

THE UNITED STATES AS AN ARCTIC NATION: OPPORTUNITIES IN THE HIGH NORTH

HEARING BEFORE THE SUBCOMMITTEE ON EUROPE, EURASIA, AND EMERGING THREATS OF THE COMMITTEE ON FOREIGN AFFAIRS HOUSE OF REPRESENTATIVES ONE HUNDRED THIRTEENTH CONGRESS

SECOND SESSION

DECEMBER 10, 2014

Serial No. 113-235

Printed for the use of the Committee on Foreign Affairs



Available via the World Wide Web: <http://www.foreignaffairs.house.gov/> or
<http://www.gpo.gov/fdsys/>

U.S. GOVERNMENT PUBLISHING OFFICE

91-844PDF

WASHINGTON : 2015

For sale by the Superintendent of Documents, U.S. Government Publishing Office
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WEDNESDAY, DECEMBER 10, 2014

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON EUROPE, EURASIA, AND EMERGING THREATS,
COMMITTEE ON FOREIGN AFFAIRS,
Washington, DC.

The subcommittee met, pursuant to notice, at 2 o'clock p.m., in room 2200 Rayburn House Office Building, Hon. Dana Rohrabacher (chairman of the subcommittee) presiding.

Mr. ROHRABACHER. All right. The subcommittee is called to order and even though this will be the final Europe, Eurasia, and Emerging Threats Subcommittee hearing for the 113th Congress, we will be discussing an important topic—the Arctic and the opportunities for America as an Arctic nation.

In 2009, the House Foreign Affairs Committee held a hearing on the High North, which approached the Arctic through which, of course, what has been happening since then as people have been only seeing this through the lens of global warming.

While we all recognize that there is receding ice, the purpose of this hearing is not to debate science. Rather, what is taking place is part of a natural cycle as happens—as happened so many times in the past in the Earth's history, or it can be traced to humankind's use of CO₂-producing internal combustion engines.

The fact—whatever it is, the fact remains that the Arctic is more accessible now than it has been in decades and Arctic policy should not be just reduced to one particular issue, especially a disagreement on why the climate is changing.

I am honored that today's subcommittee hearing will be the first time Admiral Robert Papp testifies in his new role as the U.S. Special Representative for the Arctic, and I thank you for being with us today and look forward to hearing your testimony and being able to get some of the strategy that you are going to be laying down and some of your perceptions of which way we should go.

As the Arctic geography has changed, new opportunities have emerged and those are the opportunities to access deposits of oil, natural gas and other minerals. Additionally, Arctic sea lanes have become passable for increasingly longer periods of time during the summer months, cutting around 4,000 miles off the distance required to sail between Asia and Europe.

A version of the long-sought Northwest Passage may be materializing right before our eyes. The increased activity has challenged the governments of Arctic nations to effectively govern the High

North, build new infrastructure and expand capabilities to operate in such harsh conditions.

To help realize some of these new opportunities, the eight Arctic countries including the United States created a high-level diplomatic forum called the Arctic Council.

In April 2015, it will be America's turn to assume the rotating chairmanship of this council for 2 years. This will give our Government the ability to set an agenda. Just in time, Admiral.

Today, the subcommittee will hear key details about what will be on that agenda, how to prioritize and what priorities we should have, which ones will serve our national interest and promote responsible development.

Let me just note that there are 50,000 Americans who live in the Arctic. But this is much more than just a local issue for Alaskans. The vast resources of the Arctic can and should be wisely promoted and used to increase our prosperity and the well being of our people.

If the Arctic nations can do this successfully, so can we. Our Government's role is to ensure private industry follows the rules and uses good practices but not to block progress.

We should all be mindful that other Arctic nations are seeking ways to use the Arctic for their own advantage. Chinese scholars, for example, have taken to calling China a near-Arctic state.

Chinese military officials have commented that China has an indispensable role to play in the Arctic. Well, if we don't put in place effective policies for the Arctic and then follow through on those policies, we know who is waiting in the wings to fill the void.

We also cannot ignore Russia's prominent role in the Arctic, and while the Russian relationship with the Trans-Atlantic community is at its lowest point since I was elected to Congress—since 1989—we should not ignore the possibility of a productive relationship with Russia in this polar region.

Perhaps—let me put it this way—we can cooperate with people like this even though we have disagreements with them and maybe by cooperating in those areas maybe we can overcome some of those other challenges.

Lastly, I want to hold this hearing now to let our friends and allies in the Arctic Council know that their cooperation and their collaboration on key projects is being noticed and appreciated on Capitol Hill.

It was also important to hold this hearing before the U.S. chairmanship began to take place to lay down some clear benchmarks and some of the metrics that we can use to judge whether or not your chairmanship and our leadership is actually accomplishing the goals we wanted to accomplish.

So I thank all the witnesses for being with us today. We will have two panels—the first, as I say, with Special Representative Papp, and the second panel of private experts. Without objection, all members will have until the end of this week to submit additional written questions or extraneous material for the record.

And I now would like to have Mr. Keating, our ranking member, give his opening remarks.

Mr. KEATING. Well, thank you, Mr. Chairman, and thank you for having this meeting, the last one of our—of the year and it is been

a pleasure working with you during this period and it is very thoughtful of you to have this meeting at this time, talking about the North Pole area at a time of year when so many millions of children are anxiously awaiting this.

Now, I must concede that there is an element of skepticism about this, but as you said you are not a person that believes in scientific evidence. So anything is possible.

Mr. ROHRABACHER. That is good.

Mr. KEATING. And for the benefit of my staff, that was not written in my notes. And Admiral Papp, it is been a pleasure working with you as I have on Coast Guard issues.

I have so many Coast Guard stations in my district and thank you for your service there and thank you for sharing your first opportunity to testify before Congress in your new capacity. It is an honor to have you here today.

Across the Arctic, many challenges are faced by those living and working in the North. These challenges include higher living costs, skilled labor shortages, the ramifications of climate change and other black carbon phenomena and harsher weather conditions, to name just a few.

Yet, in these challenges lie immense opportunities to coordinate efforts, increase outreach and to make potentially life-altering scientific discoveries. It is these common challenges and experience that demonstrate why the Arctic Council is necessary and why your position, Admiral, will be so critical as the United States prepares to chair the council.

By bringing together the eight countries bordering the Arctic, various stakeholders, NGOs and businesses the Arctic Council can engage in a dialogue that enables cooperative strategies to tackle common problems.

The Arctic Council can serve as a forum for dialogue even as tensions exist in other areas amongst members. That being said, I believe that a lack of transparency in certain behaviors may also raise questions.

In this regard, I will be interested in your thoughts on how to ensure peaceful cooperation, particularly given the recent increase in Russian long-range aviation, i.e., strategic bombers, and in over the Arctic and Russia's plans to establish a new military command and bases in the Arctic.

These plans seem to belie Russian assertions that their interests are strictly peaceful. There are, of course, a plethora of examples of cooperation through the council.

For example, under Canada's leadership the council empowered Northerners with its focus on the indigenous population of the North, their traditions and their knowledge.

Canada's promotion of the Arctic Council is something that can move this region forward while also maintaining the unique landscape and the environment.

Sweden and the U.S. are also working together on a partnership on Arctic resilience and the effect of changing ecosystems and as this is occurring, the U.S. continues to partner with Finland, Iceland, Denmark, Norway and Russia and other members to coordinate on search and rescue efforts, monitoring vessel traffic, oil pol-

lution preparedness and, of course, integral climate change initiatives.

As these operations move forward through the council, the North will inevitably be more interconnected and we can learn from each other, particularly as the U.S. Coast Guard prepares to visit countries like Finland in March to examine Arctic acquisitions and bring back the knowledge to the U.S.

Finally, Mr. Chairman, Admiral Papp, I would like to thank you for including climate change in the U.S. national Arctic strategy as well as for the U.S. chairmanships of the Arctic Council.

It is a huge step for us and one that I know has been recognized by proponents of the environment worldwide and for that I thank Secretary Kerry and I thank you, Admiral Papp. I yield back.

Mr. ROHRABACHER. Thank you very much, and we also have with us Congressman Larsen from Washington and if you would like to make an opening statement, feel free.

Mr. LARSEN. Thank you, Mr. Chairman and Ranking Member, and I appreciate the opportunity to be here and to be waived on for a brief time onto the subcommittee in order to participate in today's hearing.

I really do appreciate that, and I will be—I will be brief. My colleague, Don Young, and I created the U.S. Congressional Working Group on the Arctic a few months back, sort of bring some attention, highlight some of the issues that we see in the Arctic that are important and important for U.S. policy.

A lot of times, the Arctic is seen as out of sight and out of mind to many. But for we in the Northwest it is certainly part of kind of the everyday economy, probably more so for my colleague, Mr. Young, from Alaska, but my district in the Puget Sound as a whole tends to be the winter home for a lot of people who are—have activities and employment in Alaska over the spring, summer and fall, including the major fishing industry fleet headquartered in—basically in the Seattle-Puget Sound area as well as a lot of the shipyards doing work in the Puget Sound supporting that activity and as well with the potential of leases—oil and gas leases in the U.S. portion of the Arctic.

A lot of those companies are looking to Puget Sound to be their winter home for maintenance and repair. But there are other issues.

It is not just economic—there are environmental issues, national security issues as well as the concerns and rights of native peoples that are to be on the U.S. agenda for Admiral Papp as the Arctic Council gets together.

I got involved with this in part because my district is the—either the first or second closest to Alaska in Washington State, up there in the northwest corner of the Lower 48, but also being the—on the Coast Guard Committee and working with Admiral Papp and his predecessors on the icebreaker issue introduced me to these broader issues in the Arctic.

So I have got a real strong interest in what occurs there, and I won't speak on behalf of Congressman Young, who was here before votes, but I do appreciate his willingness to allow somebody who is not from Alaska to be interested in the Arctic.

Our Alaskan friends are very protective of what happens there and we want to be supportive of that. So thank you very much. I appreciate it.

Mr. ROHRBACHER. Thank you.

Admiral Robert Papp is the State Department's first Special Representative for the Arctic, having been appointed in July of this year by Secretary Kerry. Before his current position, he was the 24th Commandant of the Coast Guard, the good guy branch of the services.

We Californians, we all love the Coast Guard and especially the surfers love the Coast Guard. He has held numerous important positions while serving our nation, including commanding four different Coast Guard ships.

He is a graduate of the Coast Guard Academy and holds advanced degrees including from the Naval War College. Admiral, you may proceed with your statement.

We would hope that you could summarize in a 5-minute summary for us and then we will have questions for you, and you may proceed.

**STATEMENT OF ADMIRAL ROBERT PAPP, JR., USCG, RETIRED,
U.S. SPECIAL REPRESENTATIVE FOR THE ARCTIC, U.S. DE-
PARTMENT OF STATE**

Admiral PAPP. Thank you, Mr. Chairman, and Mr. Keating, good to see you, and Mr. Larsen, good to see you again, as always, and thanks for having me here this afternoon to speak a little bit about the Arctic. I really appreciate the opportunity.

When I heard that the theme was to be the United States as an Arctic nation, I was very pleased because the importance and recognition of that concept could not be more timely for all of us.

As you mentioned, there are only eight nations in the world whose territory above the Arctic Circle gives them the right to claim being an Arctic nation.

The United States is one, although it has been my experience that Americans do not embrace or fully understand the concept of being an Arctic nation and that is unlike what I have observed in the other seven Arctic countries. We hope through our chairmanship to be able to raise the awareness for all Americans.

The story of the Arctic is defined by intense and arduous relationships between humans and the environment. Arctic residents, including more than 50,000 of our fellow U.S. citizens, know not just how to survive but also how to thrive in the harshest of conditions on the Earth. Theirs is a story of continuous adaptation and survival.

Today, however, the harsh and challenging environment is transforming at an unparalleled rate. Average seasonal temperatures in the Arctic are rising twice as fast as the rest of the world, and though the region seems remote to most Americans, last month we watched as the entire country experienced abnormal weather, the result of a storm that passed through the Bering Sea, creating that weather phenomenon which we have known to be called the polar vortex.

And this is just one illustration of how things happening in the Arctic are not only impacting the rest of the United States but the

rest of the world. Melting glaciers and land-based ice sheets are contributing to rising sea levels and threatening some of our coastlines and cities.

The future of America is inextricably linked to the future of the Arctic and will undoubtedly include increasing maritime commerce, exploration and management of resources.

In line with the President's commitment to elevate Arctic issues in our nation's foreign policy, Secretary Kerry appointed me in July to serve as the country's first Special Representative for the Arctic and I gratefully accepted that responsibility and welcomed the opportunity to advance the Arctic discussion in our Government and with American citizens.

The Arctic Council chairmanship agenda is an important part of that discussion and it will provide the international stage upon which we can promote our priorities.

But there are many other issues at play, some on the world stage as we navigate our relationships with countries like Russia and China, and others that will require domestic action at home.

As the former commandant of the Coast Guard, I have extensive experience working in northern waters, especially in Alaska where I began my Coast Guard career as a young ensign assigned to a cutter home ported in Adak in the Aleutian Islands.

During that assignment, I crossed the Arctic Circle for the first time almost 40 years ago. Later, I toured Alaska extensively during each of my 4 years as commandant.

In my new role as Special Representative, I have already been to Alaska twice to see and hear first hand from the people living in our rapidly changing Arctic region.

Now, while I am a sailor and not a scientist, over the course of my lifetime I have observed firsthand the dramatic changes that are taking place in this incredible region. While the natural environment is changing at an accelerated pace, the geopolitical situation is changing quickly as well and must be taken into account.

Russia's continued violations of Ukraine's sovereignty are an affront to a rules-based international system. The United States has joined the international community, including the other Arctic nations, in opposing these violations and imposing costs on Russia for its actions.

Nevertheless, the Arctic has been a zone of cooperation and free of conflict. We will continue to work with Russia on global issues related to the Arctic through our multilateral engagement at the Arctic Council.

We remain cognizant of how changes in the Arctic have created significant challenges and opportunities for every Arctic nation. The warming climate threatens traditional ways of life for indigenous peoples and wildlife but it also opens up new opportunities for maritime trade and prosperity, new shipping routes, increased oil and gas exploration and tourism, to name a few.

The challenge of charting a course toward a sustainable future in the Arctic is important to all of us. The State Department is committed to working within our abilities to improve the future of this region.

The Arctic is quickly becoming a global cornerstone for scientific and academic research, trade and tourism. Four million people live

in—across a region that crosses 24 time zones. Some areas are incredibly developed while parts of our own American Arctic are struggling to provide the basic necessities like clean water and affordable energy.

The United States will have the opportunity to address some of these Arctic challenges as we take over chair of the Arctic Council this April.

Considering my appointment began in late July, my first months on the job have been spent getting out and talking to a wide range of constituent groups, both domestically and internationally, while making preparations for a chairmanship agenda that will generate forward-leaning actionable goals and quantifiable results.

Our leadership at the Arctic Council will focus on three primary initiatives—first, Arctic Ocean safety, security and stewardship; second, improving the economic and living conditions of the people of the North; and third, addressing the impacts of climate change.

We are currently discussing our proposed program with the Arctic states and the permanent participants who represent the indigenous groups, and we hope to have their full support prior to our chairmanship. Our themes reflect some of the most important issues in the region.

Arctic Ocean's accessibility is increasing and a maritime nation's first responsibility is to ensure that any activity taking place off its shores is safe, secure and environmentally responsible.

To do so requires a delicate balance but affords secure and sustainable sources of food, energy and commerce for generations to come.

For many Americans residing in the Arctic, their communities are remote and their quality of life is dependent upon Northern economic activity. The cost of living is high and not only is it difficult to find employment but it is a challenge to obtain the basic necessities we as people need to survive.

As part of our chairmanship, we aim to focus on improving local access to sources of clean water and renewable energy to address some of these vital needs.

We also hope to utilize public-private partnerships as a tool to help these remote communities throughout the Arctic region to make advancements to improve their day-to-day lives.

And, of course, we must focus on some effort in the regional impacts of climate change and continue the council's work to mitigate black carbon and methane emissions.

As an Arctic nation and a global leader, we have an obligation to use our diplomatic, economic and scientific resources to help those in the region find ways to adapt to a changing Arctic.

We must set the bar high and pursue ambitious domestic and foreign policy agendas to address these challenges and opportunities.

I have no doubt about America's ability to embrace the responsibility and succeed, and I welcome the efforts of our partners including Alaska natives, students, academia, private industry, state and local governments as we focus all of our energy on this critical global issue including the recognition that the United States is and always will be an Arctic nation.

So I thank you for interest in the Arctic and I look forward to answering your questions.
[The prepared statement of Admiral Papp follows:]

**Statement of
Admiral Robert J. Papp, Jr.
Special Representative for the Arctic
U.S. Department of State**

**Before the Committee on Foreign Affairs,
Subcommittee on Europe, Eurasia, and Emerging Threats
U.S. House of Representatives
December 10, 2014**

Introduction

Good afternoon Chairman Rohrabacher, Ranking Member Keating, and other Members of the Europe, Eurasia, and Emerging Threats Subcommittee. I appreciate the opportunity to appear before you today to discuss how the Department of State is working to advance our security and economic interests in the Arctic.

Recognizing the importance of the Arctic, and in line with the President's commitment to elevate Arctic issues in our nation's foreign policy, particularly as the United States prepares to chair the Arctic Council in 2015, Secretary Kerry appointed me as the Special Representative for the Arctic this past July. My broad charge is to lead our nation's efforts to promote our priorities and advance U.S. policy in the Arctic region, a region in which we have vital national interests.

It is important to note at the outset that the United States is operating in a difficult international environment today. Russia's continued aggressive actions in Ukraine and occupation and attempted annexation of Crimea are an affront to the rules-based international system. The United States has joined the international community – including other Arctic states – in opposing Russia's violation of Ukraine's territorial integrity, and in imposing costs on Russia for its actions.

At the same time, we continue to work with Russia on global issues like those in the Arctic in which it also has national interests. As we do so, we remain cognizant of how significant changes in the Arctic are creating new challenges and opportunities for the United States and the other Arctic nations. A rapidly warming Arctic climate threatens traditional ways of life while affording new shipping routes and increased opportunities for trade,

allows for increased oil and gas exploration while risking environmental pollution, and attracts tourism while communities tackle food security, health concerns, and suicide. The challenge of charting a path toward a sustainable future in the Arctic is not lost on me. The federal interagency community is committed to working within our capacities to improve the future of this region.

International Governance

United States engagement with international partners in this region is extremely important, as governance of the Arctic region falls to the United States and the seven other Arctic States: Canada, Iceland, Denmark (through Greenland), Finland, Russia, Norway, and Sweden. International cooperation takes place in multiple fora, such as the Arctic Council, International Maritime Organization, and the new Arctic Coast Guard Forum. Each of these serves a purpose to advance specific priorities and affords the opportunity to engage with appropriate delegations. By and large, our international Arctic engagement takes place through the Arctic Council, the preeminent forum for international diplomacy on Arctic matters.

Unfortunately, our engagement with Russia, in particular on Arctic issues, is complicated by Russia's aggressive action in Ukraine and attempted occupation of Crimea. But we have worked with Russia on Arctic issues during past political crises and are maintaining activities related to protecting the Arctic environment, ensuring maritime safety, including search and rescue, and enforcing laws. We also continue to work with Russia in multilateral fora, including under the auspices of the Arctic Council, and our allies are following similar policies.

The Arctic Council

In promoting our, environmental and other national interests in the Arctic region and strengthening international cooperation, we use the Arctic Council as the primary mechanism for multilateral engagement. The Arctic Council, a high-level intergovernmental forum of the eight Arctic States and the Arctic indigenous peoples, was created in 1996 to provide a means for promoting international cooperation, coordination and interaction on common Arctic issues. Its founding document focuses the Council's work on environmental protection and sustainable development, but its mandate is

not necessarily limited to these areas. The one area explicitly excluded from the Council's mandate is "military security"¹; thus, the Council does not handle military issues or military-to-military cooperation among the Arctic States.

As the challenges and opportunities facing the Arctic have grown in volume and complexity, the Council's workload has increased dramatically in recent years. Currently, the Council has six working groups composed of federal-level representatives of the Arctic States. The working groups cover a broad range of issues such as human health, climate change impacts, biological diversity, emergency response, and protection of the Arctic marine environment, to name a few. In addition to the working groups, the Council periodically mandates task forces and expert groups, also composed of federal-level Arctic State representatives, for limited periods to address specific, cross-cutting issues. Each Arctic State appoints a Senior Arctic Official to run the Council's day-to-day operations. The Council meets at the Ministerial level once every two years at the conclusion of the chairmanship, and most Arctic States send their foreign minister. Each Arctic State assumes the chairmanship of the Council for a two-year period during which the chairing State hosts numerous meetings and other diplomatic events, and assumes all associated costs.

The United States has led or co-led many of the Council's important initiatives including the 2004 Arctic Climate Impact Assessment, the 2008 Arctic Oil and Gas Assessment, and the 2009 Arctic Marine Shipping Assessment. In addition, work under the auspices of the Arctic Council has resulted in two binding agreements among the Arctic States: one on search and rescue cooperation, signed in 2011, and the other on marine oil pollution preparedness and response, signed in 2013. Over the past eighteen years, the Council's cutting edge work has paved the way for international cooperation to address shared environmental challenges. No other body in the world is doing work of such high caliber on the issues we face in the Arctic, which is why the Council is so important to the United States. Our collaboration with the other seven Arctic States has worked well over the life of the Council and we could not have done this work without them.

U.S. Chairmanship

¹ Declaration on the Establishment of the Arctic Council: Joint Communiqué of the Governments of the Arctic Countries on the Establishment of the Arctic Council. Ottawa, Canada. September 19, 1996.

The United States will assume the rotating two-year chairmanship of the Arctic Council in April 2015. We have developed a robust proposed work program for our chairmanship in line with the priorities laid out in the National Strategy for the Arctic Region and its subsequent Implementation Plan. We continue to hone the proposed program through regular meetings with federal interagency counterparts, the State of Alaska, Alaska Native groups, NGOs and other interested stakeholders. In my new capacity as the Special Representative for the Arctic, I have traveled twice to Alaska to consult with local experts and residents. I heard positive feedback on our proposed chairmanship program, as well as concerns about some aspects. The State Department has also received feedback from numerous stakeholders, mostly supportive. Where we have heard concerns, we are discussing ways forward. We are also beginning to consult with our fellow Arctic Council members so that we can reach agreement on our chairmanship program by the time we assume the Chairmanship in 2015. The Council operates on the basis of consensus, so we need the support of all the Arctic States.

The United States is assuming the chair of the Arctic Council at a critical time. The Arctic Council has proven itself to be an effective and cooperative forum in which the eight Arctic States and Permanent Participants (organizations representing Arctic indigenous peoples) can come together to develop effective ways for managing this relatively pristine region of the world. We would like to continue strengthening the Arctic Council by moving it toward more practical, on-the-ground activities that will improve the environment and contribute to sustainable economic development for the people who live there.

The areas we are proposing to highlight during the U.S. Chairmanship are:

- Arctic Ocean Safety, Security, and Stewardship
- Improving Economic and Living Conditions
- Addressing the Impacts of Climate Change

Climate change impacts in the Arctic have resulted in significant reductions in sea ice, positioning the Arctic Ocean to be increasingly accessible in the short and long terms. The Arctic Ocean is becoming more navigable as evidenced by an increase in shipping through the Northern Sea Route over Russia. We have also seen an increase in shipping through the Bering Strait,

a potential future chokepoint for trans-Arctic shipping traffic. In addition, the ice-diminished maritime environment is attracting resource exploration in areas previously inaccessible.

We plan to prioritize collaborative search and rescue and oil pollution preparedness and response exercises, ideally within the new Arctic Coast Guard Forum. To ensure that future maritime development avoids areas of ecological and cultural significance, we will prioritize the Arctic Council's on-going development of a network of existing marine protected areas, and possibly identify new marine protected areas. To address other challenges in the Arctic Ocean, we are looking to improve international coordination through a regional seas program similar to regional seas programs in other oceans. In the coming months we will work closely with domestic and international stakeholders to determine the specific nature and direction of this initiative.

During the U.S. chairmanship, we will strive to bring tangible benefits to communities across the Arctic. In particular, we will seek to assist remote Arctic communities with adapting to the rapid changes that are altering traditional ways of life. The U.S. aims to increase energy and water security for remote Arctic communities by working toward better and more secure access to renewable energy sources, improving water and sanitation access, and reducing dependence on diesel generators while at the same time reducing emissions of black carbon in the Arctic. The U.S. also plans to continue advancing suicide intervention and awareness programs to reverse disturbing trends that disproportionately affect Arctic communities. Suicide rates across the entire Arctic region are much higher than in most other areas of the world. Men and boys are particularly at risk.

In addition, as indicated in the Implementation Plan for the National Strategy for the Arctic Region, the U.S. hopes to see an Arctic telecommunications infrastructure assessment that would serve as the basis for the eventual build-out of the telecommunications infrastructure necessary to support ever-increasing human activity throughout the Arctic region. Building telecommunications infrastructure across the Arctic will provide critical support to navigation, offshore development activities, search and rescue operations, environmental and humanitarian emergencies, and will make online tools for Arctic communities, such as telemedicine, education, and adaptation, more accessible and useful.

Our chairmanship will continue the on-going high-level focus on the impacts of climate change, especially the drivers of change and the ways and means of addressing on-the-ground impacts. To minimize the prospect of irreparable long-term harm to the Arctic – and the globe – we need to take sustained, quantifiable measures to reduce greenhouse gas emissions and increase community resilience and preparedness. During the last Administration, the United States initiated efforts within the Arctic Council to mitigate so-called “short-lived climate pollutants” such as black carbon and methane that have direct impacts in the Arctic. During our chairmanship, we will press for full implementation of a new, voluntary arrangement to be completed by the end of the current chairmanship that will include development of national black carbon emission inventories, national reporting on domestic mitigation efforts, and data collection efforts.

Another path forward is to examine key industrial practices, such as oil and gas flaring, to share best practices, policies and technologies among technical experts, industry and policymakers. The Department of State aims to lead the Arctic Council through an assessment of how we can improve emissions estimates of black carbon and other air pollutants from gas flares. We hope to be joined by other Arctic States in efforts that build climate resilience into national policies and promote community- and ecosystem-based climate adaptation. Without the natural sea ice barrier, coastal communities in Alaska are now battered by storm events that damage the permafrost upon which critical infrastructure depends, leaving houses and other buildings literally falling into the Bering Sea. Policymakers and communities need decision-informing tools to enable prioritization of adaptation efforts and more climate-resilient decision-making.

Environmental Stewardship

The Arctic region is a biologically diverse place where people, animals and plants have thrived for thousands of years. The impact of climate change, especially sea ice reduction, is already threatening certain species as well as the local communities that subsist on them. Our goal is to protect the environment for the people who live there and to conserve the natural resources in the face of ever-expanding human activity that will surely have impacts. For example, offshore oil and gas development, shipping, tourism and perhaps commercial fishing in the future will undoubtedly alter the environment. We believe we can manage the negative impacts so that Arctic States may mutually benefit from the Arctic’s natural resource wealth and

maintain a clean, healthy environment.

We want the new Arctic Economic Council to encourage positive collaborative relationships with the industries working in the region now and in the so that we maximize the sustainable development potential in the region. And we must keep working collaboratively with the other Arctic States, including Russia. Throughout the Cold War, our domestic agencies such as EPA, the Fish and Wildlife Service, NOAA and the Coast Guard worked closely with their Russian counterparts and did a great deal of important work to improve the Russian environment and its legacy pollution problems.

Indeed, the Arctic Council was born at the conclusion of the Cold War and has been instrumental in bringing Russia into the family of nations to help its enormous environmental challenges. We must continue to make progress in protecting the environment and keeping positive relationships alive in the Arctic now more than ever as human activity increases and the probability of environmental problems increases with it. What happens in the Russian environment directly affects the United States, and Alaska in particular, so it is in our national interest to continue to advance our priorities through engagement with Russia in the Arctic Council now and in the future.

Arctic Fisheries

Although currently there are no commercial fisheries of consequence in the high seas area of the Arctic Ocean, it is reasonable to expect that, with diminishing sea ice and the possible migration of species, commercial fisheries are possible in the foreseeable future.

Scientific information about the Arctic's marine biodiversity is limited and even less is understood about the extent to which climate change and increasing industrial and other human activities in the Arctic may threaten marine ecosystems and resources, including fisheries. In light of this, in 2009 the United States took the precautionary step of prohibiting commercial fishing in its own exclusive economic zone (EEZ) north of the Bering Strait until there is a better scientific foundation for a sound fisheries management regime. Other Arctic countries have taken similar steps, most recently Canada.

In our view, this same approach should apply in the high seas area of the

central Arctic Ocean. In the high seas area, with the exception of the small wedge that is within the area covered by the North East Atlantic Fisheries Commission, there is no governance regime in place by any fisheries management organization or arrangement. Thus, we have been working with other governments towards an understanding that commercial fishing should occur there only on the basis of adequate scientific information on which to base proper fisheries management and after an international fisheries management regime is in place.

To date, we have been conducting discussions with Canada, the Kingdom of Denmark in respect of Greenland, Norway, and the Russian Federation – the five coastal States with EEZ’s bordering the high seas area of the Arctic Ocean – toward a legally binding agreement to prevent unregulated commercial fishing in the high seas area. Our intention is to bring the European Union and other interested major fishing nations into these discussions soon.

The arrangement we envision is that States will commit that their flag vessels will not be authorized to undertake commercial fishing on the Arctic Ocean high seas until one or more fisheries management organizations or arrangements is in place to manage such fishing in accordance with modern international standards.

Arctic Ocean – ECS and Maritime Boundaries

Efforts by the United States and other Arctic countries to define their continental shelf in the Arctic Ocean are sometimes described as a “race for resources” or “competing territorial claims.” Such hyperbole is inaccurate and unhelpful.

There are two underlying issues here: delineating the continental shelf beyond 200 nautical miles (commonly called the extended continental shelf or ECS); and delimiting the maritime boundaries where ECS may overlap one or more neighboring States. In other words, first, what is the extent, or outer limit, of a country’s ECS and, second, how do neighboring countries divide that ECS when it overlaps.

Contrary to many media reports, there is no race for resources or land grab underway in the Arctic. The Arctic coastal States are proceeding in an orderly manner to define their continental shelf limits according to the

provisions set out in the Law of the Sea Convention.

Determining the extent of a State's ECS is not simply a matter of measuring a specified distance from its shore. To determine whether a State meets the criteria in the Convention, it must collect data from ships that describe the depth, shape, and geophysical characteristics of the seabed and sub-sea floor. That data is then analyzed in order to determine a set of coordinates of the seaward extent of the ECS.

Each of the five States surrounding the Arctic Ocean—Russia, Canada, Norway, Denmark (via Greenland), and the United States – has an ECS. All five States also have ECS outside of the Arctic Ocean, but the Arctic has received a disproportionate amount of public attention.

The United States, like the other Arctic States, has made significant progress in determining its ECS. All of the necessary data collection to delineate the U.S. ECS in the Arctic Ocean has been completed through tremendous efforts by the U.S. Coast Guard, NOAA, USGS, and the Department of State. Nine successful cruises were completed in the Arctic Ocean over twelve years and four of those missions were jointly conducted with Canada.

Earlier this year the Office of Ocean and Polar Affairs at the Department of State established the ECS Project Office at a NOAA facility in Boulder, Colorado. This office is dedicated to completing the data analysis and documentation necessary to establish the limits of the U.S. ECS in the Arctic and for other U.S. ECS areas, such as the Bering Sea, Atlantic Ocean, and the Gulf of Mexico.

While the United States has a significant amount of ECS in the Arctic, as a non-party to the Law of the Sea Convention, the U.S. is at a significant disadvantage relative to the other Arctic Ocean coastal States. Those States are parties to the Convention, and are well along the path to obtaining legal certainty and international recognition of their Arctic ECS.

Becoming a Party to the Law of the Sea Convention would allow the United States to fully secure its rights to the continental shelf off the coast of Alaska, which is likely to extend out to more than 600 nm. However, only as a Party would we put our rights on the firmest legal footing and have access to the Convention's procedure that would maximize legal certainty and international recognition of the U.S. continental shelf that extends beyond 200 nm. U.S. accession is a matter of geostrategic importance in the

Arctic (where all other Arctic nations, including Russia, are Parties and can fully secure their continental shelf rights). The Administration remains committed to acceding to the LOS Convention as a high priority.

Overlapping continental shelves are inevitable in the Arctic Ocean, as elsewhere. Where boundaries have not yet been concluded, neighboring States will work together on a bilateral basis to try to reach agreement in what are often complex and time-consuming processes. It is important to keep in mind this is not a question of first-come, first-served.

We have two maritime boundaries in the Arctic, one with Russia and one with Canada. The United States and the Soviet Union signed a maritime boundary agreement in 1990. Although only provisionally in force, Russia has respected this maritime boundary, and has not defined an ECS in any areas on the U.S. side of the boundary. The United States is taking the same approach.

Canada and the United States have yet to agree to a maritime boundary that would divide our overlapping ECS. We have made this a key objective for implementation of our National Strategy for the Arctic Region and this will be an important future effort. Nonetheless, we have managed to work together to collect mutually beneficial data necessary to define our respective ECS areas.

Resource Exploration

Diminishing Arctic Ocean sea ice is unlocking access to significant energy resources and other potentially lucrative natural resources. Estimates of technically recoverable conventional oil and gas resources north of the Arctic Circle include 13 percent of the world's undiscovered oil and 30 percent of the world's undiscovered gas deposits, as well as vast quantities of mineral resources, including rare earth elements, iron ore, and nickel. Notwithstanding the current state of shale-based oil and gas production, improvements in drilling technology are expected to lead to offshore oil and gas development in the Arctic that is more economically and technologically feasible. That said, the Arctic is now and will remain long into the future an extremely challenging environment in which to operate, and there is limited industry expertise.

The Department of States aims to promote good governance and environmentally responsible development of all energy resources – oil and

gas production, as well as clean, renewable energy –with an emphasis on consistency among Arctic States and environmental sustainability. We are committed to implementing international agreements to reduce the risk of marine oil pollution, conducting international joint oil spill response exercises, and increasing global capabilities for preparedness and response to oil pollution incidents in the Arctic. Collaborating closely with domestic agencies, it is the Department of State's aim to work with stakeholders, industry, and the other Arctic States to understand the energy resource base, develop and implement best practices, and share knowledge and experience.

While we acknowledge the importance of fossil fuels, there is tremendous potential for renewable energy in the region. Development of renewable energy resources including solar, wind, geothermal, and tidal, has been slow, but there are many dedicated people across the Arctic, including in Alaska, working to make energy generation sustainable and healthy. We will continue to work with stakeholders to promote a regional focus on addressing barriers to renewable energy development, with the goal of improving the quality of life in Arctic communities and addressing climate impacts.

Conclusion

The Arctic Region presents enormous and growing geostrategic, economic, environmental, and national security implications for the United States. We are at a pivotal point in history as the Arctic is rapidly changing and we prepare to assume the Chairmanship of the Arctic Council. We look forward to advancing national priorities, pursuing responsible stewardship, and strengthening international cooperation in the Arctic Council and other fora.

Again, thank you for the opportunity to testify today. I look forward to your questions.

Mr. ROHRABACHER. Thank you very much for that testimony. We have been joined, of course, by Don Young, one of our more famous Members of Congress for his knowledge of that part of the world and I kid you not, I have heard about him—I was elected 26 years ago and I heard about him even then.

Don, if you have an opening statement feel free to join us. We are also joined by Steve Stockman. If you have an opening statement please feel free and then we will proceed with questioning.

Mr. YOUNG. Mr. Chairman, I thank you. I have a written statement I will submit for the record, without objection.

Mr. ROHRABACHER. Without objection, so ordered.

Mr. YOUNG. Just an off the cuff type thing, and I am one of the few people that really lives in the Arctic, eight miles above the Arctic Circle, and my interest in this is, of course, the lack of exposure of the Arctic to the Lower 48 and where we are going.

And Admiral, I compliment you for your role but keep in mind we just finished, I believe, 6 years with another chairman from another country, and not much happened. That concerns me.

In your testimony you bring up some very valid points and we will discuss those in the questioning part of it. But Mr. Chairman, I thank you for your interest and, of course, my good friend from Washington is here and understands my interest and he and I together are working on, hopefully, some solutions to some of those challenges we are faced with.

So, Mr. Chairman, I will submit this for the record and I yield back the balance of my time.

Mr. ROHRABACHER. All right. And Mr. Stockman, do you have an opening statement or a few thoughts?

Mr. STOCKMAN. I will just quickly state that I think this is a very important area in which, as you know, could cause confrontation among many countries and the observations you made are important and I think that United States needs to be, I think, more aggressive in its posture. Thank you.

Mr. ROHRABACHER. Thank you very much, and thank you for joining us. We appreciate Mr. Young and Mr. Larsen who, obviously, have taken a very serious interest in this issue.

We have—what I am planning to do as chairman I will move forward and let Mr. Keating, our ranking member, ask his questions first. I will then go and then we will proceed with our fellow colleagues.

Mr. KEATING. Thank you, Mr. Chairman.

Admiral Papp, I would be interested to hear your thoughts on Russia's increased use of bombers in and over the Arctic as well as their new Arctic military command, which I alluded to in my opening remarks.

Since the Arctic Council does not deal with political military affairs, how will the U.S. be prepared to address the lack of Russian transparency in the Arctic and as well as the impact on the cooperation on the Arctic Council, and should NATO be lending more situational awareness to the region as well, particularly since much of the Arctic is under NATO's area of responsibility?

Admiral PAPP. Thank you, Mr. Keating. That is a pretty broad topic and I would start off with the over flights.

You know, first and foremost, those are strategic movements and physical statements by Russia that can be interpreted a number of ways, and I would leave it up to my colleagues in the Defense Department to give probably a better assessment on that.

I do get regular intelligence briefings and I have been doing readings on all the articles I can that we get in the open press on activities along Russia's northern border.

I think the construction that they have going on and their focus is partially a reflection of the fact that they have got about 4,000 miles of coastline that is opening up now, and they are stepping out smartly in terms of adding ports, search and rescue facilities.

Some of these are referred to as dual-use facilities, both civilian and military. I suspect if we were to build a Coast Guard base in Barrow other people could point at us and say that we are building dual-use facilities as well.

But I have been impressed with what I have seen so far in terms of their investment along that northern sea route, and rightly so, because they are going to have a significant increase of traffic there.

So I think a lot of the activities are to be expected. We look at some of them with some skepticism but, on the other hand, they are right in terms of building facilities so they can provide for search and rescue, pollution response and other things that could happen along that northern coast.

As far as NATO goes, NATO's responsibilities does not stop at the Arctic Circle. It includes the Arctic as well. I think that the European Command and our NATO commander all take this into account.

There are plenty of venues, whether it is the Arctic Chiefs of Defense and other things that are looking at the military security side of the equation.

I think the good thing about the Arctic Council is right from its start nearly 20 years ago we have put defense issues—military security issues—off the table so that we can keep the discourse going between the eight countries and I think that that will continue under our chairmanship.

Mr. KEATING. Another follow-up to my opening remarks, in regard to the U.S. chairmanship's priorities, as you know, permafrost on the Arctic tundra contains twice as much carbon as currently exists in the atmosphere.

Over time, the thawing of this permafrost could lead to an increase in annual emissions equal to the current annual emissions of a major emitter such as China or the United States. This could greatly complicate international efforts to curb climate change.

You have lived in the Arctic and have been up there, as you mentioned. Could you explain in your own words what evidence of the changing climate you have seen during that time as chair of the Arctic Council?

How does the United States plan to educate the public about our interest in the Arctic including the imperative to address this kind of climate change as well?

Admiral PAPP. As I said, Mr. Keating, I am not a scientist. I am a sailor who has been in the Arctic and I made observations. They started 40 years ago.

Forty years ago, the ship that I was on got beset in the ice in the Bering Strait in July 1976 trying to make it to Kotzebue, I flew by helicopter into Kotzebue and, descending, there was ice as far as I could see.

I went back to Kotzebue 34 years later as commandant, flying in the same time of the year, and as far as I could see from thousands of feet in the airplane I could see no ice. And I went back and looked—it was not an anomaly in 1976 to have that much ice and it is not an anomaly now to have no ice.

So there has been some drastic changes. But there are other things as well. I have taken time to speak to the elders in Barrow who talk about ice cellars where they have stored their whale meat for centuries that they have dug down hundreds of feet into the permafrost.

Those ice cellars are now filling up with water. They have never seen it before. My most recent visit to Barrow their utility system was almost breached this year.

There is a tunnel that runs for about four or five miles under the city and the pumping station was relatively close to the shore.

Now it is over the shore because the permafrost is thawing and the seas that are not buffered by shore ice now ate away at the cliffs, the permafrost fell into the sea and their pumping station was almost breached by the seas, and they have been working feverishly up there to replace the shoreline.

So these are very visible things. It doesn't take a scientist to figure out things are changing and we have some very rudimentary things in basic food, water, shelter issues that need to be taken care of within our American Arctic.

Mr. KEATING. And these areas you think the council can work on in a collaborative—the effects of it—is that going to be the focus more than the science of it?

Admiral PAPP. Yes, sir. Now, the experiences around the Arctic are quite different. You know, the conditions that you find in Scandinavia, which has had open water for centuries and is much more developed and sophisticated, there is a difference from some of the challenges that we are facing.

We are literally centuries behind on our North Slope in some circumstances because the water was never open before. We never worried about it. The debate over climate change, in my mind, is a moot point.

It has changed, and we would not be here talking about all this if the climate had not changed. So there is going to be increased human activity, whether it is maritime or on the shore, and infrastructure—governmental functions have not caught up with where we are right now in terms of humankind starting to come to the area.

Mr. KEATING. It sounds that some of the experiences of the other participating countries could be beneficial to us where the changes might be more pronounced, learning from their experience.

Admiral PAPP. And that is where we are very helpful. Yes, sir. For instance, in Scandinavia it is a very rocky shoreline. They don't have to deal with permafrost, but some places, particularly Canada and the United States and in certain circumstances Greenland—

the Danish portion of our Arctic Council—have less development and increasing activities now and different geography.

Mr. KEATING. Yes. I recently had a tour of the latest asset we have with the National Science Foundation, and I can't pronounce the name of the ship—you are probably familiar with it—but I think it will be a great resource as well because it will give us more opportunities for actual mobile assessment on the site. Are you familiar—

Admiral PAPP. It will be for research, yes, sir. But in terms of accessibility, I am sure we will get into an icebreaker topic here at some point. But while we always welcome those assets from the government, it doesn't replace a heavy icebreaker.

Mr. KEATING. Well, thank you. I yield back, Mr. Chair.

Mr. ROHRABACHER. Thank you very much.

Just—I would suggest that we must struggle as hard as we can to make sure that the Arctic is an area that reflects cooperation rather than military confrontation, and it is always easy for us to try to be fearful and I think if there is one place that we can actually reach out and demonstrate where people can work together, even if there are some other conflict areas in the rest of the world, it is the Arctic, and especially with people from Russia who, I think, share some basic, how do you say, goals in their country maybe for the Arctic as well.

Let me note that when you were talking about the icebreaker in 1976, was it, that was caught in the ice, at that time all the scientists were telling us it was global cooling and they used that as an example of why they believed that we were entering this era of global cooling and, obviously, now the scientists are saying the opposite.

But what we do know is that what you described is there is a change going on, and do you know, Admiral, is there a history at all—I understand that at a time when the Vikings were there that there was this similar changes and openings and then they were frozen out. Is that right?

Admiral PAPP. I am not sure about the Vikings. I have done a little bit of reading about Alaska and if you go back about 10,000 years ago, of course, there was a bridge that went between—the scientists believed there was a bridge that went between Siberia and what is now Alaska and that is how the current natives who migrated over thousands of years, actually entered into Alaska and then down the Western coast of North America.

So things go in cycles and we tend to see things in a short term but—

Mr. ROHRABACHER. Ask Congressman Young about that because he knows all about bridges.

Mr. YOUNG. It went somewhere.

Mr. ROHRABACHER. With that said, what do you—let me tell you, one of the concerns that I have is that when we have not defined actually what we want out of the—out of the Arctic and out of that region of the world, that instead we may leave a void and not just when I am saying the Chinese that I mentioned earlier on who want a share but other powers that may want a share of the authority to control what events are going there—may try to come up with schemes that would deny the United States and those eight

countries that you are talking about the ability to keep control of the situation.

I think it is in the interest of the United States to develop a plan that will—that will define authority so that we maintain a higher level of authority and other of those Arctic states—a higher level of authority than, for example, if we would turn this over to an international body like the United Nations, which might be susceptible to countries like China that have, we know, bribed foreign officials and get votes.

Is your—what is your reaction to the idea of trying to maintain authority rather than going to a total international authority in the Arctic?

Admiral PAPP. I believe that all eight nations within the Arctic Council are firm in maintaining their sovereignty over their portions of the Arctic.

There are many stories about land grabs and people trying to compete for space up there but the reality is the boundaries are fairly well defined.

There are a couple little disputes here and there and, certainly, as we progress—as the other seven nations progress under the Law of the Sea Convention to outline their extended Continental Shelf claims, those other remaining issues will resolve as well.

You know, one area that we are concerned about is the high seas portion of the Arctic Ocean, which right now is frozen but at some point in time will be at least open during certain portions of the year and as the waters warm, if what the scientists are saying is correct, there will be species of fish that will begin migrating.

So one of the things that we are working on within the Arctic Council is to come up with some sort of either nonbinding or binding agreement on a fisheries council program based on science that would regulate that high seas portion and allow us to control who goes in there and conducts fishing in the future.

Now is the time to start working on something like that before people get up there on the high seas portion and start exploiting those resources and the council gives us that opportunity.

And you made the comment about cooperating with others. My experience is that while there are some strategic movements that Russia is conducting and we are rightly concerned about those things, at the tactical and operational level there has been great cooperation and we have worked well.

The Coast Guard in the 17th District in Alaska works very well with the Russian Border Guard—their counterparts—and within the council we have a good working relationship.

I went to the Arctic Circle event in Reykjavik, Iceland just a couple of weeks ago. I had a one on one bilateral meeting with Artur Chilingarov, who is Russia's Special Representative for the Arctic, and I have an upcoming trip to the Scandinavian countries and we are including a trip to Moscow as well to talk with our counterparts there.

So we are intent on keeping these lines of communication open because it is important for the safety and security of the Arctic region and to maintain its condition.

Mr. ROHRABACHER. Thank you very much, Admiral, and Mr. Larsen, would you like to proceed?

Mr. LARSEN. Thank you, Mr. Chairman.

I just want to say nothing forced the Vikings out. They left of their own accord because that is how—that is how we Vikings are.

Admiral Papp, in May the GAO issued a report that the U.S. had not prioritized its commitments to the Arctic Council and it lacked sort of an organizational head. Also, the report stated the State Department had only two employees at the time working on Arctic policy full time.

Can you update us on what the administration has done to respond to GAO findings—these GAO findings?

Admiral PAPP. Well, first and foremost, we have appointed a Special Representative and the Secretary has given me broad responsibility to manage the Arctic portfolio—the large Arctic portfolio across the State Department.

I was a little concerned when I first came in about the same issues in staffing, and I think back at that point what they were talking about is our Senior Arctic Official and the one person that was working with her.

There were always plans to expand that staff in preparation for the Arctic Council. There are probably at least a dozen people, depending on how you count them, that are associated with that right now, not even including myself. I have a staff of four.

The Arctic Council is part of my portfolio, and as you look across the State Department, part of my job has been inventorying all those people across the regional and functional bureaus who deal with the Arctic and coming up with a matrixed organization.

And I say when you do that we probably have closer to about two dozen people within the State Department that actually have Arctic responsibilities and that we can call on from time to time.

In terms of prioritization of program, it is prioritized now, certainly. The first thing that I was tasked with when coming in was to review our program, and I was very pleased to find out that there was an awful lot of work that was done and it may not have been prioritized but there were a lot of issues out there.

What we needed to do was lump them into these categories and what I wanted to do was have those categories relate back to the National Arctic Strategy and that Strategy's Implementation Plan.

Clearly, the Arctic Ocean's safety, security and stewardship is linked back to activities that are in the Implementation Plan that the National Security Council put out, as are many of the other things in the other two categories.

So the first process was to prioritize and organize those. Then we had to do listening sessions so we had input of the people that will be affected by it, both internationally and within Alaska.

We took two trips up to Alaska to do our listening sessions and then made our presentations to various NGOs and other interest groups in preparation for the Senior Arctic Officials meeting in Yellowknife, Canada, which occurred about a month ago, for our initial presentation of our program.

That is being negotiated right now. The Arctic Council operates on a consensus basis so we have to work our program. Our initial reports are wow, that is pretty aggressive—that is a lot to do—and the primary feedback I got from most people I spoke with was they thought we were being too aggressive.

When I took it to Secretary Kerry, he wanted to know could we do more. So we probably hit the sweet spot in terms of balance and I think we have a very good, aggressive program, which is operationalizing some of the agreements that have been done in the past like search and rescue and marine pollution prevention response, and I am very pleased with where we are right now.

Mr. LARSEN. So the committee staff supplied the org chart for the Arctic Council and it includes a list of observer countries, and the EU has applied. I know Singapore is interested or actually is an observer country. Mongolia, Switzerland—a lot of folks getting interested in the Arctic Council.

Does the administration have a thought or feeling—an assessment about the growth of observer states at the Arctic Council and their impact?

Admiral PAPP. I think we believe that the more countries that are interested and would like to participate, the better.

This is—the Arctic, clearly, is the responsibility of those eight Arctic nations but the Arctic has an impact on the rest of the world and the rest of the world would probably like to use the Arctic, particularly if those shipping lanes free up.

So I think it is our view that the more people who want to join the party, participate and have input, the better. If they get a better understanding what is going on, that is in our—in our interest as well and, by the way, if you would like to participate then perhaps those countries can devote resources to some of the issues that we would like to do.

They can come up with some public-private ventures and other things to help us with research projects in the Arctic. So we believe it is a good thing.

Mr. LARSEN. Mr. Chairman, could you indulge me one last question? It is a yes—I think it might be a yes or no. Can you tell—can you give us an assessment about whether the lack of U.S. involvement with the Law of the Sea Treaty helps or hurts the U.S. in the Arctic?

Admiral PAPP. It hurts us. First and foremost, I would save probably hours of discussions if I didn't have to go into every bilateral meeting and respond to the first question that is out of their mouths on why the United States hasn't acceded to the treaty.

I mean, it gets monotonous that every bilateral meeting that I have attended, not just since taking this job but over my 4 years as Commandant, when you deal with another country they are embarrassed for us because this great nation has not acceded to a treaty that nearly every other nation in the world has including the other seven Arctic nations.

Right now, it is not hurting us greatly because we abide by most of the provisions. There will be some time in the future, I believe, that when we want to affirm our claim on extended Continental Shelf we will not have standing.

I guess if we want to create a navy and enforce it or something like that we could. But we are a country that lives under the rule of law and I think we should be a part of that and it would give us standing and a venue to legitimize our claims for extended Continental Shelf as well.

Mr. ROHRABACHER. And we now and are grateful that Congressman Young has joined us because, again, let me reiterate this man knows more about the natural resources of Alaska both fish and furs and——

Mr. YOUNG. Whales.

Mr. ROHRABACHER [continuing]. Whales, the whole business, and during my tenure in office he has been an incredible source of information and inspiration. So Congressman Young.

Mr. YOUNG. Thank you, Mr. Chairman, for those kind words.

Admiral—and welcome—what is your 50-year vision of the Arctic? You will be gone and I will be gone but what do you see out of all this council work and meetings and stuff? What do you envision in the Arctic?

Admiral PAPP. Well, first of all, good to see you again, Mr. Young, and I have benefitted greatly for many years from your wisdom and guidance and I am humbled to be here talking about the Arctic in front of you because you have much, much, much more experience than I do.

But having said that, I have some experience and, clearly, during my tenure as Commandant I put the Arctic strategy as part of what I thought was one of the most important things.

And I did that because as a nation—this is not just as a Coast Guardsman or former Coast Guardsman—but as a nation we have the opportunity to get out in advance of development.

The analogy that I have used as I have gone around the world and talked to other people or around the country is where I live out in Fairfax County. I have owned a home out there for 25 years and when I first bought the home it was surrounded by farms.

But developers bought up all the farms, started building other homes and it takes the government years to catch up in terms of roads and infrastructure and schools and other things because the government is inherently bureaucratic.

The Arctic is ripe for development now but it is also a pristine environment, which we would like to preserve. We need to come to a balance of economic development with preserving that beautiful region that we have and——

Mr. YOUNG. Let me interrupt. How can you preserve something that is changing?

Admiral PAPP. Well, I think what you can do is you can protect the environmental quality of it.

Mr. YOUNG. Well, and again, I don't want to get into this climate change deal. This whole issue—I am a flatlander.

I have 57 scientists I think are the best in the world including Russian scientists who don't agree this whole thing it is changing. Now, how do you preserve something that is changing? You do not. You adapt.

And that is why I am asking you what is your vision? How are we going to adapt to the changes in the Arctic, which you already said in your testimony.

Admiral PAPP. Mm-hmm.

Mr. YOUNG. How—what are we going to do in the Arctic to adapt to the change?

Admiral PAPP. Well, for the United States, while there are a lot of people who would like to self-actualize and come up with lofty ideas on things, the reality is we are at the base of the pyramid.

We are concerned right now about food, water and shelter issues. It is like Barrow having their utility system at risk. It is like those villages that don't have fresh water and sewers.

Mr. YOUNG. Again, Barrow would not exist if it wasn't for the white man. It wasn't a permanent town. It exists because we discovered gas.

We invested in infrastructure. They have done so themselves, and now we are going to have to adapt because you can't—if you don't—you can't preserve something in its changes.

That is why I am asking you. I am interested in what you see. We are not going to be able to put firewalls up. We can't freeze the ground again. How do we adapt? What is your council going to talk about adapting?

Yes, their conduit was possibly going to get flooded. Yes, they have some erosion problems. Yes. So how—what are you going to do as the council to help them adapt to what is changing? That is what the—I don't want just a bunch of meetings.

What is your plan when you get done with this term of the United States and your being in charge of it—what is going to be the result and how is it going to affect 50 years down the road?

Admiral PAPP. Well, in terms of adapting to what is occurring up there, we are looking at projects where we would be able to adopt some of the recommendations that have been made in the adaptation study that has been done between Sweden and the United States, see what things that have come out of that study that we might be able to pursue in terms of objectives and pursue funding.

Some of these are going to ultimately come back to domestic issues and resource issues and policy issues that the United States will need to address.

We are involved from the State Department side in this international body in coming up with cooperation on looking at the impacts and seeing what other countries are doing, what best practices we might be able to adopt.

Mr. YOUNG. Okay, which brings me up another question, Mr. Chairman. Resource extraction is going to take place. Is that correct?

Admiral PAPP. It looks likely it will.

Mr. YOUNG. Looks likely it will. Now, how does that—is that a conflict with the goals of this administration and the council on climate change—the extraction of fossil fuels?

Admiral PAPP. No, it is not in conflict at all. Reading the National Strategy for the Arctic and the Implementation Plan, it calls for sustainable development of the resources of the Arctic.

Mr. YOUNG. Okay. Now, lastly, Mr. Chairman—Admiral, I always get a kick out of the permafrost—I have heard that term—the permafrost is melting. What is permafrost?

Admiral PAPP. Permafrost is an accumulation of sediment, soil, animals, other things that have accumulated there over centuries and because of the temperature as—

Mr. YOUNG. What was it before it froze?

Admiral PAPP. What was it before it froze?

Mr. YOUNG. Yes.

Admiral PAPP. It would have been probably swamp or—

Mr. YOUNG. It was soil and it grew those animals and all the other things we talk about, and I go back to the concept of change.

What I don't want your council to do is get involved—and I know what you talk to the people in Barrow—I represent that area—and just the climate change issue itself.

This is—as you mentioned, 11,000 years ago there was no ice in the North Pole. I know that is amazing, you know. The ice was all the way—12 million years ago, not 11,000—12 million years ago there was ice in New Mexico.

It melted all the way to the North Pole and that was before automobiles were around—now, keep that in mind—or mankind of any kind. So we don't know what melted it.

But permafrost is a body of orgasms, if you call it, of soil, of—well, it could be orgasms. But then it froze. It froze, and I just—I just—you know, I get so concerned that I have seen these meetings—and I know the time is up—council meetings and everything else and we will talk and we will talk and we will talk.

Because you haven't answered that first question—what is your vision where the Arctic is going to be 50 years from now? I will give the Coast Guard credit. They do put out some shipping channels. They just did that this week, which is good.

Mr. ROHRABACHER. I probably should be asserting a little chairmanship authority here, although the conversation is getting kind of hot.

Mr. YOUNG. No, I just—I sit here and I have been through this so many years and listened to talk with no goal and position.

Mr. ROHRABACHER. Okay. Let us give the admiral 60 seconds to answer that question, then Steve Stockman to have his time for questions.

Admiral PAPP. The vision I personally would have for 50 years from now is there will probably be sustainable development that will be extracting oil and gas from the offshore region, whether it is the extended Continental Shelf or closer to shore.

I would see new connections to the pipeline, probably innovations in terms of renewable energy and natural energy for the residents of the Arctic and the north part of Alaska. Clearly, we are extracting a large percentage of the oil that we use in this country from Alaska yet your Alaskans pay the highest prices for fuel in the country, and most of them rely upon diesel.

So we need to have some innovative solutions to power for people in northern Alaska and I foresee that happening, whether it is wind power, thermal, wave generated, hydro power, new solutions for power and providing clean water for the people in the north.

There are going to be a lot of people that are interested in tourism. In 2016, there is going to be a cruise ship with 1,200 passengers that is going to leave from our West Coast, go around Alaska, making ports of call up there, even though there are no ports to pull into—they will run boats ashore. But I see an increase in shipping up there.

There will be a need for permanent bases on the North Slope—not just seasonal things that the Coast Guard and other agencies do but there will have to be a permanent presence up there.

All these things are going to require investment by our country—investment that we have not done yet but is looming out there. I talked about how Russia is investing along its North Sea route. We are going to have to do very similar things.

Mr. YOUNG. And, Admiral, that was what should have been the first answer you gave of what your vision was. You were skirting the visions. Well, that last answer was good. So thank you.

Admiral PAPP. Yes, sir.

Mr. ROHRABACHER. And Mr. Stockman.

Mr. STOCKMAN. Some may ask why I am here because I am from Houston, Texas, where we do have global warming, around the year. They say we have two seasons—waiting for summer and summer. It is pretty hot down there at this time of year, even now.

But in my district we have 87 refineries. We produce almost half the gasoline in the United States. I have the Port of Houston, and so oil and gas is a very, very important commodity to our district and what happens around the world impacts directly in our district.

Therefore, I am interested in what you had to say today and interested in the dynamics. I was told that the Department of Homeland Security was calling for more icebreakers—I think three heavy ones, three medium ones.

Currently, we don't have anywhere near that, and I was wondering do you have a vision, as Don was saying, of where we are going? Is this administration going to execute what was recommended to them in terms of icebreakers? Are you going to increase the number of icebreakers?

I think I was reading in the paper one time where, you know, we had to get help from other countries even. There was one that was—remember it was frozen and then they kept sending other icebreakers and it kept freezing the other icebreakers, which is amazing for how they were—that passage was supposed to be open but it wasn't.

Could you address those concerns that the other committees here have in reference to the icebreakers?

Admiral PAPP. Yes, sir. My public statements are record on that.

Even though there is a new Commandant who may have a different opinion, I don't think his opinion would be too varied from what mine has been. But in this job as well, it is my opinion that we are woefully inadequate in terms of national icebreakers.

We have only one. Russia, on the other hand—granted, they have a much longer coastline but they have got at least a dozen, six nuclear-powered heavy icebreakers, and what I would say also is a reminder that we are just not focused on the Arctic.

We are a bipolar nation, literally. We also have Antarctic responsibilities as well and we have got one icebreaker that can probably operate about half the year and then has to go in the shipyard because of the rough usage. We do have a medium icebreaker, the Healy, that can operate. But that is—

Mr. STOCKMAN. But that is decommissioned or not, or is that—is that operating?

Admiral PAPP. Healy—

Mr. STOCKMAN. That is a medium one or is that a large?

Admiral PAPP. Healy is a medium icebreaker and is about now about 14 years old. It is in pretty good shape and it is used primarily for Arctic research. Polar Star is the only heavy icebreaker that we have.

Its sister, Polar Sea, is laid up in mothballs in Seattle, and what we have been trying to do is get construction on a brand new icebreaker to replace Polar Sea and Polar Star, which are approaching 40 years of age each.

Mr. STOCKMAN. Can I ask you what the goals are and what is the impediment to those goals?

Admiral PAPP. It is money. It is new construction. In theory, right now it should be within the Coast Guard's budget to build those.

But it was denied for many years and they are involved in other projects, and it is like the rest of the Federal Government—there is no growth, and a new icebreaker costs somewhere between \$800 million and \$1 billion and it is hard for any agency in the government to absorb right now.

Mr. STOCKMAN. But didn't Canada have—they were buying an icebreaker and they bought, like, the plans from another country and that saved them a lot of money?

Admiral PAPP. Well, that is not unusual. When our shipbuilders in this country—oftentimes what they will do is they will buy plans from another country.

Even Navy ships or Coast Guard cutters, oftentimes they will buy a design from another country but then build it in the United States. Our laws require us to build it in the United States.

Canada—I think they got their design from Finland, if I am not mistaken.

Mr. STOCKMAN. Right.

Admiral PAPP. Finland is probably the leading country for icebreakers.

Mr. STOCKMAN. But I am saying could we emulate what Canada did in order to facilitate—you know, expediting these icebreakers I think is pretty important, given that your vision of increased activity you would probably want more icebreakers and if that is the case and we could save money by buying it from Finland, I would think that we should do that.

So I guess, Mr. Chairman, what he is suggesting is we should bring back earmarks. That is my opinion I have. But thank you so much for coming down today and I would just request that there be something you can tell us to do to increase the—make sure that additional icebreakers could happen and you can tell us in Congress what we need to do.

Mr. ROHRABACHER. Being from Texas I would be surprised if we would earmark those icebreakers. But—

Mr. STOCKMAN. As long as we had oil getting out of it we would be very happy.

Mr. ROHRABACHER. Listen, thank you very much, Admiral. We appreciate your testimony. We appreciate your testimony. We appreciate your service.

I am speaking for my ranking members—the other members of the committee here—our doors are open to you in your new chairmanship. Let us work with you.

I take this responsibility very seriously because I believe that the Arctic area is an area that people have not paid attention to the vast potential that could be available to the people of the United States and these other countries and, yes, the world, if we have the right kind of policies—if we try not to be in a conflict there but instead try to find ground rules that will actually fit with all the countries and respect each other's rights.

And thank you very much for testifying and we have another panel now.

Admiral PAPP. Thank you, Mr. Chairman, for having me here today. God bless.

[Recess.]

Mr. ROHRABACHER. All right. Ladies and gentlemen, we have had a fairly lively hearing so far. We have with us two witnesses, Dr. Scott Borgerson. How do you—pronounce that for me, please.

Mr. BORGERSON. Borgerson.

Mr. ROHRABACHER. Borgerson. Got it. Dr. Scott Borgerson, who is the co-founder of an organization called the Arctic Circle, a prominent NGO, and he is also the chief executive officer of Cargo Metrics Technologies.

He has previously been a visiting fellow at the Council on Foreign Relations and has written numerous scholarly articles on the Arctic. He is a former Coast Guard officer. Do they allow you to have the beard in the Coast Guard?

Mr. BORGERSON. They did. This is new.

Mr. ROHRABACHER. Isn't that something? Okay. And having graduated from the Coast Guard Academy and later he earned his Ph.D. from the Fletcher School of Law in diplomacy.

We also have with us Mr. Andrew Holland. He is a senior fellow at the American Security Project. His work focuses on energy, infrastructure and the environment. In the past, he has held various policy staff positions on both sides of Capitol Hill. He is a graduate of Wake Forest University and the University of St. Andrews in Scotland.

Gentlemen, we would like you to, if you could, summarize your testimony in about 5 minutes and then be able to go and we will have questions for you after that.

You may submit anything else, of course, for the record. You may proceed.

STATEMENT OF SCOTT BORGERSON, PH.D., CHIEF EXECUTIVE OFFICER, CARGO METRICS TECHNOLOGIES

Mr. BORGERSON. Thank you, Chairman, and it is a great pleasure to be here. I am honored to be invited and I testified actually before your committee in 2009, along with Admiral Papp.

So it is great to be back, and I went back to reread my testimony in preparation for this today and some things have changed and many things haven't, like icebreakers, the Law of the Sea, et cetera. I will touch on that in a bit in my comments.

But, really, I am pleased to be back today as a private citizen. Thank you for inviting me. I am going to detour from my prepared comments to answer the question Congressman Young asked Admiral Papp, if I could, about my vision for the Arctic in 50 years.

Mr. ROHRABACHER. That is fine.

Mr. BORGERSON. I think there are two answers for that, depending on how the United States chooses to invest or not invest today, and if you look at the Korean Peninsula you can see two very different kinds of policies at a line of latitude—one, at night by satellite, is all lit up.

There is a viable industry there. They build ships—really, a vibrant economy in South Korea. And in North Korea there is the opposite policies and it is dark at night, and I think when you look at the Arctic in 50 years you will see some countries, like Russia and Norway, having vibrant bright coastlines with vibrant communities and economies and industries because they are investing in infrastructure today, and if the United States does not you will see something that looks like North Korea today from space—what Alaska is today, which is basically open wild coastline.

From Adak to Barrow is the same distance as from about Key West to Maine. It is a massive state. Everything is bigger in Texas, of course, except for Alaska, which is two and a half times the size of the Texas, and there is virtually no infrastructure there, and we have to invest in infrastructure today.

So I will summarize my comments very briefly and to, first, climate change, just touching at the wave tops; second, infrastructure—I think we need to invest there; and lastly, I think, some foreign policy opportunities for the United States and chairmanship at the Arctic Council.

First, climate change—5 years ago, when I testified I talked about the pace—the rapid pace of sea ice melt then. In the 5 years since, every year is a record or a near record.

In the past 30 years, the Arctic has lost half of its area and three-quarters of its volume of sea ice. These are historic unprecedented melting of sea ice. It is without debate, as we have discussed on this panel.

I am a big fan of Alaska. My heart is in Alaska. I love the state. I am in constant contact with people there including my friend, Dan Sullivan, who is now a senator-elect from Alaska, and this is one of the warmest Novembers ever there and winter is 2 months behind. The rivers have not yet frozen.

So we have—we can talk about mitigation strategies, and I personally believe carbon needs to be priced, whether it is tax or cap-and-trade. But separate from the point of this hearing, which is about adaptation, the Arctic is melting. The United States has to respond because the rest of the country or world is.

Second, infrastructure—so what might we do? I would ask you to channel your Lee Kuan Yew, the great Singaporean leader, who, when they left Malaysia in 1965 had relatively little infrastructure and a small economy, and it is now the wealthiest nation in Southeast Asia because of very forward-looking progressive ideas about how to invest into port, into rail, roads, et cetera.

I wrote an op-ed in *The New York Times* 10 years ago, the first op-ed about the Arctic, saying that it would take 10 years and \$1 billion to build a new icebreaker, and if we started today—this was 10 years ago—that we might have one when we need it as the *Polar Sea* and *Polar Star* are being decommissioned.

As we just heard from our Ambassador, here we are literally 10 years later with not a nickel appropriated to build a new one and this country needs to. It is late.

We need a deep-water port. We need road, rail and other inter-modal infrastructure. We need pipelines. We need airports, et cetera. I would really encourage the committee to think big about Alaska and think big about the Arctic.

Lastly, we need to be much, much bolder in our approach to Arctic foreign policy. I don't think we are being bold enough as, as we approach chairmanship of the Arctic Council, starting with, before I suggest some new ideas, an old one is get off the list of Syria, North Korea and Iran as nonsignatories as coastal states the Law of the Sea Convention and join officially.

I know this is the House, not the Senate, which has constitutional authority to get advice and consent to treaties, but it is embarrassing that we don't—aren't officially party to the treaty.

I think we should create marine preserves in the Arctic. I think we should work through the Arctic Council to help protect the high seas and maybe perhaps even make all the high seas off limits.

I think we should work with Canada to create a new compromise of the Northwest Passage. We have a maritime boundary line dispute with Canada there. I think we should engage energetically with Russia.

And, lastly, I see I am about out of time. I am pro-development. I think this should be done hand in hand with development.

I think there should be a strategic approach to the Arctic where we look to invest in infrastructure in the Arctic and develop the Arctic with conservation in mind but do so in a very progressive forward-looking way that also protects the environment.

Thank you.

[Mr. Borgerson did not submit a prepared statement.]

Mr. ROHRABACHER. Doctor—Mr. Holland, you may proceed.

STATEMENT OF MR. ANDREW HOLLAND, SENIOR FELLOW FOR ENERGY AND CLIMATE, AMERICAN SECURITY PROJECT

Mr. HOLLAND. Thank you, Chairman Rohrabacher, Ranking Member Keating and members of the committee for inviting me to testify at today's hearing.

I am going to begin by noting that I cannot claim to be an expert on Arctic affairs. Though I have written and spoken extensively about it, I have not yet been above the Arctic Circle, unlike some of our folks who have spent time on Coast Guard cutters or Navy submarines.

My research at ASP focuses on energy, the environment and how they affect America's national security. What that means is that I care more about geopolitics than I do about polar bear habitats.

I think my role in today's hearing will be to offer perspective as an outsider, someone who understands international relations and America's national security needs more than I understand the intricacies of how the Arctic Council works.

So to back up—for most of human history, the annual melt and refreezing of the Arctic Ocean was a consistent trend that kept it closed to all but the most intrepid explorers.

It was only in 1909 that Admiral Robert Peary's expedition became the first to reach the North Pole. In a telegram to then President Howard Taft, he said, "I have the honor to place the North Pole at your disposal." Taft replied, "Thanks for your interesting and generous offer. I do not know exactly what to do with it."

As I will explain, I think that American policy to the Arctic has not changed that much since Taft. We still do not know exactly what to do with it. Today, melting ice is opening the Arctic.

As we heard, the administration has made climate change in the Arctic a focus of the U.S. Arctic Council chairmanship, and that should certainly be a part of it. The unraveling of the Arctic will have huge costs to all of us, but I am concerned that U.S. policies must go further in planning for an opening Arctic.

During question and answer time, I am happy to discuss commercial Arctic shipping, Arctic cruises, or drilling for energy resources. My statement for the record includes extensive analysis of these. But I will concentrate my oral statement on the geopolitical and military imbalances I see in the Arctic.

At first glance, there is a clear story line here—a gold rush leads to a 21st century scramble for the Arctic with contested territorial claims, which leads inexorably to conflict.

But that does not fit. The institutions governing the Arctic are simply too strong. The U.N. Convention on the Law of the Sea and the Arctic Council have legitimacy among Arctic nations and cooperation has reigned for decades.

That does not mean, however, that there is no threat of conflict over the Arctic. I contend that the danger, in fact, comes from an imbalance of attention and of power. Put simply, the United States is weak where others are gaining in strength.

We are way behind our competitors in planning for an open Arctic and this imbalance is most apparent in the military power available in the Arctic. As the region warms and the ice melts, Arctic nations are constructing new military bases and building new ships that can operate in the harsh environment.

At the same time, countries far from the Arctic, including the two most populous nations in the world—China and India—are scrambling to find new geopolitical advantages in the melting ice.

While countries like Russia see Arctic power as central to their national affairs, the United States pays little more than lip service to our status as an Arctic power. In nowhere else in the world is the U.S. Navy so clearly outclassed in its ability to perform surface operations as in the Arctic.

Russia's Northern Fleet is its largest and most powerful. It has conducted extensive exercises in Arctic waters. Russia has reopened Cold War-era bases all along their Arctic coast and just 2 months ago they opened new radar bases on Wrangel Island; that is only 300 miles from the Alaska coast.

That means that the Russian military would be much closer to any drilling operations in American waters than any U.S. military or Coast Guard operations.

Today, neither the Navy nor the Coast Guard have the infrastructure, the ships or the political ambition to be able to sustain surface operations in the Arctic in a similar manner to the Russians.

Reading the Department of Defense 2013 Arctic strategy you come away with the impression that it is a worthy document, but there is no budget to back it up. Regardless of why the U.S. has failed to act in the Arctic, the result is a missed opportunity.

The U.S. Government, under the leadership of both Republican and Democratic administrations, has all but ignored the Arctic. So we must do more.

In the harsh environment of the Arctic a laissez-faire approach does not work. Governments must put in place the policies, appropriate the funds and give the political legitimacy to Arctic development in order to exploit the real opportunities that are available up there.

So far, the United States has, notably, combined only tentative policies with very little funding and no high-level political visibility.

So I have a few concrete steps that Congress could quickly take in order to exert power in the Arctic. First, and I know this is for the other side of the Hill: Ratify U.N. Law of the Sea Convention.

Second, increase funding for U.S. military presence. This is about Coast Guards but it is also about port facilities. It is also about permanent Coast Guard facilities.

Third, we need to make a final decision on whether to approve and regulate offshore oil drilling. We need to decide one way or the other and then get moving on figuring out regulations.

Fourth, elevate Admiral Papp—or his successor's—role to a permanent Senate-confirmed Ambassador-level position. Right now, he is just a special envoy appointed to the Secretary of State. It would be better if he was an Ambassador.

Other nations have Arctic Ambassadors—all the other Arctic nations as well as the Chinese, the Indians, Singapore, others.

And fifth and finally, raise the Arctic's profile by regularly participating in Arctic-focused events. By that I mean Members of Congress, not just Representative Young. We need to raise its profile, and I know I am over time but I will finish up here by saying in the absence of clear statements of policy, backed by high-level attention and resources from the United States, there is a danger over the long run that other countries will misread U.S. intentions about what we perceive as our core interest in the Arctic.

The United States is an Arctic nation but we should start acting like one. Thank you, and I look forward to questions.

[The prepared statement of Mr. Holland follows:]

Andrew Holland
Senior Fellow for Energy and Climate
American Security Project

House Committee on Foreign Affairs, Subcommittee on Europe, Eurasia, and Emerging Threats

Hearing: The United States as an Arctic Nation: Opportunities in the High North

December 10, 2014
2200 Rayburn House Office Building Washington, DC 20515

National Security in a Rapidly Changing Arctic
*How a Lack of Attention to the Arctic Is Harming America's
Interests*

Thank you Chairman Rohrabacher, Ranking Member Keating and members of the Committee for inviting me to testify at today's hearing on "The United States as an Arctic Nation: Opportunities in the High North."

I should begin by noting that I cannot claim to be an expert on Arctic affairs, though I have written and spoken about extensively about it – mostly because I have not yet been above the Arctic Circle.

My research specialty at the American Security Project focuses on energy, environment, and how they affect America's national security. This means that I care more about geopolitics than I do about Polar Bear habitats.

The American Security Project is a non-partisan national security think tank that focuses on issues of America's long term national security, ranging from non-proliferation to counter-terrorism, American competitiveness to energy security. Our board of Directors include Governor Christine Todd Whitman, former Senator Gary Hart, and retired senior flag officers from all four military services.

The reason I have researched the Arctic is because there is nowhere else in the world in which the combination of energy resources, environmental change, and geopolitics come together. As the Arctic opens, we have a brief opportunity to mold the region into an area where the United States can advance its interests and the interests of humanity at large.

I think my role in today's hearing will be to offer a perspective as an outsider – someone who understands international relations and America's national security needs more than I am familiar with the intricacies of how the Arctic Council works.

For most of human history, the annual melt and re-freezing of the Arctic Ocean was a consistent trend that kept it closed to all but the most intrepid explorers.

It was only in 1909 that Admiral Robert Peary's expedition became the first to reach the North Pole. In a telegram to then-President Howard Taft, he said "*I have the honor to place the North Pole at your disposal.*" Taft replied: "*Thanks for your interesting and generous offer, I do not know exactly what to do with it.*"

One of the causes of this hearing and the renewed interest in the Arctic here in Washington is that the U.S. will take the Chair of the Arctic Council next April. I am

As I will explain, I believe that American policy to the Arctic has not changed that much since Taft wrote that message: we still *do not know exactly what to do with it.*

Today, temperatures in the Arctic are rising at twice the rate as the rest of the world.¹ Starting in the 1970s, the annual trend in ice melt began to slowly change, and the yearly minimum extent of sea ice, reached every September, began to drop.²

Then, in 2007, observers saw an unprecedented and unanticipated drop in sea ice coverage: 24 percent below the previous record (set in 2005) and 38 percent below the 1979-2000 average.³ Over the ensuing years, sea ice never returned to its historical averages, and in 2012, summer sea ice retreated to its lowest level on record.⁴ In the short time since 2007, the story of how countries have reacted to the opening of the Arctic Ocean shows how climate change can impact geopolitics and national security considerations.

In less than a decade, we now understand that the Arctic is undergoing a fundamental change in state, from an ocean enclosed in ice to one open to transit and human exploitation, for at least part of the year. One of the main reasons for this is that sea ice has a high albedo (reflective capability) compared to open ocean. This means that while ice reflects solar energy back into space (snow covered ice has an even higher albedo), open ocean water, darker in color than ice or snow, absorbs that energy as heat.⁵ In this way, the absence of sea ice allows the ocean to absorb more heat, which contributes to further warming in a feedback loop – a "death spiral" for Arctic ice.⁶ This tipping point is so complete that many scientists now expect that the Arctic will be entirely ice-free during the summer within a decade or two.⁷

These developments have encouraged some observers in the media and even governments to proclaim a new "Arctic Gold Rush" or a "Scramble for the Arctic" (to cite two recently published books).⁸⁹

In the years since the Arctic has begun to open, governments around the world have responded. As governments do, they have written reams of reports detailing how their country and their businesses will seize the opportunities presented by an opening Arctic. As would be expected, the eight Arctic countries have each updated their Arctic strategic guidance. However, countries as diverse as Singapore, Italy, South Korea, India, and China have joined the Arctic Council as observers and have also updated their strategic guidance.

Is this a rush to secure scarce resources in the High North? Will there be a new “Cold War” over disputed borders and resources. No; that threat is overblown because the legal institutions for governing territorial disputes, particularly the United Nations Convention of the Law of the Sea, are strong and generally recognized by all parties. All recent evidence shows that parties are inclined to resolve disagreements under the principles of the law, using both bilateral negotiations and multilateral fora like the Arctic Council.

However, one country has been nearly absent in the rush to the Arctic: the United States. While countries around the world make plans to exploit the Arctic and are building the infrastructure and equipment to seize the opportunities, the U.S. has thus far failed to go further than issuing defense and foreign policy planning documents. Such strategy papers, issued by both the Bush and Obama Administrations have merely served to show how low the Arctic is prioritized, from the President throughout the bureaucracy and into the Congress. In the end, I contend that the United States has simply not invested the resources needed to meet the challenges of an opening Arctic.

How Melting Ice Affects International Security

The melting ice is opening up the Arctic Ocean region to human presence and industrialization in a way that it has never seen. We are seeing the Arctic Ocean becoming a major passageway for international trade and perhaps the next region to ‘boom’ from oil and gas resource extraction. As the region warms and the ice melts, Arctic nations are constructing new military bases and building new ships to survive in the harsh environment. They are placing new legal claims on hitherto inaccessible resources. At the same time, countries far from the Arctic, including the two most populous nations in the world, China and India, are scrambling to exert their influence in the Arctic in any way they can.

At first glance, there is a clear story line of how climate change is causing melting ice, opening a new region to human exploitation, leading to a gold rush. As that story goes, countries rush military units to the region in order to protect their claims and expand their sphere of influence. This inevitably leads to tension in areas of overlapping claims and this could lead to conflict. This is a story that has already been written in the media, the scholarly literature, and even a major video game.¹⁰

Historians and international relations experts are familiar with this story as well. A race for resources is reminiscent of the nineteenth century “Scramble for Africa,” the “Great Game” in Central Asia, or the fifteenth century Treaty of Tordesillas splitting the undiscovered world into Portuguese and Spanish territories.

Yet, as tempting as it may be to squeeze a twenty-first century “Scramble for the Arctic” into this familiar storyline, it does not fit. The institutions governing the Arctic are strong: the five littoral states follow the rules of the UN Convention on the Law of the Sea (even though the U.S. Senate has not ratified the Convention) for resolving issues with maritime borders. The Arctic Council, an intergovernmental organization of the eight countries with Arctic territory,

has proven itself to be a useful forum since it was established in 1996 for promoting cooperation and resolving differences among the Arctic States and their indigenous communities.

That does not mean, however, that there is no threat of conflict over the Arctic. The danger, in fact, comes from an imbalance of attention. While the United States has largely ignored the Arctic, Russia and non-Arctic powers, especially China, have actively sought to find new geopolitical advantages in the melting ice. As the Arctic develops, it is clear there is a disparity of attention to the region, with some countries seeing it as central to their national affairs, while others, particularly the United States, pay little more than lip-service to their status as an Arctic power. It is this imbalance, and the uncertainty about the priority that the United States places on Arctic affairs, that could cause international misunderstandings or even conflict. This imbalance is apparent in the rush to resources, the promotion of new international trade routes, and—especially—the military power available in the Arctic.

A Rush to Resources

The U.S. Geological Survey estimates that 90 billion barrels of oil, or 13 percent of the world's undiscovered reserves, are within the Arctic.¹¹ It is important to note that these reserves are still notional, we cannot know how much oil and gas there is for certain until more extensive exploration is done. Unlike other areas of the world, the remoteness and extreme climate of the Arctic have prevented the exploration for and exploitation of these reserves. Today, with persistently high oil prices and new drilling and extraction technology that allows for offshore oil and gas drilling in even the most extreme conditions, these huge new energy resources are in high demand and available for the taking.

Russia has been proactive about exploiting its Arctic resources. The Russian government is implementing plans, backed with a century of Arctic infrastructure development, to develop oil and gas throughout its Arctic coast. Russia's "Policy for the Arctic to 2020" identified the Arctic as "a strategic resource base" that can provide "the solution of problems of social and economic development of the country."¹² Russian oil and gas giants Rosneft and Gazprom require significant investments in both capital and technology to exploit these offshore resources, and they have looked to foreign partnerships to supply them.

They have signed cooperation agreements with the Chinese National Petroleum Corporation (CNPC) and Sinopec of China, Petrovietnam of Vietnam, and others to provide funds and expertise to develop oil in Arctic.¹³¹⁴ In 2011, Exxon Mobil had signed a deal with Rosneft to drill in the Arctic – a deal personally approved by President Putin – that produced its first oil over the summer. However, in September, with the implementation of increased sanctions on Russia over the Ukraine crisis, Exxon Mobil and other western firms have been forced to pull out of these deals.

Gazprom has developed a platform it considers to be ice-resistant, and it has initiated its first deliveries of Arctic oil from the Prirazlomnoye in 2012, delivering about 2.2 million barrels throughout 2014.¹⁵

Likewise, other countries like Norway, Denmark, and Canada have also sought to increase their presence in the Arctic. Norway, in particular, has been active in drilling its Arctic waters (which are predominantly ice free throughout the year due to warmer ocean currents).

On the other hand, while the Obama administration has supported energy development in the Arctic as part of its “all-the-above” energy strategy, a string of setbacks has, for now, delayed plans for offshore drilling north of Alaska. Royal Dutch Shell’s attempts in 2012 to drill exploratory wells in the Chukchi and Beaufort Seas can only be described as a failure: both the government and the company committed a string of mistakes and delays that led to the grounding of a drill ship and only limited time actually drilling. While Shell has not announced plans for drilling its leases next year, I would be very surprised if they proceeded.

Since the attempts to drill in American Arctic waters in 2012, the U.S. Department of the Interior has conducted a review of Arctic energy exploration.¹⁶ However, it is unclear at this time that the U.S. government has the plans or policies in place to allow energy development to proceed in a safe manner.

Promoting New International Trade Routes

While energy companies begin plans to drill for oil and gas beneath the sea, commercial freighters and tanker are regularly plying the Arctic Ocean for the first time. Some of this shipping is required to service, supply, and transport the expanding energy exploration in the region, but a growing amount of seasonal commercial shipping in the Arctic Ocean is purely for transit as the sea ice disappears.

Transit through the Arctic can dramatically reduce shipping distances: travel from Shanghai to Hamburg is four thousand miles shorter over Russia’s Northern Sea Route than via the Suez Canal. It is 4,300 miles less from Shanghai to New York via Canada’s Northwest Passage than through the Panama Canal. Previous to the summer of 2013, commercial shipment through the Northwest Passage was a sixteenth century dream that had only been achieved once before when the *SS Manhattan*, a massive oil tanker tested the viability of shipping oil from Alaska’s Prudhoe Bay to markets on the U.S. East Coast, in 1969. The difficulty of that journey convinced Alaskans to build the Trans-Alaska Pipeline and foreclosed commercial shipping in the Arctic for more than 40 years.

These passageways are opening for seasonal passage today. As of 9 December, 2014, the Russian Government had given permission to 614 ships for navigation in the waters of the Northern Sea Route, more than doubling in two years since 2012.¹⁷ While most of these are local ships, in 2013, at least forty were vessels in transit with either a destination or a port of origin not in the Russian Arctic and ten of those vessels had traversed the Russian Northern Sea route purely as means of passage (note: Russian government numbers for 2014 are not as clear).¹⁸ Also in 2013, the first commercial freighter, the Nordic Orion, passed through Canada’s more treacherous Northwest Passage with a cargo of metallurgical coal bound for Finland. Passing through the Northwest Passage allowed it to carry fifteen thousand tons more than it would have been able to carry through the Panama Canal.¹⁹

While there is significant questions about the viability of both Arctic sea routes for commercial shipping, due to the vagaries of schedule caused by weather and ice, there is a growing market for pleasure cruises. For August 2015, interested parties could book passage on cruise ships at rates ranging from \$8,000 to almost \$50,000.²⁰ This raises important questions about how to prepare for disaster response for such shipping.

In Alaska, there is insufficient infrastructure to ensure safe navigation north of the Bering Strait, with the closest deep-water harbor at Dutch Harbor, more than seven hundred miles south of Nome (which has a small harbor that can handle medium-draft ships) and 1,100 miles from much of the projected energy exploration activity in the Chuchki Sea. The nearest permanent Coast Guard presence is at Coast Guard Air Station Kodiak, and the Commandant of the Coast Guard has characterized their operations in the Arctic as “only temporary and occasional.”²¹

The United States Coast Guard only has two icebreakers in service today, the USCGC Healy and the heavy icebreaker USCGC Polar Star (which has recently returned to service after an extensive retrofit). On the other hand, Russia operates twenty-five polar icebreakers, Finland and Sweden each have seven, and Canada has six.²² Russia is currently constructing what will be the world’s largest nuclear-powered icebreaker.

Militarization of the Arctic?

In nowhere else in the world is the U.S. Navy so clearly outclassed in its ability to perform operations than in the Arctic. Today, the U.S. Department of Defense (DoD) says there is no need for a U.S. Navy presence, other than the strategic patrols that U.S. Navy submarines have been doing since early in the Cold War because the DoD does not view disputes in the Arctic as a likely source of conflict.²³ For this reason, there are no DoD plans for building any additional Arctic bases or deep draft ports through 2020.²⁴

On the other hand, the Russian Northern Fleet is its largest and most powerful fleet and has conducted extensive exercises in Arctic waters along Russia’s Northern Sea Route.²⁵ In October 2013, the Russian Air Force re-opened a Cold War-era air base on Kotelny Island, far to the east of the Northern Fleet’s home port of Severomorsk.²⁶ In November 2013, Russia’s Minister of Defense announced plans to create a new class of ice-protected vessels to patrol their Arctic coast.²⁷ On October 3, 2014 Russian military radar installations on Wrangel Island and Cape Schmidt on the Arctic Coast started operations – these installations are only 300 miles from the Alaska coast, and would be much closer to any drilling operations in US waters than any US military or Coast Guard installation.²⁸

The three other Arctic littoral nations (Canada, Denmark, and Norway) have also demonstrated their commitment to increasing their military presence in the region, improving infrastructure and augmenting fleet and troop levels rapidly. Canada is converting a deep-water port on Baffin Island into a major naval base, building eight new vessels via the Arctic Patrol Ship Project, and considering establishing training facilities in Resolute Bay near the Northwest Passage.²⁹ The Danish military is creating an Arctic Response Force,³⁰ and Norway has committed to purchasing 48 F-35 aircraft “for the continued presence of core areas in the High North.”³¹

Today, neither the U.S. Navy nor the U.S. Coast Guard have the infrastructure, the ships, nor the political ambition to be able to sustain surface operations in the Arctic in a similar manner. While the Department of Defense's 2013 Arctic Strategy provides an important outline for U.S. defense operations in the region, it fails by stating: *"There is some risk that the perception that the Arctic is being militarized may lead to an 'arms race' mentality that could lead to a breakdown of existing cooperative approaches to shared challenges."* When the other players are actively expanding their capability, to so obviously ignore the challenge is a problem.

Perceived American Weakness Affects the Balance of Power

A changing Arctic provides new opportunities for Arctic states and for the world. However, the extreme conditions in the Arctic mean that planning is necessary. In the harsh environment of the Arctic, a *laissez-faire* approach will not work: governments must put in place the policies, appropriate the funds, and give political legitimacy to Arctic development in order to be able to assert their will and exploit these opportunities. The United States has notably combined only tentative policies with very little funding and no high-level political visibility.

Perhaps the lack of interest from the United States in the Arctic is because Alaska is so remote and sparsely populated. In contrast, for countries like Russia, Norway, or Canada, the Arctic is more central to their national identity.

This lack of attention has consequences. For example, because the U.S. Senate has refused to ratify the UN Convention on the Law of the Sea, U.S. diplomats are not privy to decisions about claims to extended Exclusive Economic Zones in the Arctic Ocean. Russia has claimed the undersea Lomonosov Ridge under the North Pole as an extension of their continental shelf. Denmark (via Greenland) and Canada dispute that claim. These decisions about borders will be made in the coming months and years, and U.S. diplomats will have little say.

Russian President Vladimir Putin has given direct speeches about developing the Arctic, saying, "Russia is carrying out intensive work in the Arctic regions to explore and develop new oil and gas fields and minerals deposits. We are building big transport and energy facilities and reviving the Northern Sea Route."³²

Meanwhile, President Bush released his Arctic policy statement only days before leaving office in January 2009 and President Obama released an updated Arctic policy statement in 2013 on a quiet Friday afternoon without any publicity or press statement.³³ In substance, both statements exhibited remarkable consensus in both the need for a legal dispute settlement system, including ratification of the UN Convention on the Law of the Sea, increased search and rescue capabilities, and the need to exploit energy resources.

However, neither Administration pushed Congress to actually appropriate the funds necessary to meet these challenges. Over the last four years, the White House (of both parties) has released toothless Arctic policy papers, while the Kremlin places exploiting the Arctic at the center of national affairs and puts significant resources behind its policies; the difference in priority level at the presidential level could not be clearer.

Below the level of head of state, the lack of attention persists. Although I commend Admiral Papp as a credible and important voice, with support from Secretary Kerry, I am concerned that his role does not have institutional support, and may not last beyond his tenure. While countries as diverse as Japan, Denmark, Sweden, Finland, Iceland, Russia, and Singapore have an ambassador-level position responsible for managing Arctic affairs, the U.S. Department of State's senior Arctic official is not even a Senate-confirmed position.³⁴

As new countries join the Arctic Council, they could change the balance of power in the Arctic. China's actions in the Arctic since becoming a Permanent Observer to the Arctic Council have led to many questions about its intentions. Chinese mining firms have begun exploration for gold, copper, and iron ore in Greenland. Additionally, the China National Offshore Oil Corporation has entered into an agreement to explore for oil off Iceland's coast. Combined with their strong campaign to join the Arctic Council, it is clear that China will seek to be a major player in the Arctic, both for resource extraction and the transit routes.

The danger in the Arctic comes from an imbalance of power and of attention, not from a scramble for resources. While Russia has declared the Arctic to be "a strategic resource base" and has promulgated plans to promote the Northern Sea Route over Russia as a major route for international trade, the U.S. government, under the leadership of both Republican and Democratic administrations, has all but ignored the Arctic.³⁵

The question of 'why' this is so is complicated. Perhaps the political paralysis on climate policy in Congress has stifled debate about the role of the U.S. in the Arctic; so long as a large portion of our political system refuses to acknowledge the very existence of climate change, it is difficult to find a consensus, even in the face of clear evidence. Perhaps it also has to do with a difference of culture; for Russia and the other members of the Arctic Council, their cold northern expanse holds a mystique akin the popular American conception of the Western frontier. For most Americans, though, Alaska and the Arctic are simply too distant and almost foreign to stir any passions. Finally, perhaps we should follow the principle of Occam's razor: action and strategy in the Arctic is not prioritized by the United States because, in comparison to pressing concerns like Iranian nuclear weapons, a rebalance to Asia, war in Afghanistan, or trade with Europe, the Arctic is simply not that important to the United States.

Regardless of 'why' the U.S. has failed to act on the Arctic, the result is a failed opportunity.

There are a few concrete steps that Congress could quickly take in order to exert power in the Arctic:

1. **Ratify the UN Law of the Sea Convention**, so that the United States can fully participate in negotiations to determine borders in the Arctic;
2. **Increase funding for U.S. military presence** by either the U.S. Navy or the U.S. Coast Guard in order to secure our sea lanes and provide for disaster response;
3. **Make a final decision on whether to approve and regulate offshore oil drilling.**
4. **Elevate Admiral Papp's role to a permanent Ambassador-level position** (Sensenbrenner's HR 4538 and Begich's S.270) and

5. Raise the Arctic's profile by regularly participating in Arctic-focused events.
Members of Congress other than our Alaska Members should.

In 2015, the United States will assume the chair of the Arctic Council. If the United States has not made decisions, backed by resources, on these topics before then, we will have missed a great opportunity. There is a real danger of conflict in the Arctic due to a lack of clarity about U.S. intentions in the High North. There is a danger that other countries may perceive U.S. inattention as weakness. In the absence of clear statement of policy, backed up by high-level attention and resources from the United States, there is a danger of misreading U.S. intentions about what it perceives as core interests in the Arctic. There is still time for the United States to change course. The United States is an Arctic nation: it should start acting like one.

(Any further questions from the committee or others may be directed to Andrew Holland through his website, www.andrew-holland.com.)

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Mr. ROHRABACHER. Thank you very much. Mr. Keating, would you like to proceed?

Mr. KEATING. Thank you, and thank you for your testimony. I do think you addressed some of the unanswered questions we had with the admiral.

I do want to give you the opportunity—I guess, first, Scott and if you would like to—you both addressed it but if you had some time to go a little further, I am curious.

Our inability to accede to the Law of the Seas Convention—what are some of the results of that? If you could detail them a little bit more I think that would be helpful. I will give you a little more time to do that.

Mr. BORGERSON. I will start. First, I would like to say that was fabulous testimony, I thought, from Mr. Holland and I agree with every one of his policy recommendations.

When at the Council on Foreign Relations, I published a special report called “The National Interest and Law of the Sea,” which detailed all the reasons why hurting the convention—why not joining the convention hurts specific concrete aspects of our national interest.

This isn’t sort of a airy fairy feel-good thing about international treaties. This is about national interest, hard power. A few examples—one, under the provision Article 76 of the convention, without being officially a party you can’t formally submit your claim to extended Continental Shelf. Not only can we not submit our claim, we can’t officially have a seat at the table to review other claims that are being submitted. That is a problem. We literally don’t have U.S. representation on that committee.

Second, under Article 234, which has to do with additional legal authority to enforce shipping rules and regulations in ice-covered waters, that is undermined by not being a party to the treaty.

And then lastly, and it is difficult to sort of quantify, but Admiral Papp sort of spoke to it and I feel this also, traveling the world talking about the Arctic and interacting with other Arctic sovereign heads of state—we have really little lessons or a moral authority on Arctic issues.

The law—we led the writing of the Law of the Sea Convention. The world changed the Law of the Sea Convention to address President Reagan’s problems with it. The rest of the world has signed up for the rule book that we follow and yet still, as a great maritime nation such as ours, we still can’t get our act together and join the convention, and it does undermine us from a moral and diplomatic point of view in all these forums.

So I would refer you to the book I wrote, “National Interest and Law of the Sea” for a stimulating read on all the sort of other legal details. But I will just end by saying it is the one issue in Washington that you can find the oil and gas industry, heads of the militaries, environmental NGOs, Republicans, Democrats across the aisle agreeing that we should join this treaty.

Mr. HOLLAND. I would just add that the only thing—it is about legitimacy and it is about our ability to exert our will up there.

You know, the Russians made headlines last decade in 2007 by planting a little Russian flag on the sea floor under the Arctic and that is a part of their claim to an extended Continental Shelf.

The Canadians have now claimed a similar thing, claiming the North Pole. The Danes, through Greenland, have also claimed up to the North Pole.

I don't know whether we could or we would want to or anything like that but I would—I would note that when I was doing my research for this, Admiral Peary was the first one to put a flag up there and it was an American flag.

Mr. KEATING. You know, it is interesting. The chair and myself went to Russia and it was prior to the aggression in Ukraine and other areas, but we were in Russia and we had occasion to meet with Mr. Rogozin, and during that meeting I was impressed with how much time he spent talking about their plans in oil exploration and as the ice was melting and how that, you know, offered all kinds of opportunities.

So I think it is clear that our country has almost adopted—it might be too severe to say—an isolationist policy but, clearly, one of not paying attention to the economic issues, the—some of the jurisdictional issues that are going to come about, some of the environmental issues—you know, oil, fishing.

You could go on and on with what we are—but we are—it is clear, and that is why I hope this hearing raises, you know, the consciousness around this because we will be dealing with this one way or another at a certain period of time, and we can deal with it before some of these conflicts occur, before some of these opportunities are lost, before our ability to influence things diminishes but—or we can wait and all those things will occur.

So I thank you both for your testimony—very important points—and I hope we can—hope it raises the level of interest in this because it is inevitable that we will be dealing with all of these issues.

Better—we would be better served as a country doing it in the front end. Thank you.

Mr. BORGERSON. You are welcome. Thank you.

Mr. ROHRABACHER. Well, let me just ask some specifics here. I have heard a lot about the Law of the Sea Treaty here. I was not necessarily prepared to discuss the Law of the Sea Treaty but would the Law of the Sea Treaty be contradictory then—you mentioned—I guess you just mentioned or maybe you just mentioned that one country had made a claim—was it Denmark? Made the claim all the way to—

Mr. HOLLAND. To the Pole. The Russians and the Canadians. The Canadians are preparing their claim to the Pole.

Mr. ROHRABACHER. Claims—territorial claims that go all the way to the Pole in the sort of a pie—

Mr. HOLLAND. Correct. Yes, like a pie piece.

Mr. ROHRABACHER. Pie piece. So that is one approach that we have to setting down a strategy of how to approach who has authority and rights and power over those areas in the Arctic that we are talking about.

Is there a conflict between the Law of the Sea Treaty and the idea of a territorial claim by individual countries? If we claimed them—a pie shape to the Pole—would the treaty then be contrary to that?

Mr. BORGERSON. So I will take that. The answer is no, and the treaty actually outlines the rules under which the adjudication would be made under a organization called the Commission on the Limits of the Continental Shelf, which has a very technical prescribed set of rules to make that determination and——

Mr. ROHRABACHER. Do we at that point rely on the United Nations in order to settle disputes then within that context?

Mr. BORGERSON. So maybe, not necessarily. So they can be resolved bilaterally in certain circumstances.

Mr. ROHRABACHER. Oh, yes. But if they can't—but if someone comes——

Mr. BORGERSON. There is a Law of the Sea Tribunal and——

Mr. ROHRABACHER. Yes, but somebody comes up and they are challenging your authority and your rights and, of course, there is not going to be someone who says well, I will just give in to arbitration. You know, if this person has no rights to this particular territory——

Mr. BORGERSON. Right.

Mr. ROHRABACHER [continuing]. We would then be letting the United Nations settle that dispute?

Mr. BORGERSON. No. I mean, no different than China's allowed the United Nations to solve the Spratly Island dispute in the South China Sea or our disagreement with Canada over the status of the Northwest Passage or——

Mr. ROHRABACHER. Right.

Mr. BORGERSON [continuing]. Our dispute with Canada on the maritime boundary line in the Arctic. Those aren't——

Mr. ROHRABACHER. Of course, in this particular case it is a particular pie—you know, the Spratly Islands, of course, are 200 miles from the Philippines and 800 miles from China and maybe China would like the United Nations to settle that because they have a tendency to bribe countries in the United Nations.

Mr. BORGERSON. I can't speak to Chinese bribery of U.N. member states as it relates to the Law of the Sea claims but what——

Mr. ROHRABACHER. Well, just remember—let us put it this way. If the Law of the Sea Treaty is dependent on the United Nations for any type of enforcement, what you have done is you have taken authority and put it in the hands of enforcement into an institution in which if you look at the membership of the United Nations and you look at the General Assembly, you realize that over half the nations are governed by crooks or lunatics, and we—as people who would never be elected and given authority to anything in the United States.

So if the Law of the Sea Treaty verification would in some way put us under an obligation to let the United Nations solve disputes, I think that is rather—something I would not be supportive of. Let us put it that way.

The—in terms of this is the warmest—this is the warmest winter that Alaska has had, we all—the question as in global warming, of course, is who causes this—as whether it is a natural phenomena or a manmade phenomena because of CO2 being put into the air.

That is the only real debate going on on that issue. But we also should note that this has been the coldest winter in large portions

of the United States. I mean, it is still the coldest winter they have ever had in Wisconsin and Minnesota and those places like that.

So while we note that it is warmed up here, we know it is getting colder over here, and we also know that down in the Antarctic it seems to be an expansion of ice rather than a contraction.

So these things indicate something about the environment of the world that is taking place, and I think it is really—it is important that if, indeed, these changes in the world that are taking place changes the reality of the Arctic, we need to set down policy so that we don't have to worry about giving up authority to a international body that may or may not be overly influenced by crooks and, frankly, that is, of course, a matter of some people have a different philosophy of how we are going to have a better world.

So that—and I—that is just my point of view. With that said, I appreciate both of your testimonies today. It has been very valuable, and we—

Mr. STOCKMAN. Mr. Chairman, can I—can I—

Mr. ROHRABACHER. No, you are—

Mr. STOCKMAN. Oh, okay. Okay.

Mr. ROHRABACHER [continuing]. I am not finished yet. I am just going to say that Mr. Stockman has got his chance. Then there will be closing statements from the ranking member and the chairman.

Mr. STOCKMAN. I think we may have votes pretty soon too. So I thank you for coming out today. I asked—Chairman, may I submit for the record articles by Phyllis Schlafly from Eagle Forum on this topic?

Mr. ROHRABACHER. So ordered.

Mr. STOCKMAN. Thank you. I have a question for you. I like your ideas on development. However, I am questioning—I mean, if I presented this to some of our environmental friends, they would have—well, to be blunt, they would be rather upset with your position which, by the way, I agree with.

But how would—how do you address that when you are confronted with people who have really strong feelings against everything you suggested? They want it to be never touched.

I mean, actually the policies we are doing now is exactly the policies they want, and I agree with you—I think it is a tragedy to look forward and to see us, again, like you said, 10 years down the road and you have such advanced development with Russia and other countries and yet we are—excuse me, we are kind of stuck in the Ice Age.

Mr. ROHRABACHER. So to speak.

Mr. STOCKMAN. Yes.

Mr. BORGERSON. The metaphors on this panel are great.

Mr. STOCKMAN. So how do you address when I come up—I am going to come up to you and say, you know, I am angry at you for your positions, but I am not.

Mr. BORGERSON. Yes.

Mr. STOCKMAN. How do you—how would you recommend I address that?

Mr. BORGERSON. Okay. I would love to answer that. If I could, though, I got to respond to the chairman and say that there is not debate on the scientific community about global warming.

I mean, the debate among scientists is over. So I would refer you to the Intergovernmental Panel on Climate Change and——

Mr. ROHRABACHER. Let me note that that just isn't true. There are 3,000——

Mr. STOCKMAN. Doesn't sound like it is over. It is still going on.

Mr. ROHRABACHER. There is 3,000 scientists who have signed a petition who—most of whom are Ph.D.s in science that have said they disagree with that assessment. But there is a honest debate about it, and I could be wrong and other people have trouble admitting they could be wrong.

Mr. BORGERSON. So in answering Congressman Stockman, I come at it from the point of view of global warming is happening. The scientific community, I think, agrees. The ice is melting and so there are two ends of the spectrum, right. There is——

Mr. STOCKMAN. I know, but I am saying that you are making a statement about development.

Mr. BORGERSON. Yes.

Mr. STOCKMAN. I agree with your statement on development. I am not going to argue global warming because if you actually go through the record of the statements by the global scientists every 2 years, including Al Gore said right now that the polar bears were not going to have any ice to walk on.

By the way, if you want to save polar bears stop giving hunting licenses to hunters to kill polar bears. We have an abundance of polar bears and he predicted they were all going to be dead and floating in their Jacuzzis or whatever. I want to address the thing on—I don't want to argue over global warming.

Mr. BORGERSON. I will answer it.

Mr. STOCKMAN. I want to—I got someone coming to my office. They are going to be screaming at me and I will say oh, I agree with this global warming guy who wants development. They go, well, that sounds contradictory. That is like jumbo shrimp.

Mr. BORGERSON. So I am a pragmatist—there are jumbo shrimp so you can have—you can have both.

Mr. STOCKMAN. The cocktail size.

Mr. BORGERSON. I am a—I am a pragmatist in the sense that the environmental far end of that spectrum that wants to turn the Arctic into a park is not going to happen, and it isn't happening.

I mean, the largest zinc mine and nickel mine are already in the Arctic. The Prudhoe Bay is in the Arctic. The Russians, especially, are—and others are going to develop the Arctic.

So that perspective is fantasy. The other end of sort of what I call the “drill, baby, drill” crowd that wants to just develop without having rules and conservation in mind and do so in a very thoughtful, progressive and strategic way we know what that looks like and I would say China, if they could do things different in terms of development with more environmental and conservation ethic in mind and turn back the clock, they would do so.

So I try and take sort of a balanced approach to say how can we smartly develop. This is an amazing opportunity for us. The Arctic is pristine and new and here we have a chance—you have a chance as a leader to set in place a vision in which to develop it but develop it sustainable.

Mr. STOCKMAN. Yes, but I am saying I want to do role reversal here. I am arguing you come into my office and you say, I want nothing—I want that not to be developed. That is—that is not an argument which is—it is a small sliver of people.

That is—a lot of people buy into that argument that nothing should be done. It is not a few people. There is a large number of people. I mean, we have proposals before drilling in ANWR which I think are—could be extremely safe and that is not that big of a footprint—let us be honest. It is a huge geographic area and the footprint would be very small and they are blowing up over that, predicting, you know, every caribou is going to die.

Mr. BORGERSON. I don't disagree with you. I would maybe package it as part of a broader conservation effort that included things like marine protected areas and other places that would be protected and investments in infrastructure and education and a long list of things that you could do to have both development but also do so with an eye to the future. You can have both.

Mr. HOLLAND. And I would add, too, you know, the Arctic is a relatively small enclosed sea. So if the United States just stops all development that doesn't mean the Russians will stop all development as well, and what happens there if they have spills—if we are not, you know, partaking in and trying to set high standards in the Arctic, if they spill it won't stay in its Russian waters.

Mr. STOCKMAN. But that doesn't—that doesn't disavow my point. For instance, in Florida, if you look at the line in the Gulf it is a direct line. Right where Florida is they stop drilling, and now the Cubans basically—you know, the pool of oil doesn't just, like, oh, it is Cuba—we got to stop, and they are going to basically stick a straw in there and they are going to take Florida oil and they are able to drill out there and get it, and so that doesn't stop Cuba from drilling but that still—in this country Florida is not drilling and Cuba will.

And I trust you, Cuba is not going to have the same environmental concerns or ethics as the Floridians and you are going to see the same thing up in the Arctic Circle. We are—I predict 10 years from now we are still going to be in the situation we are in right here today. Thank you.

Mr. ROHRABACHER. Thank you. I think we should let the two witnesses—seeing that we have also—all expressed our opinion here why don't we give you 1-minute summaries?

So if you had something you needed to say to some points that we made up here, we will start with Mr. Holland.

Mr. HOLLAND. Great. Thank you, Chairman Rohrabacher, Ranking Member Keating. It has been an honor to be here today.

Just to sum up, you know, I would say that the national security case for why we care about the Arctic is about what other countries are doing in the Arctic and what else is going on up there.

We have to—we can't just retreat into a hole and put our heads under the sand on anything like this. We have to look at what—not only what our opponents are doing but also what our allies are doing and we have to support them and we have to think about better ways to plan for the future on this.

So the Arctic requires a lot of planning, a lot of foresight and we are not doing it. So we need to do that more.

Mr. ROHRABACHER. Mr. Borgerson?

Mr. BORGERSON. Thank you for holding this hearing and, really, my compliments to the committee for thinking about the Arctic. America is—needs to think more about the Arctic and, as we have heard, is late to this region.

If I wasn't clear before, I do believe global warming is real. But as Congressman Stockman pointed out, there is some can be perceived as contradictions in my world view in that I would love to see us take a very progressive and thoughtful approach where we invest for the future where, as you lay the Florida example, every time it rains Miami is under water and is—and working hard to pump the water out.

You can have development in south Florida that maybe then takes into account infrastructure to keep Miami from flooding, has public-private partnerships that can be with development but also adapt to climate change, et cetera. We should take that exact same approach to the Arctic.

So we should maybe leave you with the idea of Manifest Destiny. If we were having this hearing 150 years ago, 100 years ago, thinking about the American West, we would be talking about the no canals or no railroads—it is just wilderness—it is great in Washington, DC—we will never develop America's frontier.

That is what Alaska is, and so 50 years from now we might put our Manifest Destiny hats back on as American visionaries and develop it with a conservation ethic and one that we will be proud of for our children.

Mr. ROHRABACHER. Well said, and we had some national parks dedicated that we are very grateful for that now. Mr. Keating, would you like to make a 1-minute or——

Mr. KEATING. Yes.

Mr. ROHRABACHER [continuing]. Whatever—however long.

Mr. KEATING. I will be brief. I view myself as a pragmatist and I think the concerns Mr. Stockman brought up, the analogy I see from an environmental and growth standpoint is sustainable growth or smart growth and that kind of planning where there is going to be growth anyways, that is inevitable.

Let us do it the right way and let us do it in a way that complements and minimizes the effect on the environment. That is why planning ahead is so important. Also, I would suggest too, when we are looking at the areas of the Law of the Sea Convention, we can't ignore the fact that right now the other members—the other people that have agreed to this—they are making those decisions.

They are using whatever governing authority, whether it is United Nations or not, already. The difference with the U.S. is we are shut out of that so we have no voice or the lone voice in those issues, and along the same lines it is important to be a part of that.

Either you are there as a part of it or you are left out, and I learned those things that are being emphasized in this hearing as well.

I hope the fact that we had this publicly there is more attention and awareness to this because there has a lot of work to do, and in the absence of that other countries will be doing things that could potentially conflict with us and we won't have a voice in deal-

ing with that, and if we do at some later juncture it could be too late to effectuate the kind of change we need.

So I appreciate your testimony.

Mr. ROHRBACHER. I think maybe we timed this just perfectly, didn't we? I mean, I think that sounds like we have some votes coming up. Let me just say there is no disagreement about whether there is climate change.

The only disagreement is whether mankind is causing it, and there are many scientists on both sides of that issue. But we are going through a period of climate change and your testimony, whether how we believe that it is coming about, both of you and the admiral earlier are testifying that we are not taking the steps necessary to make sure that we are positioning ourselves so that that change that is happening in—up in the Arctic will be to the benefit of the people of the United States and, yes, the people of the world.

I would—and I appreciate the admiral being here and I was very serious about our doors are open to him. He is now going to be part or the head of the Arctic Council of eight nations.

So we need to make sure that, number one, rather than giving any type of authority to an international body that may be affected by other countries outside those nations, I think it would benefit us better to make sure that we establish a very cooperative relationship with those eight nations and—which that makes more sense to me, and I really appreciate the insights both of you have given and the admiral is—you know, I can't think of a better guy to have there representing us there.

So with that said, I thank you and this hearing is now adjourned.

[Whereupon, at 4:32 p.m., the committee was adjourned.]

A P P E N D I X

MATERIAL SUBMITTED FOR THE RECORD

**SUBCOMMITTEE HEARING NOTICE
COMMITTEE ON FOREIGN AFFAIRS
U.S. HOUSE OF REPRESENTATIVES
WASHINGTON, D.C. 20515-6128**

**Subcommittee on Europe, Eurasia, and Emerging Threats
Dana Rohrabacher (R-CA), Chairman**

December 8, 2014

TO: MEMBERS OF THE COMMITTEE ON FOREIGN AFFAIRS

You are respectfully requested to attend an OPEN hearing of the Committee on Foreign Affairs, to be held by the Subcommittee on Europe, Eurasia, and Emerging Threats in Room 2200 of the Rayburn House Office Building (and available on the Committee website at www.foreignaffairs.gov):

DATE: Wednesday, December 10, 2014

TIME: 2:00 p.m.

SUBJECT: The United States as an Arctic Nation: Opportunities in the High North

WITNESSES: Panel 1
Admiral Robert Papp, Jr., USCG, Retired
U.S. Special Representative for the Arctic
U.S. Department of State

Panel II
Scott Borgerson, Ph.D.
Chief Executive Officer
Cargo Metrics Technologies

Mr. Andrew Holland
Senior Fellow for Energy and Climate
American Security Project

By Direction of the Chairman

The Committee on Foreign Affairs seeks to make its facilities accessible to persons with disabilities. If you are in need of special accommodations, please call 202/225-5021 at least four business days in advance of the event, whenever practicable. Questions with regard to special accommodations in general (including availability of Committee materials in alternative formats and assistive listening devices) may be directed to the Committee.

COMMITTEE ON FOREIGN AFFAIRS

MINUTES OF SUBCOMMITTEE ON Europe, Eurasia, and Emerging Threats HEARINGDay Wednesday Date 12/10/14 Room Rayburn 2200Starting Time 2:51 PM Ending Time 4:32 PMRecesses ☐ (to) (to) (to) (to) (to) (to)

Presiding Member(s)

Rep. Rohrabacher

Check all of the following that apply:

Open Session ☒Executive (closed) Session ☐Televised ☐Electronically Recorded (taped) ☒Stenographic Record ☒

TITLE OF HEARING:

The United States As An Arctic Nation: Opportunities In The High North

SUBCOMMITTEE MEMBERS PRESENT:

*Rep. Keating**Rep. Stockman*

NON-SUBCOMMITTEE MEMBERS PRESENT: (Mark with an * if they are not members of full committee.)

*Rep. Young**Rep. Larsen*HEARING WITNESSES: Same as meeting notice attached? Yes ☒ No ☐


(If "no", please list below and include title, agency, department, or organization.)

STATEMENTS FOR THE RECORD: (List any statements submitted for the record.)

*Rep. Young**Rep. Stockman**Admiral Papp**Mr. Holland*

TIME SCHEDULED TO RECONVENE _____

or

TIME ADJOURNED 4:32 PM
Subcommittee Staff Director

MATERIAL SUBMITTED FOR THE RECORD BY THE HONORABLE DANA ROHRBACHER, A
REPRESENTATIVE IN CONGRESS FROM THE STATE OF CALIFORNIA, AND CHAIRMAN,
SUBCOMMITTEE ON EUROPE, EURASIA, AND EMERGING THREATS

**Congressman Don Young
Statement for the Record**

**SUBCOMMITTEE HEARING NOTICE
COMMITTEE ON FOREIGN AFFAIRS**

**Subcommittee on Europe, Eurasia, and Emerging Threats
Dana Rohrabacher (R-CA), Chairman Rep. William Keating (MA), Ranking Member
The United States as an Arctic Nation: Opportunities in the High North
Wednesday, December 10, 2014**

Mr. Chairman. Thank you for holding this critically important hearing and allowing me to take part in it. As the lone Representative of Alaska and a long-time resident of the Arctic – my home in Fort Yukon is eight miles above the Arctic Circle – I have a firsthand understanding of many of the challenges and opportunities we will be discussing today.

Over my four decades of serving Alaska, I have found that Arctic issues can be grouped into three main categories: scarcity, survivability and sustainability, and superabundance.

First, in the Arctic, many things most Americans take for granted – roads, high speed internet, fresh fruit – are scarce. Like those early settlers who pushed west across the Lower 48, the Arctic is one of the last frontiers on Earth. Without significant infrastructure investment into the Arctic, as was invested into the Lower 48, development in Arctic will continue to be difficult. Importantly, we must also continue collaboration with Alaska's native peoples. As we consider Arctic issues, we should be mindful

of first Americans in Alaska and actually work with them, not just listen to them.

Second, any and all investments must be survivable and sustainable, especially in terms of defense-related infrastructure. In order to be an active participant in the Arctic, one must be present. In order to be present one must have infrastructure, equipment, and people that can survive in the harsh conditions. In the Arctic in order to project power and influence, the U.S. has to be there. Unfortunately, we lack key capabilities or are using others that are decades old continue to hamper our ability to be a true leader in the Arctic.

Finally, the Arctic, like the early frontier is home to a superabundance of opportunity and growth. From resource development and new navigable shipping lanes to chances for partner-nation collaboration among the eight members of the Arctic Council, the Arctic is home to much untapped and unexplored potential. Yet, in order to take advantage of this superabundance of opportunity, we must be present. In order to present, we must invest. And soon.

Overall, I believe that the U.S. must make the most of our two-year Chairmanship of the Arctic Council. Like the old proverb, “fortune favors the bold,” I believe that we need to fundamentally do two key things. We must first be bold in creating a fifty-year vision of what we want the Arctic to be and we should not shy away from bold leadership that will lead us to that vision.

MATERIAL SUBMITTED FOR THE RECORD BY THE HONORABLE STEVE STOCKMAN, A
REPRESENTATIVE IN CONGRESS FROM THE STATE OF TEXAS

Defeat Law of the Sea Treaty — Again

by Phyllis Schlafly

May 16, 2012

The stunning repudiation of Senator Richard Lugar's (R-IN) bid for a seventh term has sent shock waves through Washington's internationalist lobby. A former Rhodes Scholar, Lugar has spent his career promoting a globalist agenda since he succeeded the late Jesse Helms as the top Republican on the Senate Foreign Relations Committee.

One day after Indiana Republicans handed Lugar his walking papers, an outfit called the Atlantic Council held a forum to promote the discredited Law of the Sea Treaty (LOST). As former Republican U.S. Senators Chuck Hagel and John Warner beamed their approval, Obama's Secretary of Defense Leon Panetta declared that "the time has come" for the Senate to ratify the treaty.

Hagel, Warner, and Lugar share an internationalist mindset: all three Senators supported "comprehensive immigration reform" (a.k.a. amnesty) bills that failed to pass Congress in 2006 and 2007. In support of LOST, they are joined by former Republican Senator Trent Lott, now a high-priced lobbyist who no longer answers to his former Mississippi constituents.

Americans today are in no mood for subordinating U.S. sovereignty, plus seven-tenths of the world's surface area, to another entangling global bureaucracy, so advocates are using Orwellian talking points to pretend that LOST would do the opposite. Panetta's statement is over the top: "Not since we acquired the lands of the American West and Alaska have we had such an opportunity to expand U.S. sovereignty."

The coalition for ratification includes three groups whose interests are rarely on the same side: the U.S. Navy, the big multinational oil companies led by Shell, and the radical environmentalist lawyers. That peculiar alliance should make you suspicious.

The Navy says we need LOST to preserve our freedom of transit in dangerous waters such as the Strait of Hormuz, which Iran has threatened to block, and the South China Sea, where China wants to be the dominant naval power. Panetta said, "How can we argue that other nations must abide by international rules when we haven't officially accepted those rules?"

In fact, freedom of navigation is recognized by centuries of international law, effectively policed by the British Navy for 400 years, and by our U.S. Navy since 1775. The United Nations has no navy of its own, so American sailors will still be expected to protect the world's sea lanes and punish piracy.

Big Oil supports LOST because of its provision to extend jurisdiction over the continental shelf beyond the current 200-mile limit. But LOST would require a royalty of 1 to 7 percent on the value of oil and minerals produced from those waters to be paid to the International Seabed Authority based in Kingston, Jamaica.

There's no need for a 181-nation organization to regulate offshore and deep-sea production everywhere in the world, mostly financed by American capital, and then allow it to be taxed for the benefit of foreign freeloaders. The riches of the Arctic, for example, can be resolved by negotiation among the five nations that border the Arctic.

Environmentalists, the third leg of the unholy coalition to ratify LOST, are salivating over its legal system of dispute resolution, which culminates in a 21-member International Tribunal based in Hamburg, Germany. The Tribunal's judgments could be enforced against Americans and cannot be appealed to any U.S. court.

This tribunal, known as ITLOS (International Tribunal of LOST), has jurisdiction over "maritime disputes," which suggests it will merely deal with ships accidentally bumping each other in the night. But radical environmental lawyers have big plans to make that sleepy tribunal the engine of all disputes about global warming, with power to issue binding rules on climate change, in effect superseding the discredited Kyoto Protocol which the U.S. properly declined to ratify.

A [paper](#) just published by Steven Groves of the Heritage Foundation lays out the roadmap for how the radical environmentalist lawyers can use LOST to file lawsuits against the U.S. to advance their climate-change agenda.

Former UN Ambassador John Bolton warns us that the Law of the Sea Treaty is even more dangerous now than when President Ronald Reagan rejected it: "With China emerging as a major power, ratifying the treaty now would encourage Sino-American strife, constrain U.S. naval activities, and do nothing to resolve China's expansive maritime territorial claims." Bolton warns that LOST will give China the excuse to deny U.S. access to what China claims is its "Exclusive Economic Zone" extending 200 miles out into international waters.

The whole concept of putting the United States in the noose of another global organization, in which the U.S. has only the same one vote as Cuba, is offensive to Americans. LOST must be defeated.

Supreme Court Case Proves "LOST" Must Sink

by Phyllis Schlafly

October 24, 2007

A case now before the Supreme Court proves why the Senate must defeat the United Nations Law of the Sea Treaty (known as LOST). The oral arguments heard this month by the justices didn't mention the treaty, but the parallels are powerful.

The case concerns Jose Medellin, a Mexican rapist-murderer who is now on death row in Texas. Medellin was convicted and sentenced to death after he confessed in 1993 to the savage rape and murder of two teenage girls in Houston.

Long after Medellin had received full due process of the American legal system, in 2003 the Mexican government sued the United States in the International Court of Justice (known as the World Court). That is an agency of the United Nations which sits at the Hague in the Netherlands.

In 2004 the World Court ruled 14 to 1 in favor of Mexico and ordered the United States to give Medellin another hearing, or perhaps another trial, at which he could receive the assistance of Mexican consular employees. At that time, the World Court was headed by a judge from Communist China.

A 1963 treaty known as the Vienna Convention, which both the United States and Mexico signed and ratified, provides that aliens who are accused of crimes in a foreign country are entitled to request the assistance of consular officials from their home country. Medellin never requested such assistance until long after he was tried, convicted and sentenced, and after all his appeals were denied.

Of course, Medellin did receive the assistance of competent American legal defense lawyers throughout the process, which lasted longer than the lives of the girls he murdered. There is no reason to think that the presence of a Mexican consul could have made any difference in the outcome.

Incredibly, the Bush Administration knuckled under to the World Court and ordered the Texas courts to give Medellin another hearing. The Texas courts properly refused to honor this unconstitutional presidential interference, and the Texas decision was upheld by the Texas Court of Criminal Appeals.

This case is dramatic proof of why the U.S. Senate should not ratify any more UN treaties that put American law in the noose of foreign tribunals. The United States has only one vote out of about 150 nations, i.e., the same vote as Communist Cuba.

Not only are foreign tribunals hostile to the United States, but their judges have no comprehension of American law, due process, or trial by jury. They often meet in secret, they arrogantly assert they can define their own jurisdiction, and their decisions may not be appealed.

American sovereignty would be severely diminished if the Senate is so foolish as to ratify the pending LOST treaty, officially called the United Nations Convention on the Law of the Sea. Once we accept the validity and jurisdiction of the International Tribunal for the Law of the Sea, which is already functioning in Hamburg, Germany, we will be expected to submit to their anti-American decisions.

The Bush Administration is trying to claim that problems with the Law of the Sea Treaty have been "fixed" and that we can veto rulings we don't like. Just compare: we rejected the jurisdiction of the World Court in the Medellin case, but that doesn't stop the World Court and President Bush from asking the U.S. Supreme Court to overrule Texas criminal law and accept the World Court's authority over U.S. domestic law.

It's obvious that we cannot depend on President Bush or any future President to stand up for American law against busybody foreigners who hate us. Bush made it clear in the case of *Medellin v. Texas* that he sides with the murderer and a global court against American law.

Bush's legal adviser in the State Department, John B. Bellinger III, made a revealing [speech](#) on June 6 in the Hague. He bragged that President Bush accepts the World Court's decision about *Medellin* (as well as about 51 other convicted Mexican murderers from various U.S. states), and is now trying to persuade the U.S. Supreme Court to accept it, too.

Bellinger also said, "I have a staff of 171 lawyers who work every day ... to promote the development of international law as a fundamental element of our foreign policy." He added that the Bush Administration entered into 429 international agreements and treaties last year alone, and now advocates a priority list of over 35 treaty packages including the Law of the Sea Treaty.

American voters would like to know what are the 429 plus 35 international packages that the Bush Administration is pushing. We do know that the worst of the bunch is the Law of the Sea Treaty, whose International Tribunal, a 21-member international court based in Hamburg, Germany, claims the power to decide all matters relating to the two-thirds of the earth's surface covered by the oceans.

Tell your U.S. Senators that the *Medellin* case is further proof that they should vote No on the Law of the Sea Treaty.

Further Reading:

Eagle Forum Quick Topic: [Law of the Sea Treaty](#)

[Another U.N. Power Grab](#)
by William P. Clark and Edwin Meese
Wall Street Journal, Oct. 8, 2000

- WND - <http://www.wnd.com> -**George W. Bush, globalist**Posted By [Patrick J. Buchanan](#) On 10/12/2007 @ 1:00 am In [Commentary](#) | [Comments Disabled](#)

Have the Bush Republicans ceased to be reliable custodians of American sovereignty? So it would seem.

President George W. Bush began well. He rejected the Kyoto Protocol on global warming negotiated by Vice President Al Gore as both injurious to the economy and rooted in questionable science. He refused to allow the armed forces and diplomats of the United States to be brought under the jurisdiction of the International Criminal Court.

But now President Bush is about to take his country by the hand and make a great leap forward into world government. He has signed on to the United Nations Convention on the Law of the Sea, or the Law of the Sea Treaty (LOST), which transfers jurisdiction over the Atlantic, Pacific, Indian and Arctic oceans and all the oil and mineral resources they contain to an International Seabed Authority. This second United Nations would be ceded eternal hegemony over two-thirds of the Earth. It is the greatest U.N. power grab in history and, thanks to George Bush, is about to succeed.

Within the Authority, consisting of 155 nations, America would have one vote and no veto. However, we would pay the principal share of the operating costs, as we do today of the United Nations.

In 1978, Ronald Reagan declared, "No national interest of the United States can justify handing sovereign control of two-thirds of the Earth's surface over to the Third World."

Rejecting the New International Economic Order that sought to effect a historic transfer of wealth and power from the First World to the Third, President Reagan in 1982 refused to sign the Law of the Sea Treaty or send it to the Senate. Now, Bush, Sen. Richard Lugar, R-Ind., and Sen. Joe Biden, D-Del., have resurrected this monstrosity and are about to ram it through the U.S. Senate with, if you can believe it, the support of the U.S. Navy.

The rot of globalism runs deep in this capital city.

What is the matter with Bush? What is the matter with the U.S. Navy? For the sea treaty grants us no rights we do not already have in international law and tradition – it only codifies them. It siphons off national rights, national sovereignty and national wealth, however, and empowers global bureaucrats and Third World kleptocrats whose common trait is jealousy of and hostility toward the United States.

Under LOST, if the United States wishes to mine the ocean or scoop up minerals from its floor, we would have to pay a fee and get permission from the Authority, then provide a subsidiary of the Authority called the Enterprise with a comparable site for its own exploitation with our technology. Eventually, the Authority would collect 7 percent of the revenue from the U.S. mining site, giving this institution of world government what the United Nations has hungered for for decades: the power to tax nations.

While the treaty assures the right of peaceful passage on the high seas and through narrows that are territorial waters, we already have that right under international law. And for the past two centuries, we have had as guarantor of the right of free passage the U.S. Navy. Now, we will have it courtesy of the International Seabed Authority.

"It is inconceivable to this naval officer," writes Adm. James Lyons, former commander of U.S. forces in the Pacific, "why the Senate would willingly want to forfeit its responsibility for America's freedom of the seas to the unelected and unaccountable international agency that would be created by the ratification of LOST."

"The power of the U.S. Navy, not some anonymous bureaucracy, has been the nation's guarantee to our access to and freedom of the seas. I can cite many maritime operations – from the blockade of Cuba in 1962, to the refueling of ships in the Persian Gulf, to our submarine intelligence-gathering programs – that have been critical to maintaining our freedom of the seas and protecting our waters from encroachment. All those examples would likely have to be submitted to an international tribunal for approval if we become a signatory to this treaty. ... This is incomprehensible."

U.S. warships today inspect vessels suspected of carrying nuclear contraband. In the Cold War, U.S. submarines entered harbors to tap into communications cables to protect our national security. Our subs routinely transit straits submerged. To do this, post-LOST, the Navy would have to get permission from an Authority composed of states most of which have an almost unbroken record of voting against us in the United Nations.

Why are we doing this? Do we think we will win the approbation of the international community if we show ourselves to be good global citizens by surrendering our rights and our wealth?

The Law of the Sea Treaty is an utterly unnecessary transfer of authority from the United States and of the wealth of its citizens to global bureaucrats who have never had our interests at heart, and to Third World regimes that have never been reliable friends. That Republicans senators think this is a good idea speaks volumes about what has become of the party of T.R., Bob Taft, Barry Goldwater and Ronald Reagan.

And they call themselves conservatives.

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