

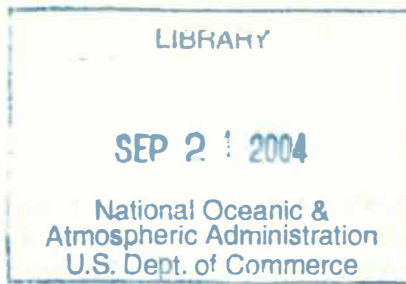
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NOAA 10 YEARS LATER: A CRITIQUE

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Preface to the Revised Draft

Commentary on my January draft focused primarily on two aspects of my argument: First, that ocean matters had taken a decidedly back seat in recent years and second, that the direction taken by the organization had been a function of the competencies found within the organization.

On the first issue, the point was made that ocean matters had only taken a back seat in the area of engineering and technology. If you consider the legislation dealing with fisheries problems and the legislation dealing with environmental problems; well, when you consider that all this legislation pertains to ocean matters, there is no justification in stating that ocean matters have taken a back seat within NOAA.

The point is well taken. I did not consider fisheries programs, and I did not consider environmental programs. I did develop my critique on the issue primarily of ocean engineering and technology; or more broadly stated, ocean development and management. I did so because it was my perception that the NOAA agenda as originally framed emphasized this kind of activity. The counter-argument is, of course, so what? If one takes the position that policy develops in an iterative fashion and must continually be derived from the sum and substance of legislation, then, it certainly is "so what." But the issue, it seems to me, isn't so simple.

My argument builds from the fundamental notion that the ocean should properly be considered a domain; that the State legitimately has roles to play within this domain; that historically, when we have dealt with domains, we have done so in the absence of any theory which would permit us to assess what is a legitimate role, and what isn't; that this pattern seems to be in the process of being repeated with respect to the ocean domain, and that NOAA--the administration established ostensibly for the purpose of caring for the public trust in the domain--hasn't made much difference. Well, what about all the fisheries and conservation legislation? I would say that we see here a kind of political inertia at work. We have legitimized the idea of regulation on the part of the State, and what we see with this legislation is merely the application of regulation to the most obvious "things" in the domain--fish. We have set up to handle this problem in a distinctly legalistic fashion and haven't, I would contend, done much even to build a strong scientific base from which to formulate our legalisms. Moreover, as with most matters of regulation, with fisheries what likely will be reflected is the agenda of the most immediate parties to the issue. This as opposed to a clear application of politically supported law. In other words, continuation of an interest group bargaining model; something typical of other policy areas as well.

Even if one were to buy off on the process just described as the only one feasible in our political process, the point could still be made that we are going about the function of regulation in an arbitrary and capricious manner to the extent that legislation is vague and to the extent that decisions aren't informed at least by strong scientific/economic/political analyses.

And, this leads us back into the area of ocean engineering and technology. As a matter of fact, this isn't the only thing which leads us back into the area of ocean engineering and technology. I noted the importance of developing understanding of the ocean phenomena as related to security needs, international problems, together with resources development, not to mention safety. In a word, when we examine the implications of ocean development and management, the implications for the State and the domain are put into much bolder relief than is presently possible through the regulative attempts. I would contend, furthermore, that the matter of regulation should properly be dealt with within a broader frame of reference which can only be articulated through a systematic study of the ocean phenomena. NOAA hasn't done this, isn't organized to do this, and without broader mandate and greater support from the highest levels of political leadership, isn't likely to do this. And, if it can't do this, one might at least question NOAA's importance. But, not to end on a negative note, it seems to me that were the question of the State and the domain to be joined properly, that some resolution might be possible. I'm merely raising the question.

On the matter of my contention that organizational competencies determine in large measure organizational behavior: This drew fire from all corners. My point was modest actually, and I thought pretty much obvious. Different professions view reality differently simply because of the respective intellectual lenses we put on. There has been an enormous increase of lawyers within NOAA with the passage of the regulatory legislation. This must have an effect. Suppose that instead of hiring 70 more attorneys to handle regulatory matters that NOAA had instead hired only 20 attorneys, 20 economists, and 30 scientists: Would you expect to see a different behavior from the organization? I believe that you would. That is all. And to the extent that ocean development and management builds best through those with particular lenses; then, it would seem that to the extent you don't have those kinds of folks around, things won't be what they might be.

Preface

This study was supported by an Intergovernmental Personnel Act contract between the National Oceanic and Atmospheric Administration and Eastern Washington University.

What emerges in this paper is of far broader scope than originally intended. My task, generally stated, was to assist Captain C. William Hayes, NOAA Corps, National Ocean Survey, Chief of Staff, with what were perceived to be problems associated with long-range planning. In our early discussions, we dwelt upon internal problems. Essentially, I viewed my task as an exercise in applied organizational theory. I set about to critique the status of planning, accordingly.

When we got into the matter further, it became apparent that the problems besetting the NOAA were more fundamental. They were to be found in the very nature of the organization.

As a result of these problems, NOAA has never asked the two important questions it was supposed to ask when established 10-years ago: What do we want to know about the ocean, and when do we want to know it?

Because these questions weren't asked, the government proceeds in ignorance when it comes to ocean matters; whether the matters pertain to regulation, development, or conservation. Further, because of its ignorance, the government isn't in a good position to project an international posture. After 10 years of supposed progress, man still knows more about the moon's behind than the ocean's bottom (or any other part of the ocean's anatomy, for that matter).

My decidedly unacademic suggestion is that something be done about this.

Appreciation is extended to the Department of Government at Eastern Washington University for picking up the slack while I am off on this project. My thanks also to a colleague, Professor George Durrie, for his always on-the-mark suggestions, and to Captain Hayes, for both his interest and perspective.

The argument is my own and in no way is intended to reflect the position of the National Ocean Survey.

Executive Summary

NOAA 10 YEARS LATER:

A CRITIQUE

by
Robert Herold, PhD

Assessment:

The National Oceanic and Atmospheric Administration recently published its 10-year Anniversary blurb. In it there was a pictorial recounting of what it was this organization has accomplished during its existence since 1970. There were articles recounting the history of charting and mapping. There were even references to some disquiet over the performance. The disquiet was quickly set aside, and NOAA was portrayed as an organization doing about what Congress expected it to do.

To the contrary, regardless of how one might add up accomplishments during the last decade, it is difficult to agree with the notion that NOAA's performance has in any way matched the expectations which surrounded the discussions on these matters during the 1960's and the early 1970's. All one has to do is glance through the so-called Stratton Report, published by the Commission on Marine Science, Engineering and Resources in 1969, and compare their shopping list of things to do with what has been done. This report largely framed the original agenda for NOAA. The Stratton Report, of course, dealt mostly with ocean concerns; and it is in this area, as opposed to atmospheric concerns, which the gap between promise and performance is most glaring.

There has been no systematic attempt to describe ocean characteristics. There has been zero deep ocean technology. There has been some movement in the fisheries area but the larger questions concerning national problems in the fisheries area have been largely left alone. What there has been accomplished in Coastal Zone Management is typically described in terms of the amount of grant monies turned over to the states--the presumption apparently being that money for plans makes for movement. Sea Grant, the one research pot, has never been integrated into what might be termed "programmatic ocean concerns" if for no other reason than it is difficult to integrate program in an organization which hasn't any programmatic ocean concerns. The traditional mapping and charting functions have continued on pretty much as they were being performed prior to NOAA's creation. And literally nothing has been done by way of accommodating something we might term as the "public trust" over the ocean with the social need to develop resources which lie within the ocean and underneath the ocean's floor.

Further, there is a vice versa side to the accommodation problem which hasn't been taken up. Finally, the presumption has been made that the stacks of legislation which have mounted during the past 10 years make for national ocean policy rather than simply stacks of legislation. As a result of this failure to draw an important distinction, we see the death of the dialogue necessary for the creation of a comprehensive national oceans policy. It was killed by the very organization established to carry it on.

The point to all this is that NOAA hasn't made much of a difference. If all we are interested in doing at the national level can be boiled down to traditional mapping and charting, distribution of grant funds to states for coastal zone management planning, distribution of grant monies to universities and laboratories for nonspecific research and fisheries study and regulation--if this really is the oceans agenda, there is good reason for considering the shutting down of NOAA on the grounds that it represents an expensive overhead operation. The old Coast and Geodetic Survey could be reconstituted and allowed to continue operations as it has for the past 170 years. Research monies could probably be administered out of the National Science Foundation at far less expense. And the old Bureau of Fisheries probably could function with less hierarchy than is now in existence.

Analysis:

The NOAA's present situation shouldn't come as any surprise. Indeed, the terms which attended its organization made progress on national ocean matters problematical at best. In the tradition of most governmental reorganizations, NOAA was designed, official rhetoric notwithstanding, not so much to treat national problems but, rather, to facilitate what Theodore Lowi has described as "interest group liberalism." The argument suggests that government acts primarily to aggregate resources for the express benefit of certain interests within society. We might view the extension of governmental activity as proceeding up several steps along the way towards ultimate distribution of resources to interests in society: 1. Declaration of sovereignty--the establishment of a spacial domain, 2. Official recognition of "squatters," 3. Creation of an administrative apparatus for the purpose of distributing the domain amongst the squatters, 4. Declaration of national policy over the domain which upon examination appears merely as the procedures for making distribution. Interest group liberalism can never result in national policy, rather it results in the label of "National" being attached to the distribution process.

With respect to the oceans concerns the process is complicated even further because, unlike the American frontier, the squatters were there even before sovereignty was declared. Fishing activities, mining activities, oil activities--all preceded any discussion on the matter of national interests within the domain. As a result, when the Stratton Commission comes along, it finds itself in the position of attempting to enunciate a national concern in a domain which has largely been taken over by societal interests. Except for the matter of sovereignty, there isn't much over which policy can apply without necessarily displacing some prior user. And the interest group liberalism model of government is biased strongly against major changes in the alignment of squatters who have established themselves with the domain. The whole process is very conservative in the end; although it, ironically, builds from a very liberal--in the sense positive--use

of government aggregating power and distributive power. It also, strangely enough, mitigates against free market activity which, without this sort of government intervention, probably would be much more dynamic. Government becomes at best capricious, at worst arbitrary, and is increasingly concerned with maintenance and enhancement tactics necessary to holding the line on both aggregation function and distribution function.

Lost in all of this is any notion of what the public realm is and what it isn't. Lost also, for it derives from the notion of the public, is any prospect for national policy not to mention the administration of national policy. Discussion and debates shift away from questions of public trust and onto the old Lasswellian problem of "who gets what, when, and why."

As an aside, while this problem has been seriously aggravated since World War II, in fact we can trace the roots of the situation back much, much further: Hamilton's idea that government should act as a contractual partner with certain societal interests, supposedly for the benefit of all. What Hamilton didn't see (or maybe he did) was that without some notion of the state aside from this use of government, government must always become the handmaiden merely of interests as opposed to what it should have become--the steward of the public trust. And the two aren't the same. The former reflects highly particularistic interests. The latter reflects the commons. The public derives from the commons and except for wars, American history is bereft of general agreement upon what constitutes the commons. And I suspect that Rousseau was correct when he expressed doubt that a summation of particularistic interests could ever result in a "general will."

As a footnote, I might add that whether one is interested in expanding government or reducing it, unless the legitimacy of government is established relative to some notion of the public, either act must inevitably be based upon--again--at best, capriciousness and at worst, arbitrariness.

The NOAA really isn't much different from all the other government organizations and reorganizations which label themselves "National" but, in fact, constitute only minor adjustments to the existing interest group arrangements. A close examination of the debates and deliberations which preceded the formation of NOAA is most instructive, and one can't do any better than to haul off the shelf Edward Wenk's excellent case study, The Politics of the Ocean, for a rereading. Wenk carefully documents, in almost play-by-play fashion, the politics which led the way to the NOAA reorganization. Enter the actors who believe that a national ocean policy is essential if the public trust is to be maintained; although for the most part, they can't quite put their fingers on what that trust is apart from the prior users arrangements. On stage, then comes the veritable choir of actors whose primary interest is furthering the prior use arrangement. Government is seen as wholly facilitative--and rightly so-- in this pursuit.

Wenk's narrative concludes with an agency, born not out of resolution, but nonresolution. When President Nixon, for a variety of reasons, recommends placing NOAA within the Department of Commerce, an agency whose *raison d'etre* is interest group liberalism, the die is cast. There can be no further discussion

on national policy. That the NOAA reorganization called merely for a gathering of old line organizations under one roof rather than the creation of an entirely new NASA-like structure, should have been understood to represent illusionary change. NOAA would not make any difference. Sovereignty would, of course, remain in tact. Squatters, the prior ones and the best organized ones, would continue to define, through their use, what the domain would be. Government would have no legitimacy for doing anything other than what it had been doing--some of which, it probably shouldn't have been doing in the first place, and some of which, it should have been doing more of, and several things it had never done, but should have taken up.

This script has been used by the Forest Service, the Corps of Engineers, the Bureau of Land Management, the domestic expenditure side of the Department of Defense; and recently reappeared in most of President Carter's reorganization efforts including amongst perhaps others, the Department of Education, the Department of Energy, and the Federal Emergency Management Agency. Interest group liberalism is alive and well when armed with the illusion of reorganization.

Alternative Directions:

Where to go from here? The most straightforward way of handling things would be simply to put the Coast Guard out there to protect the domain--a la the U. S. Calvary, continue the mapping and charting function if only because the flow of commerce is dependent upon what might be termed "nautical-rock-avoidance", turn everything else over to squatters and let the courts settle property disputes. This policy would have the result of taking government out of the public-trust stewardship role, a role which interest group politics has made most difficult to even define much less play. It would have the result of identifying the ocean domain as just another marketplace. It would make an overhead operation such as NOAA quite superfluous.

There are at least two good reasons for doing something else. First of all, the ocean represents a scarce resource common to the entire society and, therefore, demands to be understood as something in the public realm. There can be no ownership of the domain except by the nation. Therefore, it must be concluded that there is a public trust of some sort. Second, while this country has managed with various forms of national euphemisms over the years with the oceans, we find ourselves in a peculiar situation. Unlike our forests and our minerals and our railroads and our roads and other programs wherein we see national aggregation and local distribution, with the oceans there isn't the geographic definition which allows us to avoid other nations in our use of the resource, our development of the resource and our distribution of the resource. The fact is that we live in a world of nation-states, the free-market illusion to the contrary; and in ocean matters we operate in a space which connects rather than distinguishes nations. Without a comprehensive national ocean policy, we find ourselves at a distinct disadvantage within that space, and the problem can only get worse. We simply can't come to grips with a number of questions, such as: Is there a national fishing industry or nationals who fish; Is there a national minerals development effort or nationals who mine; Is there a national oil shortage or a shortage of oil in America?

As with our easy and almost casual reference to "Our Nation and the Sea," to borrow the euphemism which was selected to title the so-called Stratton Report from which NOAA emerged, we make similar national references to all the above forms of resource development and use. But this euphemism comes a cropper when we deal, as we must, with nations that better understand what "national" means and are able to mobilize accordingly.

Recommendations:

Given good reason for "something else" then, what might be done? The logic of NOAA's creation implies a direction even if the structure which was created and our political traditions make it a difficult direction to take. The Congress did in 1966 with passage of the Marine Resources and Engineering Development Act specify the need to look upon the ocean resource as a public trust. The National Ocean Survey--as the successor to the old Coast and Geodetic Survey--was mandated the responsibility not simply of making maps and charts but of conducting analyses necessary to the understanding of geophysical characteristics of the ocean and the ocean floor. Implied in both the 1966 Act and the task assigned to the National Ocean Survey, it would seem to me, is the national need for understanding this part of the national domain.

A policy which extends to the resources within this domain should come later--although, of course, at present the Bureau of Land Management and the fisheries folks within NOAA and the Coast Guard are already controlling the development and exploitation of those resources and doing it I might suggest largely in the absence of a national policy, the arbitrary and capricious problem again. To provide the necessary analyses NOAA, through its National Ocean Survey, should properly have laid out a comprehensive plan for the description of the ocean and its resources. It should have done this at its creation back in 1970. This plan should have included the following elements:

1. An assessment of ocean knowledge was required. The National Ocean Survey should have examined in a systematic manner the work done by places such as Woods Hole, Scripps, the U. S. Navy and foreign oceanographic organizations. While there has been some work done in this regard, it surely hasn't been systematic, nor has it been comprehensive; and what has been done remains largely devoid of analyses.

2. The more significant knowledge gaps should have been identified, and the National Ocean Survey should have taken steps to design programs for the purpose of filling those gaps. These programs should have been time constrained and where possible integrated.

3. Technological deficiencies should have been identified. What technologies would be necessary to carry out the programs identified? Submersibles, advanced bathymetric equipment, diving techniques: budgets should have been framed which included all this, and the justification should have tied things neatly back to program.

4. Research, both basic and applied, should have been identified also in terms of program support. The Navy experience with its Office of Naval Research might have been borrowed as a model wherein this sort of an effort could be effectively organized. Plainly, the National Science Foundation model of research support isn't what one would want to use given the programmatic focus of the organization.

5. A staff should have been assembled which had the necessary program management experience. NOAA might have borrowed a page out of NASA's book and "raided" the organizations which had people with program management experience. NASA raided the Polaris program. NOAA might have raided both the Navy and NASA. When you form an organization which brings lawyers and scientists into the top management levels and professionals whose skills run to ship driving and hydrography into the mid-levels, don't be surprised that the operation can't even define a program, let alone manage one. As just one little illustration of how program management orientation would have made a difference, consider the way in which NOAA has gone about conducting its various ship utilization studies. NOAA has a fleet of 25 ships; it bases utilization, as near as I can tell, on ship-days-at-sea. All the planning is based upon a satisfactory number of ship-days-at-sea. Had the organization been run from the start by someone with program management experience, the ships would have been utilized according to program requirements. The ship-days-at-sea criteria would have been jettisoned as merely self-confirming the need for equipment at hand.

6. Finally, given the problems which interest group politics presents for any organization that seeks to accomplish truly national purposes, NOAA needed to maintain Presidential level visibility. Once the Marine Science and Technology Council died what visibility NOAA might have had died with it. It should have been obvious to the leadership that without this kind of access the suffocating influences of the Department of Commerce would be terminal.

During the past decade, NOAA has implicitly recognized its operational shortcomings with its continued attachment to internal reorganization. My conclusion is that this sort of emphasis simply perpetuates the illusion of reorganization which has plagued from the outset any attempt to deal with national ocean matters. It should be abandoned until after the leadership within the organization can in some way resolve the agenda, direction, and staffing problems which I have suggested should have been dealt with 10 years ago. Moreover, unless the debate and dialogue of 10 years ago, the debate and dialogue discussed by Wenk, can in some way be revitalized, my suspicion is that no manner of internal tinkering will be able to overcome the effects of interest group liberalism.

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NOAA 10 YEARS LATER: A CRITIQUE¹

Robert Herold, PhD

The Bad News, Mostly

In attempting to characterize the National Oceanic and Atmospheric Administration, one is tempted to borrow a quote from Science Magazine which appeared in an article written only a short time following the creation of the agency: ". . .NOAA is an anemic agency without clear identity. . ." ²

Anemic it may be as evidenced by the dearth of clear accomplishment especially when viewed against its original mandate. ³ But, it clearly has an identity, and it is this identity which has led to its anemia. NOAA is, as Robert Townsend put it, ". . .essentially the old Environmental Science Service Administration with some new parts fitted in. . ." ⁴ NOAA might be viewed as an aggregate organization rather than an integrative organization. It is comprised of several older organizations which moved, essentially intact, under one administrative roof. It is not an organization designed to accomplish either discreet purposes, nor perform especially well-integrated functions. As such, it moves along doing the same sort of functional things which the respective parts of the agency did all along. And it does these things at a level commensurate with traditional support as defined largely by rather static interest groups.

¹ This paper confines its analysis to the "Oceanic" in NOAA.

The result is that NOAA hasn't made much difference. This isn't to say that nothing has happened during NOAA's 10-year existence. It is to say that what has happened would have happened whether or not NOAA had ever been created. It is also to say that had NOAA not been created the federal budget would have been spared an expensive overhead operation.

The "old" Weather Bureau, the "old" Coast and Geodetic Survey, the "old" Bureau of Fisheries, the Sea Grant program, the Coastal Zone Management program-- what difference has the NOAA superstructure made? These activities were either being performed or could have been performed within existing institutions and without the kind of housekeeping performed by NOAA. Certainly, in a management sense, the obvious lack of integration should suggest just how superfluous NOAA has been.

What couldn't be accomplished without such an organization as NOAA were the systematic description of the ocean domain, an effort to develop and apply related ocean technology, and an integrated, even programmatically, oriented research program. These efforts are still not being effectively pursued. Ironically, it was just these efforts around which the dialogue of 10-years ago, the dialogue which led to the formation of NOAA revolved. It was also these efforts which would have required NOAA to break out of the bargains struck at the time of its creation. It was these efforts which would have required large funding jumps. It was these efforts which, under the circumstances, were bound to have difficulty with some rather fundamental, if not laudable, American political traditions.

In this paper I propose to examine the nature of NOAA's problem in the context of these traditions. I propose to suggest alternative solutions of the problem ranging from, on the one hand, the abolishment of NOAA to, on the other hand, a rather significant change in course.

Interest Group Liberalism and Why Organizations Like NOAA Don't Make a Difference

The NOAA's plight isn't all that unusual as American bureaucracies go. What makes the NOAA problem worthy of attention is that the ocean focus of its activity, or at least the supposed ocean focus of its activity, was at one time given over to very purposive definition; national purpose it, importantly, might be added. Moreover, its purposes were viewed as dependent upon some highly integrated functions being performed. And lastly, the interests which were expected to support the effort were to reflect a much broader concern than has been the case.

A number of explanations have been offered. Some suggest that the problem lies in the low regard which ocean matters are held by both the Congress and the President. Many argue that the problem lies in NOAA's organizational design. Some urge a search for a broader range of product users. Traditionalists from the old Coast and Geodetic Survey often assert that were NOAA's purpose defined narrowly, then there wouldn't be a problem; which, is to say that anemia is only found through the eyes of the beholder.

Responses to this situation from within NOAA have ranged from low profile retrenchment on the one hand to a search for a better organizational design on the other. But whether retrenchment or change through new design, the common antidote has come in the form of reorganization. Several times during the past

10 years, NOAA has sought to cope with the anemia through reorganization.⁵ Those who opt for retrenchment have sought ways to buffer traditional functions from those who seek broader activities. Those who seek the broader range of activities have sought ways to incorporate the liberating effects of more research and, at the same time, minimize the threat which such movement creates to traditionalists. This, too, has been attempted through reorganization.

But while reorganization has and is being viewed as a necessary response to "oceanic" anemia, there doesn't appear to be much optimism that it can ever accomplish much more than incremental change, that it might at best function as a band-aid as it were.⁶ Moreover, the discussion on the matter of reorganization revolves not directly on the concerns of traditionalists and progressives, but rather on the imperatives of efficiency and effectiveness. It is as if the problems of national involvement in ocean matters have been accepted largely as low interest endeavors which, nonetheless, should be handled in both an efficient and effective manner that, by the way, will protect bureaucratic territory and permit a modest amount of dabbling with new things. Reorganization is viewed as legitimate, if problematical.

A survey of governmental reorganizations leaves the very strong impression that all too often they have made little difference.⁷ Perhaps, this is misstating things. Reorganizations typically make a difference; they make the difference in that more often than not, they mitigate against real change. A conflict in terms? Not really. Reorganizations within the government must always reflect certain political rules of the game. The most important of these rules is that

once a game player has made his way into the organizational rubric, there must be no change which alters the status of that player. Indeed, our institutions are designed to make the removal of a player or the altering of a player's share of things terrifically difficult. As such, reorganizations tend to be exercises in conservatism.⁸ Theodore Lowi speaks to this problem at length. He argues that at about the time the interest group-bargaining model or pluralism, as the arrangement can be termed, becomes a prescription for a way of doing government, the only important indicators of what is coming as policy are the who and how of the game players involved.⁹ Madison, the patron saint of prescriptive pluralists, has been badly misinterpreted by those who see him as endorsing interest-group dominated government.

Madison, we recall, speaks of "factions" in society as being in the nature of social differences. He observes that factions always work to the detriment of the public good, and that it must fall upon government to control the effects of faction. The only other alternative, according to Madison's way of thinking, would be for government to remove the causes of faction which would have government directly attack liberty; something which Madison as a democrat rejects. By "controlling the effects of faction," Lowi takes to mean laws which make it unlikely that particularistic interests can dictate what will be subject to coercion and what will not be subject to coercion. Coersion, of course, is what laws are all about.¹⁰

Pluralist theorists, such as Dahl and Truman, have picked up on Madison's argument and taken it to mean that government should ensure that prior to coercion being determined, a sufficient number of interest groups interact so as to force a compromise and, therein, move policy beyond the narrow and particular.¹¹ Lowi, to the contrary, argues that there is a difference between what is a faction and what is an interest group. And secondly, he argues that we have constructed

a government which, rather than forcing compromise, permits coercion to be determined by whatever groups have prior access. To Lowi, a faction is a group in the process of forming.¹² A group, however, suggests a much more well articulated entity complete with organizational structure. Once the organization reflecting a faction gains access to government, it merely continues bargaining its way into policy formulation from which results coercion. In Lowi's mind, Madison didn't see a government which permitted groups this kind of access. Nor did he see a government which permitted group bargaining to substitute for legislative deliberation. Lowi agrees that it would be inappropriate for government to attack the causes of faction. But, at the same time, he sees government as, in fact, permitting the dire effects of faction through legitimization of interest group control and legislative delegation to the executive branch of broad powers, which in turn facilitate a kind of closed club bargaining process to, in effect, determine policy.

Our client agencies, such as, Commerce, Interior, Labor, Education, Human Services, Energy, etc., grow from what Lowi believes to be a gross distortion of Madison's critique. The important result is that once the groups have staked out the claim, bargaining becomes narrow and functional and exclusive. Policy, from which comes government's coercive powers becomes arbitrary. And given these political rules, Lowi would argue that reorganization can only work to serve the status quo.¹³ How to keep the same game players playing? How to keep other potential players out of the game? How to keep the bargaining process as flexible as possible--so long as the game players are limited, there is no threat?¹⁴

The separation of Labor and Commerce, the creation of the Department of Energy, the recent creation of the Department of Education; all must be properly viewed not as change but rather as a manifestation of tactics aimed at protecting the status quo.

If you examine those reorganizations which have seemingly made a difference, there would appear in every case a temporary suspension of the political rules of the game. The creation of Polaris comes to mind. Sapolsky chronicles the establishment of the Special Projects Office which managed the development of the Fleet Ballistic Missile System.¹⁵ This office was set-up independent of prior interests. It was totally self-contained. It had its own budget office, its own contract office, its own accounting office, its own technical offices. It reported to what, in essence, were a group of political patrons, who acted individually and in concert to protect the operation from traditional interest group politics.

Perhaps, the National Aeronautics and Space Administration offers another example of a reorganization which made a difference in ways other than reinforcing the traditional interest group alignments. Again, it was created independent of prior interests. It had its patrons who provided protection and, as with Polaris, it had very high Congressional visibility.

The Lowi critique typically arouses those who see change in a pluralistic society as largely possible only in incremental terms.¹⁶ The point is Lowi's critique argues that change simply will not occur at all. Incrementalism is really change without a difference. The quid pro quo of interest group government builds on the ideology of change without a difference, and it is this ideology which ultimately drove the creation of NOAA.

If Polaris and NASA are merely exceptions to the rule, why then bother to reorganize? Precisely. One form of organization will do about as well as any other so long as the client game and its attending rules are honored. To attack the rules would suggest substantive change and given the importance of the interest group ideology, this sort of change is plainly revolutionary; therefore, not likely to occur. But the interesting thing is, that part of the quid pro quo would appear to be the notion that periodic reorganization in the interest of efficiency and effectiveness is necessary. Perhaps, one might look on this as a ritual designed to legitimize an illusion.

Harold Seidman takes on the efficiency/effectiveness ritual and terms its followers "fundamentalist dogmatists."¹⁷ The dogma derives from people such as Gulick and the so-called scientific management school of thought. Seidman points out that this orthodoxy is preoccupied with the anatomy of Government organization and concerned primarily with arrangements to assure that:

1. Each function is assigned to its appropriate niche within the government structure.
2. Component parts of the executive branch are properly related and articulated.
3. Authorities and responsibilities are clearly assigned.

Seidman points out that while criticism of the orthodox dogma is valid, a well articulated set of working hypothesis for "dealing with the present and emerging problems of federal organization" has not been developed. Says Seidman, "It is easy to pick the flaws in the concepts on unity of command, straight lines of authority and accountability, and organization by major

purpose; it is far more difficult to develop acceptable alternatives."¹⁸ The results has been reorganization of form rather than substance--the ritual of efficiency and economy and the maintenance of whatever interest group model prevailed prior to the reorganization.

Lowi argues that the only difference between major political parties lies in the respective interest group configurations.¹⁹ Democrats have permitted one set of interest groups preferred access to the means of coercion while Republicans another. This insight might be extended to bureaucracies. The only difference between one bureaucracy and another lies in the respective interest group configurations and, pushing a bit further, if one wants to understand the likely behavior of any bureaucratic entity, pay close attention to the attending interest group alignment. This except in the case of revolution.²⁰

Efficiency and effectiveness, around which have developed a legion of management "black boxes," can be used to reinforce whatever interest group alignment is preferred by those with preferred access.²¹ Nixon, without imparting motive, could have used program evaluation, based upon quantitative techniques, as one means of destroying the Office of Economic Opportunity. Instead of dealing with the political issues created by the vestige of Johnson's "War on Poverty," Nixon merely requested that standard methods of assessing efficiency and effectiveness be used to evaluate the program. Given the nature of the community action program, which was plainly negotiatory as opposed to authoritative, there was no way it could come out looking anything but dysfunctional.

What it was, was a politically undesirable program, and there was nothing wrong with that. What did it in, an imposed criteria drawn from the scientific management tradition, was merely subterfuge. The real explanation was that in

Nixon's interest group arrangement, there was no room for this sort of program either philosophically or practically.

The broader point to be drawn from this illustration is that efficiency and effectiveness criteria are never neutral. Such criteria are always reflective of a political position, which is not surprising. As Seidman states, "Economy and efficiency are demonstrably not the prime purposes of public administration."²² Unfortunately by granting to the fundamentalist dogma such legitimacy, all too often, the more important dialogue and debate is never joined.

What results is the perpetuation of an illusion on top of an illusion. We begin with the very conservative purpose of maintaining a particular interest group arrangement, although we say we are debating public matters. We end with the imposition of a criterion designed to perpetuate a particular alignment, although we say we are executing public choice.

This all has great import for the NOAA experience, and it provides a clue as to what should be the point of departure in articulation of program, should there be any chance at all for reorganization to make a substantive difference.

For a whole variety of reasons which Edward Wenk clearly documents, NOAA was created along the traditional lines. It was placed in a client agency, Commerce.²³ It was comprised of prior interests which moved in largely intact. Those prior interests included energy organizations, and map and chart users, together with the Coast and Geodetic Survey which, over the years, had come to view its role more and more in terms of providing "needed" data to these interests. It was designed to handle ocean matters in a more "efficient and effective" manner.

Why NOAA was Supposed To Be Different--Than the Forests for Instance

Unlike most government agencies whose linkages into society are defined strictly through a marketplace category, NOAA's task focus, ostensibly, was to be the ocean, which can be viewed as part of the national domain. I say, ostensibly, however, because while the ocean might be the focus, the organization struggled to articulate a purpose beyond that defined by traditional interest group politics (i.e., map and chart users, boaters, oil companies desirous of geophysical and bathymetric data, etc.) Moreover, the terms of the original organization made certain that traditional interest group politics would provide the operating rules of the game. The organizations which moved into NOAA were of the traditional variety and nothing was done to change them substantively. Nothing was done to change their respective interest group relationships, and no new entities of a Polaris/NASA variety were created.

The matter might have been dealt with differently had it been politically possible to articulate a national role in the ocean. It is only through such articulation that the interest-group model of governmental organization can at all be compromised. National purpose, as it were, has from time to time suspended interest-group politics. War will galvanize around a national purpose. The space effort might be offered as a specific example.

National forests, of all things, offer a good example of illusionary national interest. National forests actually illustrate a phenomenon which closely parallels the problem which beset the creation of NOAA, the terms of conceptual bargain. Our forest experience as with our ocean experience fails to mirror what happened with Polaris and NASA.

As with the oceans, forests had prior users. War and space have no prior users. The Stratton Commission speaks to the ocean situation when it reports, "Unlike the space and nuclear energy programs, marine programs are characterized by private investment far exceeding federal effort, and state, and local activities, though difficult to quantify, are obviously vast."²⁴

The national forests had the logging industry as a prior user. The question from the outset was, "What is the national purpose given society's pattern of use as largely evidenced through the timber industry?" The more appropriate question might simply have been, "What is the national purpose?" But because we have misread Madison, the question of national purpose typically isn't differentiated from interest group claims--and typically interest group claims are of a particular type only: Large and well organized.

At this point what really matters isn't the title of the legislation, it isn't the presence of the word "national," it isn't even the few specifics contained in the bill. What matters is the breadth of delegation, the ideology of the agency which receives the delegation, the agency's operating environment, including both its larger institutional setting on the one hand, and its set of prior claimants on the other.²⁵

The Forest Service, for example, has discretion over timber cutting in national forests. The service is expected to manage sales and cutting in an "efficient, effective" manner. And implied in this delegation is the doctrine of scientific management. The breadth of delegation makes it possible for the Forest Service to permit something like massive clear cutting, and do it without ever having to engage in public debate or dialogue; do it merely by using some efficiency and effectiveness argument as its justification.

And consider the positioning of the Forest Service in the Department of Agriculture.²⁶ Agriculture is in the business of growing and harvesting crops. By placing forestry management in Agriculture, it too, becomes a crop. Plainly, there is nothing intrinsically crop-like about forests. Forests can only be conceived of as part of the ecology. But, on the other hand, trees can easily be considered crops. Especially so, if man is actively involved in planting them. We might have placed only tree farms in the Department of Agriculture and left forests somewhere else. We might have determined that government's only purpose regarding the forests was that of protection. But, by refusing to distinguish between forests and tree growing, we automatically subject the forests to an agricultural ideology which builds around the value of production in an efficient and effective manner. There can be no forests in the Department of Agriculture, only tree farms.

And why this particular ideology? We must go back to the matter of prior claimants. The forest, like the ocean and unlike the moon, had its "users," squatters if you will, before the government ever got around to discussing the possibility of national purpose. So, national purpose couldn't be discussed without consideration of the squatters. And our system; from the Congress, through the broad legislation, to the delegated discretion, to the placement of organization, to the legitimization of interest group access; all this combines to ensure against anything approaching national purpose policy except in name only.²⁷

The fights over the forests have been, in reality, over the continuation or discontinuation of this pattern. Through the creation of national parks and wilderness areas, the issue has been joined. Can one imagine what would have happened had the national park program been turned over the Forest Service along with a broad mandate to operate these parks in the public interest or

some equally vague dictum? The Forest Service would, by this time, have invented some policy which would have permitted multiple use of park lands, or even further, invented some policy which called for parks to adjust boundaries as logging patterns dictated. Or maybe the answer to the park problem--and I'm certain the timber industry would have viewed it as such--would have been to turn clear-cut areas into vast parking lots for campers.

But, you see a park creation is specific legislation. And the Park Service is different from the Forest Service. And the specification of usage is narrow. And the Forest Service objects to all of this. It is by no accident that everytime a wilderness issue comes up, the Forest Service argues behind some production criteria.

The NOAA Bargain: Blueprint for Malaise, and Similar Malaises

The interest group problems beset national ocean concerns even before the Marine Sciences Council could move; this group, with Presidential access and broad Congressional mandate. Edward Wenk, the Secretary to the Council, adds dimension to the mention of the problem which appears in the Stratton Report:

Early in the Marine Council's life, the Secretariat endeavored to open a dialogue with industry in terms of what industry wanted, what it needed, and what federal encouragement it should have in the broad perspective of national interest. Since "industry" was such a broad institutional category, we separately examined petrochemicals, hard minerals, fisheries, marine services, and aerospace.

The initial reaction of the oil interests, who were investing about \$200 million annually for offshore surveys and resource development, was to preserve the status quo. The industry had high confidence that its previous offshore activities would expand rapidly, protected by depletion allowances and import quotas. Like most industry, it had traditionally opposed governmental "tampering" with the private sector. It was eager, however, for the Navy to unlock some of its classified technology, especially related to submerged oil operations; and it strongly encouraged preinvestment reconnaissance of our own continental shelves, but only on a scale so broad that the presence of oil pockets would not be publicly revealed; this latter intelligence would be developed by its own finer grain proprietary surveys. The industry

urged better weather services to improve offshore safety and grumbled about the unpredictable schedule of governmental auctions of oil lease sales in the Gulf of Mexico. On the legal status of deep-sea resources beyond the continental shelf, an issue over which the industry and government were later to collide, there was ambivalence. By no means were the industry's views monolithic; small independents differed from the majors, and those in offshore or foreign development differed from others confined to United States land sources and markets.

Mineral interests were more conservative in estimating the prospects for marine sources and were similarly opposed to governmental generation of requisite technology. They objected to being bound by the practices of offshore oil leasing, citing the slower exploitation of minerals and the low mobility of mining equipment. Moreover, they were to differ with the oil industry on preferred international legal regime.

The fisheries sector articulated highly differentiated views depending on whether their quest, for example, was for tuna, shrimp, Northeast Atlantic haddock, Chesapeake Bay oysters, or Pacific salmon. Except for tuna and shrimp, most harvesting sectors of the industry, in contract to marketing sectors, were in dire straits and tended to seek short-term remedies. All wanted a stronger program of research, yet complained that the Bureau of Commercial Fisheries, established for that explicit purpose, had been too academically oriented, and did not relate to problems confronting the industry. Most of all, they wanted protection from seizure of our boats in Latin American water and from "invasion" of Japanese and Soviet craft into our own coastal waters.

The aerospace, marine sciences, and instrumentation industries approach was simpler. They had long been used to symbiotic detente with government in applying skills of private technological management to achieve public goals. Historically these goals had been oriented toward national security. . .²⁸

What these interests reflect is the historical relationship between national aggregation of resources and functional decentralization of use and purpose. In fact, there is no national purpose rather a summation of particularistic interests.

Here, as with forests, national purpose is confronted with what might be termed a "You can't get there from here" problem. There is no national purpose except something defined by established interests. And without such definition, there can be no purpose of any sort. The idea of "national" becomes merely an

identification of the level of government which has involved itself with the bargaining process in either case. To disassociate policy from ultimate usage, which simply cannot but reflect the claims of the prior users, presents our political process with enormous difficulties. However, in the instances of national forests, public lands, and now the ocean, there is a consciousness which argues for something called the public interest--inasmuch as these resources are theoretically under control of a sovereign power which must, among other responsibilities, act as a steward, a trustee if you will.

American politics has made a norm, a virtue, out of the bargaining constrained policy formulation process.²⁹ And even when something is declared a national concern such as, for example, national forests, the bargaining process ultimately determines the important matters of distribution, regulation, and redistribution--to cite the three purposes to which governmental power is put.

To understand how national forests are to be treated, one would be advised to seek understanding of Forest Service ideology, the major interest groups which have had traditional access, and the preferences of whatever Congressional committee formulated the legislation in the first place, recognizing that the committee probably has defined itself as facilitative over the years. Certainly the original notion of some national interest has very little practical validity.

In the case of public works, the secret isn't even kept. While public works projects draw smiles and incur wide-spread cynicism, the fact is that the process which drives the public works budget is essentially the same process that drives those efforts which are advertised as national in importance and concern.³⁰

Take the case of civil defense, for example. Here, too, is something of supposed national concern. From the early 1950's when fear of a Soviet attack spurred the initial legislation to the present, civil defense has never been honestly debated. Except for a brief time following the Cuban Missile Crisis, civil defense has languished as a low-budget item which retains a small niche in the budget only because the Congress and a succession of Presidents have not wanted to take up the matter and face what might be the unpleasant political consequences of either killing a "Motherhood" program on the one hand, or appropriating billions for blast shelters on the other.³¹ Recently, President Carter sought to do something about civil defense--mostly the something was justified through reference to the efficiency/effectiveness dogma. So, Carter set-up a committee to study reorganization.

In summer 1978, the Federal Emergency Management Agency was created by the Congress. "Now," said the President, "Civil defense would get the attention it deserved." In reality, though, the agenda was set by the participants on the committee. Essentially, they were prior claimants to the civil defense budget and other interests who would like to become claimants. State officials, industry figures who might contribute things of one sort or another--these interests formed, not so much to treat civil defense in the context of a national problem, so much as to "create a disaster preparedness industry" which could rally around future budget requests.³² Instead of the issue, what counted were the participants to the bargain, and there is every reason to believe that FEMA will serve those players. As a result, we might suggest that the organization has no morality. There are no standards, no integrity, no

purpose except that defined by the users.³³ Moreover, the President had no real interest in the endeavor beyond putting an impressive shingle on the door.

It is by no accident that an early agenda item was to move on something called "dual-use" which would allow states to employ funds appropriated for nuclear preparedness rather towards natural disaster preparedness.³⁴ The argument and the justification of the game players had been that the one type of preparedness is the same as the other. But there is at least one major distinction. Nuclear preparedness is discreet. Natural disaster preparedness isn't. One might imagine just about any sort of preparation, from something obvious, such as hurricanes; to something esoteric, such as volcanic eruptions; to something historic, such as the melting of the polar ice cap.³⁵ And with no true morality, the fact is that the bargaining process will act quietly to push the notion as far as politically possible. In the meantime, what funding there is going to civil defense is largely distributed according to the criterion of equality which means that population dictates largely distribution--even though alternative distribution might make much more sense programmatically.³⁶

If one looks at those ocean efforts over the past 10 years which have received favored funding, what one sees is that the civil defense budget pattern has been followed. Sea Grant, a program to funnel money into universities directly, and states indirectly, was, as Wenk describes, quietly approved.³⁷ Coastal Zone Management, which channels money directly into states has received support. In both cases, the bargaining model which has been described has prevailed intact. In both of these programs, there has been no need to do anything but take aggregated resources and distribute according to some criterion of equality. In neither case has the Federal government been forced to deal with the more important questions of national policy regarding the ocean. The legitimate role

of the state regarding this natural resource hasn't had to be faced. Rather, the bargaining process which includes states which want money and industry which both wants some data and then prefers to be left alone to use the resource has come through intact.

The Marine Sciences Council certainly sought to move beyond the interest group dialogue and succeeded relative to what could have been accomplished with any lesser access to the President. The point remaining however, is that whenever questions of governmental role are assessed, beginning with a polling of the major players, it should come as no surprise that the debate struggles to go beyond the respective agendas of the major player except under very unusual circumstances. Certainly, national political leadership can act as a rallying point for a more fundamental discussion; and in this regard, the proponents for the ocean, as a national resource, lost an important patron when Hubert Humphrey retired from the scene. Also, crisis can act to galvanize around the more fundamental concerns, but in the case of national ocean endeavors, there was none.

The Stratton Report, which was to set the course like so many federal reports, is weak in concept and long on shopping list. The gist of that report can be found in the many things which government should do in the ocean.³⁸ Left out is a statement of what it is that the State should legitimately control in the interest of the larger community. And, like the forests, and the public lands, one might suggest that if the notion of the State means anything except that of referee over the pluralist bargaining games, it must mean that there exists a legitimate responsibility of some sort over that which the community shares in common, be it forests or lands or oceans. But, instead of taking on this issue, the Stratton Report talks in terms of national in the sea, as opposed to the officially advertised "Our Nation and the Sea." "Nation" becomes merely a euphemism.

The presumption, the implicit presumption, is that over time the interests which use the resource will arrive as some sort of quid pro quo and through this, ipso facto, will be found the public interest.³⁹

In large measure, NOAA and the National Ocean Survey must be viewed as captives of American pluralism. Except for quietly servicing the captors (who would object to such a characterization and would prefer to be viewed as those interests through which the public interest in the oceans will finally emerge) the National Ocean Survey can at best be viewed in the Forest Service production tradition: Maps, charts, and other surveys, but nothing which might alter the bargain or disallow it altogether.

The Wet Domain and the Case for an Actual NOAA

Why is it that ocean concerns should have been treated any differently? Well, we might argue that the forests and our other resources should be treated differently also, but that is not what is at issue in this paper. The sea and its abundant resources present particularly different problems for the United States Government than do forests or minerals or any other resources.

First, there is the problem of having to deal with other nation-states. The fact is we live in a world of nation-states, the free market ideology notwithstanding. When we, as a nation-state, formulate policy and programs pertaining to the ocean, its occupation, and its exploitation; we simply can't avoid dealing with other nation-states in ways never demanded of us when we deal with forests, graze lands, coal, etc.

Even allowing for the establishment of a domain over which sovereignty is declared, the lack of clearly defined, visible, and cleanly fixed boundary makes for much greater interaction. And the situation can only become more complicated in years to come.

It would seem to me that the question of authority within the domain becomes, in the oceans, much more important than it was in the case of the western lands. Certainly the continuing efforts on the matter of the law of the sea remain most important. But even supposing that the international aspects of the matter can be worked out, definitively, the fact remains that American nationals who use the domain, or who occupy the domain, must necessarily be subject to much more stringent authority if only because, laws notwithstanding, the international problems remain unavoidable. Contact will be there. The political implications of contact will become greater and greater.

The second problem pertains to the question of the public trust. It would seem obvious that the ocean domain is a commons. Given this, then there must be justification for public interest over it. The notion of public interest, of course, brings into the matter the State, and demands that a role be established. For all the reasons previously discussed, we have a particularly difficult time in America ever coming to grips with this question--in any context. But given the unique nature of the ocean domain in a geographic sense, and taking note of the fact that it represents the only remaining untapped domain left to our society, one would think that the question of a proper state role would be of paramount importance.

The Council and the Commission did treat ocean problems over and above the interest group politics which always influenced things. Indeed, it was a concern over the public trust which drove most of the discussions. Ironically, it was this same dialogue which ceased following the creation of the very agency designed, theoretically, to carry it on and pursue the matter in a programmatic sense.

And while it might seem that the time may not be appropriate for renewed effort at the national level, it may be. There is, and has been, from the beginning an ambivalence over national ocean policy. It has stemmed from the question: What should the state's role be? As noted in the Stratton Report, private interests have many prior claims to the ocean. And certainly, Wenk's political history elaborates upon this situation. And, for all the reasons discussed earlier, there is a traditional way of dealing with resources and claimants. We have designed institutions which both functionally and geographically decentralize, thereby, making rule almost impossible except through the various bargaining arenas. We have handled forests this way; we have handled public lands this way; we have handled minerals this way; and now comes the ocean.

But with the ocean has come a suspicion that the old model may no longer work. The question of future resource availability is now, of course, a socially pertinent and serious question. And while all our institutions and all our political traditions combine to make a truly national debate difficult, there does seem to be a determination on the part of new interests to pursue, if doggedly, this debate.

It has been joined only feebly with respect to ocean management. The Coastal Zone Management legislation may or may not have any lasting impact beyond merely distributing funds for the preparation of plans.⁴⁰ As a low level, fund channeling program, it nicely fits into the distributive model of government and until it results in political action which openly challenges the traditional ocean game players, we won't know. Certainly the Environmental Protection Agency, which was created at the same time NOAA was formed, thus far hasn't become a captive of the traditional rules, but at the same time, as Wenk points out, the agency operates pretty much in the dark when it comes to good ocean analysis. And the implications of ocean research for the long-term relationships between the public and private sector have been skirted.

What is seen, however, is expressed doubt that the 19th century model of distribution is appropriate when resources common to the entire society have become scarce. The recent battles over new wilderness areas and restrictions on clear cutting, the ire which Secretary of Interior Andrus drew when he implicitly and explicitly stated that the Department wasn't the private property of the mining interests; these and other issues like them illustrate the dissatisfaction.

National ocean policy and programs are originating at this crossroads. On the one hand the traditional model as evidenced through the control of the ocean bottom by the Bureau of Land Management, and the relationship of the oil industry with the National Ocean Survey reveals the continued pressures of the traditional bargaining-distribution arrangements. On the other hand the sort of agenda sketched out by Wenk both delineates an ever broader state concern and at the same time recognizes that at the present, overall strategy is unrealistic.⁴¹

Of course, it is unrealistic for the very reason that the traditional model remains intact, if from time to time under siege. And while the critics of the traditional model have a cause--the public trust of a resource properly belongs to the nation as a whole, the long-term parties to the distribution game have history and institutions on their side. The international problem exists, of course, regardless.

If nothing else, the National Ocean Survey, were it desirous of its opportunity, has a vantage point from which to frame some of the issues pertinent to ultimate realization of the sort of agenda outlined in the Stratton Report and elaborated upon by Wenk. This is not to suggest that NOS should view its role as that of proponent for ocean research, ocean regulation, ocean resource development, etc. It doesn't on the other hand suggest that a relationship with users ala the Forest Service and the Army Corps must be the direction. It only suggests that the discussions and deliberations begun over the ocean and the state were never culminated, were never satisfactorily developed.

Once the Marine Science Council went out of business and once NOAA was created, systematic examination of ocean concerns gave way to business as usual except to the degree that a new agency such as EPA got into the act. It could seem, if one goes back to the pre-1970 years, the ocean community believed that through the creation of NOAA, the government and the private sector could get along with the business at hand. But, in fact, all that should have been concluded was that through the creation of NOAA, there might be an opportunity to plan for getting along with the business at hand. What has happened, plainly, is that NOAA has managed to get along with business at hand as defined prior to its creation and, through its assignment of a higher

priority to atmospheric things, has succeeded in limiting from materializing anything beyond old ocean business.⁴²

Consider the way in which NOAA has been organized. The National Ocean Survey has been designed to accomplish on a functional basis nothing more than a set of tasks in the ocean--specifically, mapping and charting and a set of tasks on land--specifically, geodesy. Somehow, aeronautical charting got thrown in as well, another task. The National Ocean Survey has had no research arm, this was broken out and placed elsewhere. It hasn't even had an institutional relationship with Sea Grant. And recently, its technology office was moved away as well. Now, if "that's what it's all about" to borrow a line from Alfie, then the present organization design, while maybe not overly exciting, is at least functional.

I would argue, however, that the logic behind the creation of NOAA strongly suggests something different. Plainly the political realities are not identical with the logic of the creation. But enterprising leadership does have a weapon with the logic of the creation if it chooses to use it. In other words, the creation of NOAA, while not in and of itself an abandonment of the classical bargaining-distribution model, does suggest Congressional concern that perhaps the matter of the state and the ocean get another look. The ambivalence thing again. But it is only through pursuing the logic of the creation that there will ever be another look. The location of NOAA in the Department of Commerce stacked the deck even more towards the traditional arrangements. But NOAA itself, through its internal organization and staffing, has essentially taken away its only leverage--the logic of its creation.

The several functions which have been traditionally performed will continue to be performed if for no other reason than inertia. The arrangements for this are in place, the users are identified, the bargain has long ago been struck. Charting and mapping and geodesy are not fragile things neither politically nor managerially. What is fragile and what has been fragile from the beginning has been the consideration of state role. It was this, and only this, a consideration, which the creation of NOAA might have facilitated through systematic description of the domain. It was this sort of effort that the Congress made possible through the logic of the creation, yet, it is just this that has been largely ignored.

It seems to me that Congress essentially stated a problem when it approved Nixon's reorganization plan thus creating NOAA: The ocean is part of the national domain. The state, therefore, has a public trust role to play. It may be that the traditional model of resource distribution which was used and is being used to distribute forests and lands will require modification, but we don't know that much about the ocean domain nor about the resources in it and need to know more, need to know our options, and the implications of those options, we need to do this immediately.

Herein lies the morality of NOAA. The use of a new federal resource through traditional bargaining, really is an abdication of that morality.

When Wenk and others suggest that NOAA hasn't lived up to expectations, they, in essence, are saying that for reasons of failure to seize upon the logic of creation and attempt to provide answers to the ambivalence expressed by Congress, we are quietly backing into the same distribution-bargaining model which has driven forest decisions and public lands decisions. Moreover,

in the absence of knowledge of the domain's characteristics, we move in considerable ignorance. Besides, there are all those other nation-states out there, somewhere--doing something--likely to do more of it.

Agenda for Change, But Long Odds

Regardless of the arguments in favor of this national organization adopting a national agenda as opposed to the innocuous interest group agenda which has served to make NOAA largely superfluous, chances are that things will continue on as they have for the past 10 years.

Real change will require strong political support of the sort once provided by Vice President Humphrey. It will also require NOAA to recognize and deal with the mirror image effect of the original interest group bargain which presently defines the organizational design. James Walsh has referred to NOAA's loosely aggregated character as the result of its multidisciplinary nature. It would be, I believe, more accurate to see this character resulting from a lack of direction, which is what the interest group dynamic--both outside and mirrored within prefers, typically. Since it seems unlikely that strong political support will be forthcoming, and since the organization has nicely adapted to the maintenance and enhancement strategy, one simply can't be too optimistic. Indeed, consideration might be given to dissolving NOAA so as to save monies now required for a headquarters operation.

An alternative agenda can in theory, however, be laid out. It must be recognized that the government really hasn't come to grips with the long range social demands upon ocean resources and the implications thereof for the public trust. Moreover, the government hasn't determined how it should treat the international problem.⁴² Congress implicitly recognized this situation when it passed the Resources and Engineering Development Act in 1966. It noted,

that before these problems could be dealt with by the State, much more needed to be known about the ocean. Wenk, for one, observes that perhaps the overriding concern should be simply to find out more about the ocean; its dynamics; its character; and its makeup.

The question in 1969 was, therefore, how to mobilize resources in response to the challenges presented by what might be termed "a knowledge deficit." Existing organizations, except for the Navy, didn't possess the competencies needed. The Navy, however, was more interested, and rightly so, in the specific problems of defense. There wasn't a guarantee that necessary support would be forthcoming when ocean concerns had to battle with destroyers in the budget process. Ocean advocates within the Navy turned to the NOAA alternative following the sorry experience of the Navy's Deep Submergence Systems Project.

This effort, founded in the aftermath of the Thresher tragedy, initially was to include the design and construction of six deep submergence rescue vehicles. Only two were ever built and, except for one Hollywood venture, have remained unused to this date. Two deep submergence search vehicles were to have been built. The effort failed to get beyond the mock-up stage. Diving capabilities were to have been developed which would have permitted occupation of and work on the continental shelf. The experiments necessary to the accomplishment of this effort were abandoned following the loss of a diver. Advanced submarine escape equipment went largely underfunded. And the development of a sophisticated salvage capability progressed only slightly. Only Admiral Rickover's nuclear research submarine along with several successful efforts for the intelligence community saved the program from failing to achieve any of its initial goals. And the Rickover project is more a testimony to the Admiral's political influence than it was to Navy support. The intelligence efforts survived behind the curtain

which that community can ring down in front of so many of its sponsored programs.

Ironically, the participants to the NOAA dialogue, especially from the Navy's research and development community, were not to be participants in the organization's operation once it was created. Yet, were it for the traditional ocean interests which came to run NOAA, the administration probably would never have been created in the first place. And it is just those interests which preside today--doing business in much the same way as before 1970.

If NOAA returned to the dialogue of 10 years ago and built the case for working to reduce the knowledge deficit, there might be some way of articulating a program wherein real as opposed to illusionary change would be possible.

At the very least, there would seem to be a justification for a systematic examination and analysis of the domain. Regulation is at best premature and perhaps shouldn't even be included in the organization's mission. Mapping and charting would be part of that examination and analysis but would be tailored to fit into a broader, more integrated effort. Technology and research would be defined by the needs of the effort. A time frame would become critical in the planning and budgeting exercises. NOAA would have moved from a loosely knit functional organization to a program management effort.

A number of questions emerge which would demand particular attention:

--What would the budget implications be should a new agenda be adopted?

--What deficiencies in the present management process would need correcting?

--Is there a political and/or program need to more formally and regularly deal with the prior users; e.g., oil, fisheries, the Navy.

--What should be done about the visibility problem?

--What activities, if any, should be hived off or abandoned? What about consolidation?

--If program orientation requires more integration, how might that affect the aggregate nature of the present structure?

--What studies need to be performed prior to the establishment of programs? Inhouse? Consultants?

--Do present competencies provide the expertise required of a program orientated operation?

Some brief comments on these questions:

First, the budget. NOAA made an attempt, its first year, to justify a budget which included large, nonincremental increases. The attempt failed, and since that time, incremental change has been the rule. If the task of ocean description, within a specified time period, is to be the overriding purpose of the organization, the NOAA should be prepared to argue for a quantum increase.

But it bears the responsibility in this regard to make an argument which clearly associates numbers with expected results. We are no longer talking about the purchase of "things" rather "results." Actually, several budget scenarios should probably be developed. They should be designed to show how discreet increases or decreases would effect performance.

On the other hand, NOAA should examine possible reduction scenarios. Could it be that the new agenda would result in a much reduced headquarters operation. What about reductions made possible due to abandonment of the aggregate

organizational model through movement to a more integrated design?

Ocean technology and research should be driven by program needs, and the association would need to be clearly articulated. This would have the effect of taking ocean technology out of the "interesting gadget" category and placing it into a category more clearly integrated to an intended result.

The same can be said for research, although here the linkage need not be quite so direct. Plainly, however, research in NOAA shouldn't be of the type funded by the National Science Foundation. NOAA, with its program orientation, wouldn't be in the business of funding the academic community to work simply on interesting questions pertaining to ocean matters. To the contrary, to the extent that research in NOAA moves beyond or apart from program needs, there should be appropriate specification thereof.

The NOAA might want to look at the Navy, Office of Naval Research, experience. Here you see research which often is most esoteric and only marginally related to known operational requirements, nonetheless, supported in an organization which must ultimately be operationally oriented--something not all that far from being programmatically oriented.

Next, we turn to the matter of the management process. A number of elements should necessarily be examined. First, there is the matter of management information. At present, financial data generated by the organization in this regard would appear to be of the accounting sort. This is to say the NOAA operates pretty much on a traditional line item budget, and the financial data mirrors this structure. A program agenda, with its emphasis upon objectives, requires something in addition. The need to perform quickly cost-effectiveness analyses, cost-benefit analyses, and other multivariable studies demands, not only that

financial data, but program data as well be broken into a number of categories more detailed than the line item. Ship utilization will need to be examined relative to cost/result as opposed merely to days at sea. The interrelationship between ship scheduling, the cost/benefit of respective charts, and the time constraints/oceanographic work would present a constant problem. The information system must have the capability to work these problems through and in a short-time period. The capacity of performing endless "what if" studies should be built-in as well.

The question of linkage to prior users presents a tricky problem. For all the reasons previously discussed, as NOAA moves away from users, its political position becomes increasingly tentative. In a Madisonian sense, NOAA needs, as do most other government agencies, a broad constituency in order not to be done in by the effects of "faction." That is to say, the broader the constituency, the less likely that one major interest will dominate to the exclusion of everything else (e.g., oil).

On the other hand, for all the reasons previously discussed, the constituency linkage tends to cause the national interest to vanish in favor of the narrower agendas. This risk understood, however, there would seem to exist a number of key organizations, both in the private sector and within the government with which liaison should be maintained and maintained formally and regularly. Advisory groups, steering meetings, etc., are sometimes useful mechanisms for the accomplishment of this purpose. The more dynamic an effort becomes, the more there is at stake, and the more important this sort of liaison becomes.

The visibility problem is critical. When the Marine Sciences Council died, NOAA lost its tie with the White House, and along with that lost national visibility. It would seem that national ocean matters, like national space efforts before them, remain in sore need of the kind of visibility which can only be provided by White House support. What we see with NOAA is a relatively small dollar effort, attempting to survive without benefit of a politically perceived crisis or a highly vocal, well-placed constituency. Our interest group approach to things tends to place such programs on the back burner. NOAA can't argue that if by such and such a time we don't understand the ocean, the sky will fall in. Neither can it appeal to a vast constituency of users who will be angered even if the sky hasn't fallen. Visibility may permit at least, the debate to move a bit beyond.

On the matter of hiving off, there may be good reason to support the separation of oceanic effort from atmospheric effort. The oceans and the atmosphere are both environmental phenomena; however, the similarity ends there, at least politically--and that is what counts when "business is doin' at city hall" to borrow a line from the Tammany sage, George Washington Plunkett. Ever since NOAA was formed, the atmospheric side of the house has fared better. Reason? There are no squatters in the air space, no prior users to preempt state efforts. There are users but none that would dare actually lay claim to the space and none which don't see their needs or interests complemented by government efforts to better understand that space. With the oceans it is, of course, different.

As to other efforts which logically might be hived off: What about aeronautical charting? geodesy? What about the parts of oceanography and Sea Grant which can't be tied somehow to program purpose? Should Coastal Zone Management go

somewhere like Environmental Protection Agency? At the very least, these efforts should be justified in terms which demonstrate more integration, less aggregation. If these questions were addressed, it might be discovered that, as well as hiving off, future consolidation would be appropriate. There is no way of making a judgment presently.

On the matter of studies, any number of substantive questions should be framed and dealt with prior to the articulation of program. Indeed, before goals and objectives can reasonably be established, the organization must have at least some idea of what it is it wishes to know more about, and when it wants to know it. To accomplish this, much more probably needs to be done by way of examining what has already been done. I am not talking here about data banks which tend to become informational warehouses. I am referring to the sorts of studies from which an operational agenda can be developed. There is some capacity for this sort of thing in-house; however, my suspicion is that the more effective approach would be to resort to consultants who have had extensive experience working in a program management environment. The trick will be to convert interesting questions about the ocean and resources in the ocean into programs complete with goals and objectives. To do this, and not end up with merely a paper exercise, will require experience of a sort presently not all that apparent within NOAA.

This leads, of course, to the matter of competencies. In recent years, NOAA has been run by lawyers, NOAA Corps officers, and scientists, pretty much in that order. There has been little recognition within NOAA that program management presents unique problems which better can be handled by those who have special experience. If what one wants is a stronger scientific base, together

with directed and integrated program efforts, it might be advisable to examine more closely the present competency patterns relative to desired organizational activity and performance.⁴³

As a postscript, the problems created for NOAA by its position in the Department of Commerce bear repeating. This Department, with some obvious exceptions, has traditionally had great difficulties in moving beyond constituency relationships to something truly national. Historically, the Department has been viewed by most parties as business' cabinet post. My state and the domain question presents a challenge to this tradition. Perhaps, though, the current political atmosphere, which seemingly has lent legitimacy to an attack on the old political-fair-share argument, the time might be, oddly enough, ripe for raising some particularly troublesome questions concerning what it is, and what it isn't; the State, through NOAA, should be doing in the ocean.⁴⁴

Footnotes:

²from Edward Wenk, The Politics of the Ocean (Seattle: U. of Washington, 1972) p. 365.

³Ibid.

⁴See the Report of the Commission on Marine Science, Engineering, and Resources, Our Nation and the Sea (Washington, D.C., U. S. Government Printing Office, 1969) the so-called "Stratton Report" makes recommendation for, among other things, extensive ocean research and technology together with a new agency, NOAA, to be established separate from existing organizations.

⁵The most recent reorganization moved the ocean technology office away from the National Ocean Survey.

⁶Discussion with Capt. Kelly E. Taggart, NOAA Corps, October 1980.

⁷The distinction between "swamp maintenance" and "draining the swamp" is often lost on those involved in reorganization efforts.

⁸Theodore Lowi, The End of Liberalism, 2d ed. (NY: Norton Press, 1979) pp. 60-61.

⁹See Harold Lasswell, Politics: The Study of Who Gets What, Where, and Why (NY: Meridian, 1958).

¹⁰Lowi, The End of Liberalism, 2d ed. (NY: Norton Press, 1979) pp. 38-39.

¹¹Perhaps the two most widely read of the pluralist theorists are Robert Dahl and David Truman. See Dahl, Who Governs (New Haven: Yale University Press, 1960) and Pluralist Democracy in the United States (Chicago: Rand-McNally, 1967) See Truman, The Governing Process (NY: Knopf, 1951). Both tend to identify factions with interest groups, suggest that large constituents will solve most of the particularistic problems and see strong parties as essential.

¹²Lowi, The End of Liberalism, 2d ed. (NY: Norton Press, 1979) p. 60.

¹³Ibid. See also William E. Connolly, ed., The Bias of Pluralism (NY: Atherton, 1969) pp. 33-34.

¹⁴Some in NOS have suggested that if a broader range of users were identified, the organization would be able to do better business, so to speak. The problem with this approach for what is supposed to be national policy is discussed in Philip Selznick's classic study TVA and the Grass Roots. The search for users usually brings with it co-optation.

¹⁵See Harvey Sapolsky, The Polaris System Development (Cambridge: Harvard U. Press, 1972).

¹⁶Aaron Wildavsky, The Politics of the Budgetary Process, 3d ed. (Boston: Little Brown, 1979) p. 22.

¹⁷Harold Seidman, Politics, Position and Power, 2d ed. (NY: Oxford, 1975) p. 9.

¹⁸Ibid., p. 8.

¹⁹Lowi, The End of Liberalism, p. 51, also Lowi, "The Public Philosophy: Interest Group Liberalism," American Political Science Review, LXI (March 1967) 5-24.

²⁰See Seidman, Politics, Position and Power, pp. 315-316. He lists questions, the answers to which must be viewed as critical to reorganization. Noteworthy is that the questions deal almost exclusively with matters of constituency and environment.

²¹I'm referring here to everything from PPBS to ZBB, from cost-effectiveness to cost-benefit, from PERT to MBO.

²²Seidman, Politics, Position and Power, p. 27.

²³Edward Wenk, Politics of the Ocean, pp. 356-359.

²⁴"Stratton Report," p. 279.

²⁵Seidman, Politics, Position and Power, pp. 315-316.

²⁶See Grant McConnell's classic study, Private Power and American Democracy (Berkeley, U. of California, 1966).

²⁷See Wesley Calef's study on the way in which localism determines public land policy, Private Grazing and Public Lands (Chicago: U. of Chicago, 1960) The BLM also controls the ocean bed.

²⁸Wenk, The Politics of the Ocean, pp. 296-297.

²⁹Lowi, The End of Liberalism, p. 55.

³⁰For a somewhat more positive view of the Army Corps of Engineers' role in all of this, see Paul Culhane, "Natural Resource Policy: . . ." found in Nationalizing Government, Lowi and Slone, Editors.

³¹See Shane Mahoney's brief but penetrating critique of the civil defense program, "Civil Defense and American Federalism: A Pre-primer," unpublished, 1978, submitted to the Director, Defense Civil Preparedness Agency.

³²Ibid.

³³Ibid.

³⁴Ibid.

³⁵In researching the civil defense effort, I had occasion in 1978 to interview several emergency preparedness personnel from, among other places, Los Angeles. I jokingly remarked that maybe the Federal Government would give me money, under the dual-use concept, to build a lava-retention wall around Mt. Rainier (no one had heard of Mt. St. Helens). One woman didn't smile. Instead, she matter of factly told me that she already had a proposal from cement contractors in Los Angeles. They wanted money to build concrete fire walls all over the adjacent hills.

³⁶Sixty percent of civil defense money is earmarked for personnel and administrative costs and distributed according to population.

³⁷Wenk, Politics of the Ocean, pp. 92-94.

³⁸"Stratton Report", they recommend a strong effort in ocean research which should give the National Ocean Survey a broad role.

³⁹Connolly, Bias of Pluralism.

⁴⁰Oregon, perhaps the most environmentally progressive state, has not used federal funds for planning. Instead, that state has declared the coastal zone state interest and moved legislatively to close the coast down to commercial development. Daniel Elazar in his book American Federalism: A View from the States, suggests that Oregon has a distinctly "moralistic" culture which translates into a strong sense of commonwealth. One might conclude that it is by no accident that the bargaining model gives way in Oregon, and one might also suspicion that federal planning money will have little real effect where a sense of commonwealth doesn't exist.

⁴¹Ibid. pp. 410-411.

⁴²Wenk points out that the Bureau of the Budget cut sharply NOAA's first and only attempt at a quantum jump budget. Wenk, Politics of the Ocean, p. 360.

⁴³This observation is offered merely to suggest that the professions tend to create their respective set of lenses with which to view and order reality. NOAA has moved along, or so it would seem, from one case (i.e. problem) to another. This particular approach, typically bereft of grand strategy or tightly systemic concept comes with the lawyer's lense.

⁴⁴A reconsideration of the "organic act" for ocean concerns would seem to present the prospects for political dialogue on several of the problems which have beset the ocean side of NOAA. This act, completed in 1980, but apparently never pushed due to a perceived lack of interest in the legislative arena, would at least move ocean concerns beyond the shopping list of activities presently allowed statutorily and might lead to a broader debate on the questions I have raised concerning the role of the state in the ocean domain.