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DEPARTMENT OF STATE
AMBASSADOR AT LARGE
WASHINGTON

OFFICE OF THE
SECRETARY OF DEFENSE

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July 5, 1978

Dear Mr. Duncan:

Thank you for your letter of February 14, which I have been asked recently to answer, wherein you indicate the results of the Department of Defense review of the Informal Composite Negotiating Text (ICNT) which emerged from the Sixth Session of the Third United Nations Conference on the Law of the Sea (LOS).

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We fully support your conclusion that the ICNT represents a significant improvement over the previous negotiating text with respect to national security matters. We believe that the text, in fact, meets the fundamental security interests of the United States. At the same time we believe that an interpretive statement on the record at the Conference should be made at an appropriate time. Such a statement would address a number of subjects. In this regard, we have already called upon our NATO allies to join us in such a statement regarding the economic zone, most recently at a North Atlantic Council meeting held on March 6. The text contained in my letter of August 16, 1977, has been given to the United Kingdom and France as well as to the Soviet Union and Japan for their consideration. We think it is important that not only our allies but other countries with similar interests support or at least not oppose our interpretation of pertinent parts of the text. Indeed, since we are unaware of any major differences of interpretation between us and the coastal states with which we negotiated the present language, it may be possible to work out a corroborating statement for the record with a spokesman for such states.

✓

The Honorable
Charles W. Duncan, Jr.,
Deputy Secretary of Defense.

5/10/78

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As part of a statement, the subjects of transit passage of straits and archipelagic sealanes passage would be addressed. We look forward to working with you to develop precise language.

This Department could also support an appropriate and classified understanding regarding the interpretation of an LOS treaty and its relationship to the deployment of sound surveillance systems (SOSUS) and other military devices. I believe that the question of marine scientific research merits further consideration by our respective staffs.

Let me assure you that I very much appreciate and sympathize with your concerns and am sure that our two Departments will be able to meet them.

Sincerely,



Elliot L. Richardson

Office of the Secretary of Defense
Chief, RDD, ESD, WHS

Date: 03 Jun 2016 Authority: EO 13526 + 5 U.S.C. §552

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