

**LETTER IN SUPPORT OF SENATE ADVICE AND CONSENT FOR
THE CONVENTION ON THE LAW OF THE SEA**

March 11, 2024

The Honorable Benjamin L. Cardin
Chairman, Senate Committee on Foreign Relations
United States Senate
Washington, DC 20510

The Honorable James E. Risch
Ranking Minority Member, Senate Committee on Foreign Relations
United States Senate
Washington, DC 20510

Dear Chairman Cardin and Ranking Minority Member Risch:

The Law of the Sea Treaty (UNCLOS) was submitted to the Senate in 1994, following an extensive renegotiation to meet changes required by President Ronald Reagan for United States acceptance. The Treaty ensures freedom of navigation for American ships and aircraft. It quadrupled our territorial sea and gave to the United States the largest exclusive economic zone and continental shelf jurisdiction in the world. Yet despite support from Presidents of both parties, the Treaty has yet to be voted on by the full Senate.

In the decade since the Law of the Sea Treaty (UNCLOS) was last considered by the Senate, China and Russia have taken advantage of our absence to work actively to undermine critical United States economic and national security interests.

We have already lost two of our four “USA” designated deep seabed mine sites, each containing a trillion dollars in value of the strategic minerals of copper, nickel, cobalt, manganese, and rare earths, minerals critical both for United States security dominance as well as the transition to a greener twenty-first Century. Continued inaction on the Treaty means a likely quick loss of our remaining two “USA” designated sites. Moreover, China has moved forward to obtain five sites and the Russian Federation three and they are also moving to obtain a monopoly on refining of these strategic minerals.

China is pursuing a whole-of-government campaign to restrict the high-seas freedoms embodied in the UNCLOS Treaty that are critical for the United States Navy and Air Force. China is trying to turn the South China Sea and the massive “economic zones” offshore China and in the Taiwan Strait into waters controlled by China. As a non-party to UNCLOS the United States is hugely disadvantaged in responding to these illegal actions and claims.

The Treaty has had the strong support of the business community, including the U.S. Chamber of Commerce, the National Association of Manufacturers, the Financial Services Roundtable, the National Oceans Industry Association, and the American Petroleum Institute, as well as the principal environmental organizations in the United States. And it has received the

support of the National Governors Association as well as the bipartisan United States Commission on Oceans Policy which unanimously supported Senate advice and consent for UNCLOS as their first official act and which was established jointly by Congress and the President.

The Senate must provide advice and consent for this Treaty so that:

- American ships and aircraft can transit the oceans and air space without legal challenge;
- American business can harvest the critical strategic minerals of the deep ocean floor and preserve for America our remaining two deep seabed sites;
- The United States can take its seat on the Council of the International Seabed Authority (the only guaranteed seat for any country) providing the United States a decisive voice in the environmental rules for deep seabed mining; and
- America can resume its leading role in oceans matters.

We the undersigned former national security officers and officials and business and political leaders call on the Senate to provide advice and consent for the Law of the Sea Treaty as an urgent priority.

INITIAL SIGNATORIES

Ambassador John Negroponte (Ret), *former Director of National Intelligence and former Deputy Secretary of State*

Admiral Dennis Blair (Ret), *former Director of National Intelligence and former Commander in Chief, U.S. Pacific Command*

Ambassador John Norton Moore (Ret), *former U.S. Ambassador for the Law of the Sea Negotiations and former Chair of the National Security Council Eighteen Agency Task Force on the Law of the Sea*

Admiral Jonathan Greenert (Ret), *former Chief of Naval Operations, former Vice Chief of Naval Operations, and former Commander, U.S. Fleet Forces Command*

Admiral Steve Abbot (Ret), *former Deputy Commander, U.S. European Command, and former Deputy Homeland Security Advisor*

Admiral Thad Allen (Ret), *former Commandant of the U.S. Coast Guard*

LETTER JOINED BY THE FOLLOWING FORMER GOVERNMENT OFFICIALS, RETIRED ADMIRALS AND GENERALS, AND OTHER DISTINGUISHED SUPPORTERS

The signatories total 346 unique individuals, 18 of whom are listed in more than one category.

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- John Bellinger, former Legal Adviser to the Department of State
- Spike Bowman, former Chief, Law and Policy, National Security Branch, Senior Counsel (National Security Law), Federal Bureau of Investigation
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- Margaret Leinen, Director, Scripps Institution of Oceanography
- Stephen Macko, Professor of Oceanography, University of Virginia
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- Bernard Oxman, Professor of Law, Member of the Institute of International Law, and former Assistant Legal Adviser to the Department of State
- Michael Petters, former CEO, Huntington Ingalls Industries
- Gregory Poling, Author, *On Dangerous Ground: America's Century in the South China Sea*
- Guy Roberts, former Assistant Secretary of Defense for Nuclear, Chemical, and Biological Defense Programs (ASD(NCB))
- The Honorable Deborah Wince-Smith, President & CEO, Council on Competitiveness

Signatories by High-Level Category (Number of Signatories is 346)

