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Introduction

Senator Angus King

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Editors' Note:

This *Ocean & Coastal Law Journal* Arctic Symposium Issue celebrates the United States Chairmanship of the Arctic Council. This Symposium Issue presents articles that examine issues of critical concern owing to the rapid evolution of Arctic environmental conditions. These issues were examined by scholars, practitioners, and government officials in the Maine Arctic Forum coinciding with the Arctic Council meeting in Maine. Senator Angus King delivered the key note address and we are honored to publish his remarks in our Arctic Symposium issue.

INTRODUCTION
BY:
SENATOR ANGUS KING

On September 13, 2016, the *Crystal Serenity*, a cruise ship with over one thousand passengers, arrived in Bar Harbor, Maine. The 790-foot ship would not be an unusual sight in Downeast Maine this time of year but for the fact that it had just completed an historic voyage through the Arctic Ocean's Northwest Passage. As the largest commercial cruise ship to navigate the once frozen passage, the *Crystal Serenity* offers a glimpse into the changes in the Arctic region and the impact that those changes are already having on the State of Maine.

Several weeks after the *Crystal Serenity's* arrival, I had the opportunity to speak at the Maine Arctic Forum in Portland to celebrate the city's role in hosting the annual meeting of the Arctic Council. By bringing together representatives of the Arctic nations to forge new international agreements on governance in the region, the Council represents the type of collaborative, inclusive work needed to adjust to a rapidly changing Arctic. The fact that Maine was chosen to host this meeting proves that our state is already taking a leadership role as we work to meet the unique challenges and seize the new opportunities that a changing Arctic presents.

Our country is currently at the helm of the Arctic Council, and I believe it is our responsibility to advance constructive, forward-thinking leadership that will foster cooperation and ensure stability in the region for generations to come. To this end, I have co-founded the Senate Arctic Caucus with Senator Lisa Murkowski of Alaska. This bipartisan group has been working to raise the profile of Arctic issues in Congress, increasing awareness and highlighting the importance of U.S. leadership in the region. As a member of the Senate Armed Services Committee, as well as the Energy and Natural Resources Committee, I have worked on the Arctic from a variety of different vantage points, including security, environmental and trade issues. All signs indicate that we sit at an incredibly important juncture in international relations, with the Arctic revealing itself as a new and enormously important ocean resource with respect to energy, security, and commerce.

The Maine Arctic Forum was precisely the type of symposium we needed at this moment in history. By bringing together a wide variety of local stakeholders and problem solvers – including policymakers, non-profits, advocacy groups, academics and business leaders – the forum provided a rare opportunity for a common dialogue about the region's future. Participants shared innovative ideas and forged new relationships that I trust will result in new and productive global partnerships. These types of working relationships and the dialogue they

inspire are on display in this special Arctic Symposium issue of the *Ocean & Coastal Law Journal*, and will be cornerstones for the stable and secure future of this critical region.

In my own approach to the Arctic as a member of the Senate, I am guided by the belief that tackling the coming challenges requires a pragmatic and evidence-based approach to climate change. In light of the data provided by internationally respected scientists, the United States needs to train a closer eye on national security issues arising from the changing dynamics in the region, and must also approach the future of commerce with a forward-thinking view to how the climatic changes will open up trade routes and ports to new business. I've been to the High North on several occasions, where I've witnessed melting glaciers and worked closely with international climate and security experts. Above all, those experiences have impressed upon me that now, more than ever, the United States must step up as a vocal, collaborative leader in the Arctic Region.

Perhaps nowhere is the issue of climate change on such striking display as in the Arctic. The daily rhythms of life for nearly four million people who inhabit the region, as well as the plants and wildlife they depend upon, are threatened by rising global temperatures. This is in no way a problem confined to the Arctic region; rising sea levels threaten coastal communities in Maine and around the United States, but it is particularly acute—and obvious—there. For this reason, it is essential that the United States assumes leadership in the push to mitigate the effects of these changes by pursuing a program of clean energy and renewed investment in infrastructure.

In order to properly manage the challenges of global climate change – whose effects we are already witnessing around the world – a greater consensus needs to form around the facts. The only way to address a problem, especially a problem of this scale, is to properly identify it. We have entered a period of accelerated change. Not only have average temperatures risen steadily, but if we look at CO₂ concentration in the atmosphere, we can see that we have entered a new era.

Historically (for at least the last million years), CO₂ concentration has ranged between 180 and 300 parts per million, with an average of 250. Today, this hovers around 400 parts per million, a level not seen in the last four million years. Since the beginning of the Industrial Revolution in the early nineteenth century, accelerating use of fossil fuels has discharged ever greater quantities of CO₂ into the atmosphere. In recent decades, increasing demand for fossil fuels, paired with advances in extraction, have led to a steady increase in the rate of carbon dioxide released. On its own, this measure of CO₂ parts per million might seem abstract. Yet there is a compelling correlation between temperature and CO₂. Even when modeling the myriad other factors that might contribute to yearly temperature fluctuation, such as El Niño or solar cycles, scientists have concluded that there is no model, or combination of causal factors, that would lead to the warming effects observed in this century, save for the elevated levels of carbon dioxide.

The existence of human-induced climate change should not be up for a debate, nor should it be a partisan issue. Whether we would like to acknowledge this or not, the question for us becomes, what is next? The immense challenges the United States faces in dealing with its effects will require bipartisan cooperation. We must pursue responsible stewardship of natural resources, especially in the fragile Arctic ecosystems, and seek out international cooperation from policymakers, scientists and indigenous inhabitants to confront the changes that are already upon us.

The Arctic is an international zone and climate change is a global problem. Stabilizing emissions and responding to the unpredictable effects of our already warming planet will test our determination and innovation, but this is exactly why the United States must assume a leading role. Our world-leading research institutions can provide us with some of the tools to solve the problems that await us, and as policymakers we have a duty to marshal our best scientific minds to help us confront climate change.

One of the most immediate manifestations of a warming climate is rising sea levels, which present a practical problem for coastal communities everywhere. In order to weather the coming changes, we must build and adapt our existing coastal infrastructure to accommodate these changes. From Maine to Miami, and around the world, coastal flooding will increase in frequency and intensity. Flooding has become more severe as a result of rising sea levels, due in no large part to the melting of the Greenland and Antarctic ice sheets. This melting trend shows no signs of slowing, which is why we must support our scientists who monitor these changes, while also rallying our domestic energies around infrastructure projects that will safeguard our coasts.

As the Arctic continues to change, the strategic importance of the region will only increase as well. Bordering the United States, Russia, Canada, Norway, and Denmark, the Arctic Ocean presents an opportunity to work collaboratively with other nations. The United States must lead in fostering cooperation and understanding among the nations with interest in the region. As a member of the Senate Armed Services Committee, I traveled to the Arctic in March 2014 aboard the USS New Mexico, a nuclear-powered submarine. The trip was part of the U.S. Navy's biennial Ice Training Exercise (ICEX), which is designed to maintain operational skills and knowledge in this unique environment. Not only was I struck by the incredible capabilities of the U.S. Navy in such a challenging environment, but the trip underscored the importance of maintaining U.S. capabilities and sea presence in the region as its strategic importance rises.

While the Arctic Council does not directly address security issues, the work of the Council has taken incremental steps to establish formal international cooperation in the region, which will be fundamental to ensuring stability in the coming years. In 2011, the Council successfully concluded the "Arctic Search and Rescue Agreement," which delegated specific areas of responsibility in search and rescue among member states. I look forward to the future work of the Council in this area and believe the United States should continue to play a leading role in its work. In fact, during my trip to Greenland this past summer, I met with the head of Denmark's Joint Arctic Command, Major General Kim Jesper Jorgensen, who highlighted key ways the United States and the Joint Arctic Command can increase coordination in both search and rescue efforts as well as in common security requirements. The United States must position itself as a force of peace and stability, joining with other global partners as we monitor the changing region.

In order to achieve this leadership in the Arctic, Congress must heed the consistent calls from President Obama, the Coast Guard, and the Department of Homeland Security to provide funding for new heavy Icebreakers. As the ice of the Arctic continue to melt, icebreakers are an important tool to assist with maritime law enforcement, research, search and rescue missions, as well as working to ensure safe passage along emerging shipping lanes. They are the linchpin of U.S. strategy in the region. As it stands today, the United States only has one functioning heavy Icebreaker, the *Polar Star*, which was commissioned in 1976, and one medium icebreaker. By comparison, the Russian fleet has several dozen icebreakers of different classes. Since founding the Arctic Caucus, Senator Murkowski and I have been urging our colleagues to recognize the

need for new Icebreakers, and we continue to advocate for the importance of the Arctic to U.S. security and to establish bicameral, bipartisan consensus on this issue. Clearly, there is still work to be done.

The warming of the Arctic presents us with a new frontier. While we do not have the right to compromise our planet for future generations, and must do everything in our power to slow our carbon emissions that have led to this situation, we must take a realistic appraisal of the transformations already underway. Changing conditions and increasing accessibility reveal an ocean resource that has been largely inaccessible in previous centuries. As such, we should move forward in the spirit of those great polar explorers whose sense of adventure and pursuit for knowledge drove them into inhospitable and unknown territory. In order to meet the challenges of this region, collaboration, dialogue, and proactive planning will be required to guarantee effective governance and access. I welcome the publication of this Arctic Symposium edition of the *Ocean & Coastal Law Journal* as a testament to the interest in these important and timely topics.