guide activities in national and international waters, such as the International Seabed Authority and the Commission on the Limits of the Continental Shelf, further jeopardizing opportunities to benefit from and conserve ocean resources of economic and ecological importance. Accession to the treaty would give the United States a seat at the table and a leadership role in international negotiations regarding the implementation, interpretation, and enforcement of the Convention that can impact our national security, our economy, and the health of our ocean resources.

What was done to advance accession to the Law of the Sea Convention?

- Strong support for accession to the Law of the Sea Convention from the Secretaries of Defense and State and other senior leaders within the Administration
- Active support for the Convention by a bipartisan coalition of national security, industry, and nongovernmental organization leaders
- Senate Committee on Foreign Relations hearing on accession to the Law of the Sea Convention

Senior leaders within the current Administration, including Secretary of Defense Panetta and Secretary of State Clinton, strongly support accession to the Convention. They have been joined by the other senior officials from the Joint Chiefs of Staff, the U.S. Coast Guard, and the U.S. Navy in stating that joining the Convention will strengthen our ability to



defend the essential freedoms of navigation and overflight that ensure the strategic and operational mobility of U.S. military forces and the free flow of international commerce at sea. As the world's preeminent maritime power, the United States has much to gain from the legal certainty and global order brought by accession to the Law of the Sea Convention. This is increasingly important as events in the Arctic and South China Sea demonstrate that challenges to U.S. maritime interests have serious implications for national security and our global leadership role. Remaining outside the convention risks further damaging U.S. efforts to develop cooperative maritime partnerships and undermines U.S. security strategies that require the confidence and trust of other nations.

All major U.S. ocean industries, including offshore energy, maritime transportation and commerce, fishing, shipbuilding, and telecommunications support accession to the Convention, as does the U.S. Chamber of Commerce. Because the provisions of the Convention help protect vital U.S. economic interests and provide the stability crucial for investment in global maritime enterprises, there is overwhelming bipartisan support for accession from a broad and diverse range of interests. The influence of the Convention on international activities is growing, such as those surrounding commercial interests in natural resources and energy sources in the Arctic. For the United States, the opening of the Arctic could support a variety of economic activities and new jobs in the coming decades, including traditional and alternative energy exploration and development, shipping, and sustainable development of new fisheries. As the only Arctic nation that is not a party to the Convention, the United States remains sidelined in current dialogues about access to these resources. Becoming a party to the Convention will allow our nation to benefit economically from the rich resources in the region while also positioning the United States as a major player in decisions about how to manage this newly exposed ocean frontier.

Nongovernmental organizations also strongly support the Convention and rely on the legal framework it provides as the basis for global marine conservation efforts addressing the continuing decline of ocean species and habitats. The Convention sets forth the rights and responsibilities of nations to prevent, reduce, and control pollution of the marine environment and to protect and preserve resources off their shores. As a party, the United States would assume a leadership role in dealing with growing crises such as declining fishing stocks, pollution from land-based sources and ships, and the growing danger of ocean waste through regional and international partnerships established under the Convention.

The Joint Initiative is encouraged that the Senate Committee on Foreign Relations held a hearing on May 23 to provide an opportunity for discussion with high-ranking Administration leaders about the critical importance of the Convention to our nation's economy, national security, and international leadership. The Joint Initiative strongly urges the Committee to move expeditiously to vote the treaty out of Committee and send it to the floor for action by the full Senate.

What remains to be done to improve the grade?

The Convention has been thoroughly reviewed in Senate hearings and public forums, and U.S. accession is endorsed by dozens of prominent Democrats and Republicans who recognize the importance of the Convention to the nation's national and economic security. Despite strong bipartisan support from senior Administration officials, as well as military and industry leaders, the Senate has continued to fail to provide its advice and consent to the President to join the Convention.

In the coming weeks and months, there is a real opportunity for the Senate to provide its advice and consent to the President for U.S. accession to the Law of the Sea Convention. The Joint Initiative strongly urges the Senate to expeditiously take action to put the United States in a leadership position in guiding the implementation and enforcement of an important international legal framework that is instrumental to our national and economic security and the conservation of ocean resources. Delaying U.S. accession once again would continue to weaken the role of the United States in negotiations over important ocean issues, such as rights in the opening of the Arctic, and undermines the nation's ability to respond to ongoing and emerging national security challenges. Continued delay results in tangible costs to our nation's security and hinders economic investment in our oceans that provide critical jobs. These costs grow each day that the United States remains outside of the Convention.

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ACTIONS NEEDED TO IMPROVE GRADES

he National Ocean Policy aims to change the way we manage our nation's valuable ocean and coastal resources. The Joint Initiative strongly believes that management grounded in interagency coordination and robust stakeholder input will ultimately benefit the health of our ocean resources, strengthen our economy, protect and create jobs, and bolster coastal communities across the nation. The establishment of the National Ocean Policy was a step in the right direction; now it needs to be effectively and thoughtfully implemented. The Joint Initiative strongly urges the Administration and Congress to work together to take the actions needed to ensure tangible results are achieved.

NATIONAL LEADERSHIP AND SUPPORT

- Stronger communication and outreach efforts to educate and actively engage private sector stakeholders in the National Ocean Policy implementation process
- Expanded engagement of the Governance Coordinating Committee to increase input from states, tribes, and local governments and of the Ocean Research Advisory Panel to provide expert input on ocean research, science, and education priorities
- Interagency review of ocean-related policies to reduce duplication and inefficiencies and resolve interagency conflicts in the current ocean management system
- Constructive engagement from Congress to improve and support National Ocean Policy implementation and reject efforts to restrict or prohibit its implementation

REGIONAL, STATE, AND LOCAL LEADERSHIP AND IMPLEMENTATION

- Maximum flexibility for states and regions working to implement actions consistent with the National Ocean Policy, including ocean planning
- Consistent, high-level support from states and federal agencies for advancing regional priorities
- Meaningful engagement of stakeholders and the public on implementation of priorities at the national and regional scales

RESEARCH, SCIENCE, AND EDUCATION

- Fully develop and support the Integrated Ocean Observing System
- Release updated Ocean Research Priorities Plan and Implementation Strategy and move affirmatively toward achieving the goals outlined in this plan
- Reverse decreases or elimination of ocean education funding in the FY 2013 President's Budget Request and mantain strong ocean education programs in NOAA, NSF, EPA, and other federal agencies

FUNDING

- Enact a dedicated funding source to provide sustained support for improved ocean and coastal management, science, and education
- Rebalance NOAA's funding portfolio so satellite programs and ocean and coastal programs each have adequate resources to fulfill their respective missions
- Increase funding for regional ocean partnerships
- Prioritize and initiate funding of activities and infrastructure identified in the pending update of the Ocean Research Priorities Plan and the National Research Council's Report Critical Infrastructure for Ocean Research and Societal Needs in 2030

LAW OF THE SEA CONVENTION

Senate advice and consent to accede to the Law of the Sea Convention

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