

Congress of the United States
Washington, DC 20515

June 28, 2024

The Honorable Joseph R. Biden, Jr.
President of the United States
The White House
1600 Pennsylvania Avenue, NW
Washington, DC 20500

Dear President Biden,

We are writing to urge you to support a precautionary pause or moratorium on deep seabed mining until and unless there is sufficient scientific information and knowledge of the deep sea and the potential environmental, social, and economic impacts of this new speculative extractive industry.

The International Seabed Authority (ISA) was established by the United Nations Convention on the Law of the Sea to manage and control the development of all mineral resources on the seabed of the high seas. Presently, the ISA has approved 29 exploration contracts, 17 of which are located within in the Clarion Clipperton Zone in the Pacific between Hawai'i and Mexico, totaling approximately 500,000 square miles of seabed.

While the ISA has issued exploration licenses, it has not yet issued any deep seabed mining regulations and has never issued an exploitation application. However, the ISA is currently negotiating a Mining Code for the exploitation of seabed resources amid a growing international debate over whether mining in the international seabed should be allowed. Meanwhile, the Metals Company, a Canadian registered company, through its subsidiary (NORI) in The Republic of Nauru, is threatening to submit to the ISA a mining exploitation application sometime within the second half of 2024, utilizing a legal loophole that would require the Council of the ISA to consider such application for approval even in the absence of a Mining Code. If approved by the ISA, deep-sea mining could irreversibly destroy an area of the Pacific spanning 1.7 million square miles and open the floodgates to more mining applications.

To date, 27 countries, including Brazil, Canada, Chile, France, Germany, Mexico, New Zealand, Palau, and the United Kingdom,¹ over 800 scientists and marine policy experts,² the UN Human Rights Commissioner,³ 47 business and financial institutions (including Google, Microsoft, GM, and Ford),⁴ the International Union for the Conservation of Nature, civil-society groups and state representatives from across the US, and Indigenous groups from Hawai'i⁵ and the Pacific,⁶ support a pause or moratorium on the ISA approving deep sea mining.

¹ Deep Sea Conservation Coalition [accessed on June 27, 2024] <https://deep-sea-conservation.org/solutions/no-deep-sea-mining/momentum-for-a-moratorium/>

² Marine Expert Statement Calling for a Pause to Deep-Sea Mining [accessed on June 27, 2024] <https://seabedminingsciencestatement.org/>

³ United Nations Human Rights Office of the High Commissioner. *Key Human Rights Considerations on the Impact of Seabed Mining* <https://www.ohchr.org/sites/default/files/documents/issues/climatechange/information-materials/ohchr-seabed-mining-10-july.pdf>

⁴ Business Statement Supporting a Moratorium on Deep-Sea Mining <https://www.stopdeepseabedmining.org/statement/>

The United States has already expressed concerns regarding the impacts of deep-sea mining at the ISA and has spoken on the need for more scientific research on the marine environment. However, the Metals Company has applied for a US government grant to build a pilot deep-sea metals processing facility in Texas through the Department of Defense. If approved, such funding would provide the US's explicit support to a company at the center of controversy surrounding deep sea mining and the ISA.⁷

As the world's largest economy, the US should join the group of like-minded States by supporting a precautionary pause or moratorium, thereby sending a strong message in favor of precaution and environmental protection.

The deep sea is crucial in climate regulation and carbon sequestration and is a critical component of fisheries production and ecosystem health. On every expedition to the deep sea, discoveries are made. In 2023, a study by the UK's Natural History Museum found that there are potentially thousands of yet-identified species in the Clarion Clipperton Zone alone.⁸ If deep-sea mining is permitted, we risk losing species, ecosystems, and ecosystem services.

Proponents of deep-sea mining argue that the minerals found in the seabed (copper, nickel, and cobalt from deep-sea nodules) are necessary for the clean energy transition. While some new minerals will be needed, we should prioritize the recycling, reuse, and efficient use of minerals to reduce the demand for new mining, including from the seabed. Where possible, the federal government should assess and rely upon existing sources of minerals through recycling programs, designing products to facilitate recycling at end-use, reprocessing mine waste, and promoting other engineering and innovation advancements. Technological advancements are already moving beyond the need for metals from the deep sea.⁹ Opening the deep ocean to mining is neither needed nor worth the risk.

Instead of opening the deep seabed to large-scale industrial mining amid a triple planetary crisis of biodiversity loss, climate change, and pollution, the US should prioritize scientific research, environmental protection and precaution, and the cultural importance of the deep ocean to Native Hawaiians and many indigenous peoples across the Pacific by supporting a precautionary pause or moratorium on deep-sea mining.

Sincerely,

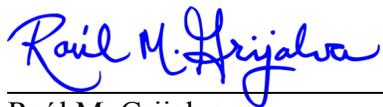
⁵ July 11, 2023, Press Release. *Case introduces measures to halt deep-seabed mining until full; consequences understood and protective regulatory regimes established.* <https://case.house.gov/news/documentsingle.aspx?DocumentID=2211>

⁶ Pacific Blue Line statement <https://www.pacificblueline.org/>

⁷ Lipton, Eric. *An Investigation Leads to the Bottom of the Pacific.* August 9, 2022. The New York Times. <https://www.nytimes.com/2022/08/29/insider/mining-investigation.html>

⁸ Rabone et al., 2023, *Current Biology* 33, 2383–2396 June 19, 2023 <https://doi.org/10.1016/j.cub.2023.04.052>

⁹ Environmental Justice Foundation. *Critical Minerals and the Green Transition: Do we Need to Mine the Deep Seas?* https://ejfoundation.org/resources/downloads/EJF_critical-minerals-and-the-green-transition.pdf



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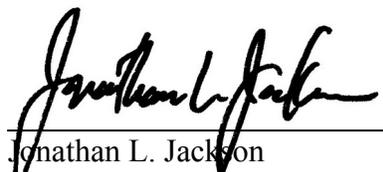
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