

103^D CONGRESS
2^D SESSION

S. CON. RES. 72

Expressing the sense of the Congress that the President should refrain from signing the seabed mining agreement relating to the Convention on the Law of the Sea.

IN THE SENATE OF THE UNITED STATES

JULY 19 (legislative day, JULY 11), 1994

Mr. GREGG submitted the following concurrent resolution; which was referred to the Committee on Foreign Relations

CONCURRENT RESOLUTION

Expressing the sense of the Congress that the President should refrain from signing the seabed mining agreement relating to the Convention on the Law of the Sea.

Whereas many of the minerals underlying the seabed have strategic and military importance to the United States;

Whereas the Convention on the Law of the Sea will come into force on November 16, 1994, having been ratified by 61 countries as of the date of adoption of this resolution, none of which is industrialized;

Whereas a new seabed mining agreement amending the Convention on the Law of the Sea will be open for signature on July 29, 1994, and the President intends to sign the agreement;

Whereas the Convention on the Law of the Sea, even as amended, continues to discriminate against the United States and the industrialized allies of the United States, is antithetical to business interests, and will discourage United States investment in seabed mining;

Whereas the signature by the President of the new seabed mining agreement will bind the United States provisionally to the seabed mining agreement and portions of the Convention on the Law of the Sea for a period of not to exceed 4 years, even if the Senate has not given advice and consent to the ratification;

Whereas the provisional application of the seabed mining agreement and portions of the Convention on the Law of the Sea will force the United States to finance 25 percent of the operations of the large bureaucracy created by the Convention on the Law of the Sea, including the international seabed authority, which will eventually support a direct competitor to mining interests of the United States and private mining interests, and distribute revenues from seabed mining to developing countries and groups of national liberation;

Whereas provisional application of the Convention on the Law of the Sea will coerce seabed miners of the United States into participating in the regime by filing mining claims and paying exploration and application fees in an amount equal to \$250,000 to the international seabed authority;

Whereas the plain language of section 5(a) of the State Department Basic Authorities Act of 1956 prohibits the participation by the United States in any international organization or any international activity of such organization for which provision has not been made by any

treaty or statute for longer than 1 year without approval of Congress; and

Whereas the possible ultimate failure by the United States to ratify the Convention on the Law of the Sea will cause chaos for the United States seabed mining industry: Now, therefore, be it

1 *Resolved by the Senate (the House of Representatives*
2 *concurring)*, That it is the sense of the Congress that the
3 President should refrain from signing, on behalf of the
4 United States, the seabed mining agreement that will be
5 open for signature on July 29, 1994, relating to the Con-
6 vention on the Law of the Sea.

7 SEC. 2. As used in this resolution, the term “Conven-
8 tion on the Law of the Sea” means the United Nations
9 Convention on the Law of the Sea (open for signature at
10 Montego Bay on December 10, 1982).

11 SEC. 3. The Secretary of the Senate shall transmit
12 a copy of this concurrent resolution to the President.

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