

Prospects look good for reform bills—Hill aides

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The prospects are bright for several major pieces of oceans legislation in this Congress, according to senior congressional staff members and oceans advocates who took part in a roundtable on the subject yesterday.

A number of panelists assembled for “Capitol Hill Oceans Week” said a more receptive House was a big part of their renewed, albeit cautious, optimism.

“This is a good year and a good Congress for oceans issues,” said Amy Carroll, a Republican aide with the House Science and Technology Committee.

“The House is becoming more active on these issues, a great change over the last five years I’ve been in Congress,” added Amy Fraenkel, senior Democratic counsel with the Senate Commerce Committee.

“The administration is also stepping up in this Congress in a way they haven’t before.”

Though the changes, particularly on the House side, are welcome, the breadth of oceans legislation already introduced and on tap is overwhelming, said Christopher Mann, senior environment officer for the Pew Charitable Trusts.

“It’s kind of like Red Lobster—you look at all the stuff on the plate and wonder, Is this sustainable?” he said.

Climate change and ocean acidification

One emerging issue in Congress, as lawmakers increasingly turn their attention to the effects of climate change, is ocean acidification.

Oceans absorb about one-third of the carbon dioxide emitted into the atmosphere. As emissions have risen, oceans have taken up more CO₂ and become more acidic.

The Senate Commerce Committee will likely offer a bill addressing ocean acidification tomorrow, as one of several bills it expects to introduce as a group, Fraenkel said. The issue is a priority for the committee, which is also considering legislation “in the broader context of carbon and climate,” she said.

The House Natural Resources Committee is also interested in working on acidification, attempting to identify new ocean and coastal management steps that could help reduce other stressors on ecosystems

taxed by more acidic waters, said Democratic aide Jean Flemma.

There are also several oceans and climate related provisions in a comprehensive energy bill introduced by committee Chairman Nick Rahall (D-W.Va.), which the panel will mark up this morning.

Congressional attention to ocean acidification is due in large part to efforts by the Joint Ocean Commission Initiative, staffers said. Former White House Chief of Staff Leon Panetta, JOCI co-chairman Adm. James Watkins and their staff have approached several lawmakers about including oceans language in climate bills this session.

“Our challenge is to ensure any legislation adopted on global warming has oceans included in it,” Panetta said yesterday.

Law of the Sea

Panel participants also expressed optimism about the chance the Senate will approve U.S. ratification of the U.N. Convention on the Law of the Sea.

Described by many as a “constitution for the oceans,” the Law of the Sea delineates offshore jurisdictions and outlines a comprehensive marine protection program. More than 150 nations, along with the European Commission, have ratified the treaty, which took effect in 1994.

But in the United States, opposition by a handful of conservative senators has blocked the treaty from reaching a vote in the full Senate, required before the president may sign the treaty.

Last month, President Bush issued a statement urging the Senate to approve the treaty. Combined with support from mining, oil and gas interests, the Navy, the Defense and State departments and environmental groups, “there is no reason we can't get the Law of the Sea enacted in this Congress,” Panetta said.

Expert predictions that climate change could open the Northwest Passage and other new Arctic shipping routes by the end of this century give the push for ratification new urgency, Mann argued. “Given the dramatic changes we're seeing in the Arctic, the need for us to get a seat at the table has never been clearer,” he said.

OCEANS-21 legislation

Still unclear is the fate of a comprehensive ocean reform bill introduced by members of the House Oceans Caucus.

H.R. 21, or “OCEANS-21,” draws on recommendations by the Joint Oceans Commission Initiative and its predecessors, the Pew Oceans Commission and the U.S. Commission on Ocean Policy.

The legislation would formally authorize NOAA, establish a “national oceans adviser” for the president and federal advisory bodies on ocean policy, and offer guidelines for regional coordination and

ecosystem planning. It would also create a national statement of ocean policy and establish a \$1.3 billion Ocean Trust Fund to pay for activities required under the bill—provisions that the Bush administration has said it opposes.

While the Natural Resources Committee is considering changes to the bill based on recommendations they received from the administration and others at a hearing in April, “everything in there is going to be an issue,” Flemma said.

Carroll, of the Science and Technology Committee, said one factor working against the bill is its sheer size.

“A bill that size goes through four or five committees,” she noted. “It’s nearly impossible to pass something in a big package like that.”

Marine Sanctuaries Act reauthorization

Another big-ticket item with an uncertain future is the Marine Sanctuaries Act.

NOAA is working on a proposal to reauthorize the bill, said Eric Webster, the agency’s director of legislative affairs.

“Internally, the issue is, how do you manage the fisheries aspect of sanctuaries?” he said. Though the internal agency debate is “healthy and ongoing,” NOAA expects to introduce a bill in the coming months, he added.

In the Senate, the Commerce Committee may take up the Marine Sanctuaries Act reauthorization at the end of this Congress, Fraenkel said.

As for the House, Flemma said she believed “that probably won’t happen this year,” although the Natural Resources Committee is planning to hold at least one oversight hearing on this matter later this year.

Other items on committees’ radar

Remaining oceans items on the Natural Resources Committee’s agenda include legislation to fully implement fisheries management provisions included in last year’s reauthorization of the Magnuson-Stevens Act, Flemma said.

Also on the panel’s list are Coastal Zone Management Act amendments to establish stronger regional management of coastal areas, reauthorization of the Coral Reef Conservation Act and legislation authorizing offshore aquaculture.

Committee Chairman Nick Rahall (D-W.Va.) has introduced aquaculture legislation authored by the Bush administration but has not ruled out submitting his own proposal, Flemma said. “It doesn’t mean

we endorse their bill, but we're open to working with them," she said, predicting a July hearing on the issue.

While the House Science and Technology Committee's near-term focus is energy legislation, the committee is looking forward to weighing in on Rahall's comprehensive energy bill. Several oceans provisions in the bill, which the Natural Resources Committee marks up today, fall under the jurisdiction of the Science Committee, Carroll said.