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3/18, 1981

To FSMH

From 

This is what I've
been using lately.

Note particularly
A1. Pretty en-
rining, huh?

File
LOS

Notes on
LOS Negotiations

1. The U.S. national interest in deep-seabed mining would not be benefited by abandonment of the Law of the Sea treaty because, without risk insurance, investment in deep-seabed mining will not take place either under domestic legislation or under the treaty.
2. The insurable legal risks under the legislation are probably higher--but certainly not lower--than the risks under the treaty.
3. Improvements in the mining parts of the treaty are nevertheless desirable because they would reduce the treaty-related risks and thus reduce the cost of/need for insurance.
4. The U.S. has important non-mining interests (e.g., air and naval mobility, commercial navigation, oil and gas exploitation in the continental shelf, protection of the marine environment and marine mammals, the management and conservation of fisheries, conflict prevention) that cannot be as well served without a comprehensive treaty as with one.
5. The effort to obtain improvements in the seabed-mining regime should not, therefore, be pressed to the point of jeopardizing those other interests either by provoking prejudicial changes in the text or by aborting agreement on a treaty.
6. The U.S. has a major stake in preventing such changes from adversely affecting customary international law even if we eventually decide not to ratify the treaty.

E.L.R.

THE WHITE HOUSE

WASHINGTON

January 27, 1981

Honorable Thomas B. Evans, Jr.
U.S. House of Representatives
Washington, D.C. 20515

Dear Tom:

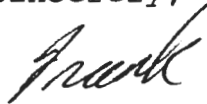
I am delinquent in replying to your memo of January 6 regarding Law of the Sea policy. The transition was disorganized; we are gradually getting on top of things at the White House.

I fully recognize your interest in Law of the Sea. Let me assure you that changes in our Law of the Sea policy were not considered during transition. When they are, we shall ensure full consultation with you in the course of the decision-making process.

I shall bring your interests to the attention of Dick Allen and his colleagues and I shall personally keep an eye on this matter.

Best regards,

Sincerely,



F.S.M. Hodson
Deputy Assistant to the President

THOMAS B. EVANS, JR.
DELAWARE

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MEMORANDUM

TO: FRANCIS HODSOLL
FR: THOMAS B. EVANS, JR. 
DATE: JANUARY 6, 1981
RE: LAW OF THE SEA POLICY IN THE REAGAN ADMINISTRATION

This memorandum is to follow up our phone conversation concerning the Law of the Sea Conference. As a Member of the Committee on Merchant Marine and Fisheries and a Congressional Advisor to the Law of the Sea Conference in the 95th and 96th Congresses, I am deeply interested in this subject. To the extent that in this transition period the Reagan Administration may consider changes in our Law of the Sea policy, I do hope I can participate in the decision-making process.

Thank you, and please do not hesitate to call on me in this regard.