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Senator Joseph Biden
U.S. Senate Committee on Foreign Relations
Dirksen Senate Office Building
Washington, DC 20510-6225

Dear Senator Biden:

We are writing to officially request immediate and exhaustive hearings into the proposed Senate ratification of the U.N. Convention on the Law of the Sea (UNCLOS).

This is a treaty opposed by President Reagan, and the Senate needs to know why. It is important to note that Reagan, who joined the World Federalists as a young man because he wanted to "save the world," left the organization when he realized it had an anti-American and pro-world government agenda. Evidence we have gathered shows that the World Federalists wrote UNCLOS as a vehicle through which the U.N. could inhibit the exercise of U.S. military power.

One of the main authors of the pact was Elizabeth Mann Borgese, a radical socialist who admired Karl Marx. Senators who will be voting on this treaty need to be made aware of this critical fact. Yet, the Senate has never heard testimony about this aspect of the treaty.

America's Survival, Inc. can testify to the history of this treaty, having researched the matter at the U.N. in New York City and at the Friends Historical Collection at Guilford College in North Carolina. The Guilford College papers demonstrate the activities that engaged Sam and Miriam Levering as they wrote and promoted

this treaty. The Leverings, a husband and wife team, both Quakers and World Federalists, helped draft UNCLOS and lobbied for it through a non-governmental organization called the Neptune Group. Besides the Neptune Group, they operated through fronts such as Save Our Seas and the Ocean Education Project. They were in contact with other pro-world government groups such as the World Peace Association of Jenkins, Minnesota, which offered a design for a "World Government Flag."

Our analysis shows that, rather than asserting freedom of navigation on the high seas, the treaty regulates access to the oceans. This means the International Seabed Authority and the International Tribunal for the Law of the Sea assume jurisdiction. UNCLOS says, "The high seas are open to all States, whether coastal or land-locked. Freedom of the high seas is exercised under the conditions laid down by this Convention and by other rules of international law."

UNCLOS could:

- Ban U.S. military ships in international waters unless they are on U.N.-approved missions.
- Protect the transit of weapons of mass destruction by states such as China, North Korea and Iran.
- Require that arms interdiction activities, such as the U.S. Proliferation Security Initiative, be approved by the U.N.

In rejecting UNCLOS, Reagan declared the need for a strong national defense and a 600-ship Navy. He believed access to the high seas should be guaranteed by the U.S. Navy, not a U.N. bureaucracy financed by a global tax.

The Navy is down to 276 ships and set to decline to 210. But China is now on course to build a 600-ship Navy.

Support for UNCLOS is a sign of the Navy's weakness and decline. Our troubled Navy needs the immediate attention of Congress, not Senate passage of a U.N. treaty that papers over existing problems and creates new ones.

Some say that the treaty was somehow fixed. But it still calls the oceans "the common heritage of mankind," giving control over them to the U.N., and reserves them exclusively for "peaceful purposes," as defined by the U.N. UNCLOS authorizes global taxes on U.S. companies and gives international lawyers and foreign governments another opportunity to sue the U.S. before another international tribunal.

UNCLOS constitutes two bad treaties for the price of one. UNCLOS provides a backdoor for international lawyers to sue the U.S. and implement the unratified global warming treaty. These lawyers are salivating at the prospect of "climate change litigation" against the U.S., on the grounds that greenhouse gas

emissions from the U.S. pollute the oceans. UNCLOS, backed by all major environmental groups, is an environmental treaty.

Global taxes are contained in the treaty provision that creates "a funding resource that would be independent of voluntary contributions by the treaty member nations," in the words of the United Nations Association. It is, therefore, a global taxation scheme. These "fees" are paid to the International Seabed Authority. However, the U.S. Constitution (Section 7) flatly says, "All bills for raising revenue shall originate in the House of Representatives..." That means it's unconstitutional for the Senate to pass this measure without the House of Representatives first acting on it.

Another constitutional problem has been pointed out by Julian Ku, a law professor at Hofstra Law School. He notes that Article 39 of Annex VI refers to the effect of decisions of the Seabed Disputes Chamber, a portion of the International Tribunal for the Law of the Sea authorized to settle disputes over seabed rights.

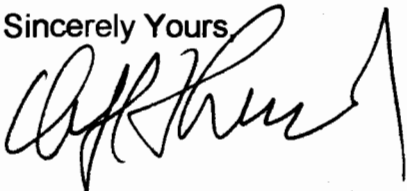
Here is the provision in its entirety:

"The decisions of the Chamber shall be enforceable in the territories of the States Parties in the same manner as judgments or orders of the highest court of the State Party in whose territory the enforcement is sought."

He comments that "...this provision appears to require U.S. courts to give more than 'full faith and credit' to judgments of this international chamber. Rather, it requires a U.S. court to treat such chamber decisions as equivalent to those of the U.S. Supreme Court. As far as I know, no prior treaty has ever committed the U.S. in quite this emphatic way. And I do think this provision raises real and serious U.S. constitutional questions about the excessive delegation of judicial power under Article III."

We look forward to cooperating with the hearings that are demanded by the importance and controversy surrounding this treaty. Please consult our web site www.usasurvival.org or contact me directly for our various reports on this important matter.

Sincerely Yours,

A handwritten signature in black ink, appearing to read "Cliff Kincaid", written in a cursive style.

Cliff Kincaid, President