

June 13, 2012

The Honorable John F. Kerry
Chairman
Committee on Foreign Relations
United States Senate
Washington, DC 20510

The Honorable Richard G. Lugar
Ranking Member
Committee on Foreign Relations
United States Senate
Washington, DC 20510

Dear Chairman Kerry and Ranking Member Lugar:

The undersigned organizations strongly support U.S. accession to the United Nations Convention on the Law of the Sea (the “Law of the Sea Convention” or “Convention”). Accession would provide American businesses certainty and legal equality to the largest of the Exclusive Economic Zones (“EEZ”) available under the Law of the Sea Convention, and the corresponding natural resources and shipping rights of way. Accession would also provide much-needed certainty and predictability to claims of control over territory in the Arctic, enhancing our national security.

Now that new technologies and changed conditions have made it cheaper and easier to access the potential wealth beneath the oceans, the business community simply cannot afford to have the U.S. remain on the sidelines. Energy companies need the certainty the Convention provides in order to explore beyond 200 miles and to place experts on international bodies that will delineate claims in the Arctic. The telecommunications industry needs the Convention to expand the right to lay and maintain submarine cables in the oceans of the world and provide stronger protections for cables against damage by other parties. A wide range of domestic industries, including aerospace, defense, and consumer electronics, need the Convention to enable access to a new source of mineral resources, including rare earth minerals, which lie in massive deposits on and beneath the deep seabed floor.

The Law of the Sea Convention secures each coastal nation’s sovereign rights over living and non-living resources and the marine environment of the 200-mile EEZ. The Convention also provides favorable conditions for securing access to the continental shelf beyond 200 nautical miles, which is important given that Alaska’s shelf may extend as far as 600 nautical miles. Proper delineation of the extended continental shelf could bring an additional 4.1 million square miles of ocean under U.S. sovereign rights—an area larger than the lower 48 states. The Convention also provides a mechanism for U.S. companies to obtain access to minerals of the deep seabed in areas beyond national jurisdiction.

Accession to the Law of the Sea Convention is the only means to protect and advance the claims of U.S. entities to the vast mineral resources contained on the deep seabed floor, and would ensure that ships flying American flags travel safely and securely through international waters. To date, 161 countries and the European Community have signed and ratified the Convention. Despite bipartisan support, the United States remains the primary industrialized nation not to have ratified the Convention. Any remaining concerns—such as the Convention’s

broad, vague environmental provisions—can and should be addressed by the Senate during its advice and consent.

The undersigned organizations strongly urge accession to the Convention on the Law of the Sea.

Sincerely,

American Petroleum Institute
Chamber of Shipping of America
Financial Services Roundtable
International Association of Drilling Contractors
Marine Retailers Association of the Americas
National Association of Manufacturers
National Marine Manufacturers Association
North American Submarine Cable Association
RARE, The Association for Rare Earth
TechAmerica
Telecommunications Industry Association
U.S. Chamber of Commerce

cc: The Members of the United States Senate