

**THE DEPARTMENT OF DEFENSE AND CLIMATE CHANGE: CAUSES
AND CHANGES**

Climate Change Law, Research & Writing (Spring 2023): Final Paper

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I. Introduction

The United States as a whole is the largest producer of greenhouse gas emissions per capita in the world.¹ Greenhouse gas emissions are widely considered to be one of the primary culprits for human created climate change and contribute significant to the observed increase in global temperature. While most people may attribute the production of these emissions to manufacturing, fossil fuel production, or air travel, a substantial culprit for many of these emissions comes from within the federal government itself: the United States Department of Defense. The Department of Defense has had a major impact on the climate and it's the single largest consumer of hydrocarbons by an entity in the United States.² Additionally, improper handling of chemicals by Department of Defense has exposed millions of individuals to carcinogens and has had devastating effects on the environment. Simultaneously, the Department of Defense is aware of the incoming ramifications of a changing climate and is currently developing strategies in order to address them. However, more action needs to be taken quicker than expected in order to prevent negative consequences. Lastly, there is absolutely an ethical question around greenwashing the Department

1. Anny Oberlink, *The world's largest military isn't reporting its giant 'carbon footprint'*, Popular Science, (November 29, 2021), <https://www.popsci.com/environment/military-greenhouse-gas-emissions-data/>

2. Id.



of Defense. However, it is an entity that is and will remain a major part of American life, so at the least it's important that changes be made. If the US Federal Government is serious about addressing the threat that climate change poses, the Department of Defense must address their own consumption and uses. Simply reducing emissions in other areas of the public and private sector doesn't fully address the seriousness of the issue and the impact that a rapidly changing climate can have on the wellbeing of the world.

II. The Impact the Department of Defense has had on the Climate

In order to make a significant effect in stopping, and eventually reversing, the impacts of climate change, the largest producers of emissions simply have to change their consumption habits in order to match the goal. Some studies have found that if the Department of Defense was its own country, it would produce enough carbon emissions by itself to be the 55th largest source of Greenhouse Gases (“GHGs”) in the world.³ Its currently estimated that the Department of Defense emits as much as 59 million tons of carbon dioxide, more than the nations of Hungary, Norway, Sweden and Finland.⁴ As the U.S. slowly shifts towards green energy, some effort by the federal government must be made to address their own production of GHGs.

The federal government and the Department of Defense has also caused real, significant harm to servicemembers and the public in general with many of their current procedures. Just last year, families of service members sued the federal government after it was found that jet fuel had leaked into the water supply in Pearl Harbor, Hawaii.⁵ The jet fuel in question here was being kept on the island at the Red Hill Bulk Fuel Storage Facility, a World War II-era storage facility located on a hill near Pearl Harbor.⁶ A leak in the storage tanks ultimately caused fuel to enter the local well which supplied water to families stationed on the base.⁷ After the source of the fuel leak was determined, the Navy ultimately decided to close the Red Hill

3. Niall McCarthy, *Report: The U.S. Military Emits More CO2 Than Many Industrialized Nations*, Forbes, (June 13, 2019, 06:06 am EDT), <https://www.forbes.com/sites/niallmccarthy/2019/06/13/report-the-u-s-military-emits-more-co2-than-many-industrialized-nations-infographic/?sh=697be1ef4372>

4. Id.

5. Paradise Afshar, *The lawsuit over Hawaii's Red Hill water contamination crisis has drawn in more than 100 new plaintiffs*, (November 11, 2022, 9:25 pm EST), CNN, <https://www.cnn.com/2022/11/11/us/red-hill-hawaii-lawsuit-new-plaintiffs/index.html>

6. Ellie Kaufman, *US military to close fuel storage facility in Hawaii where water was contaminated by leak*, (March 7, 2022, Updated 5:16 EST), CNN, <https://www.cnn.com/2022/03/07/us/hawaii-pearl-harbor-water-navy-red-hill/index.html>

7. Id.



facility after multiple requests and an Order from the state of Hawaii.⁸ As a result of this incident, roughly 6,000 people were poisoned after drinking water that had been contaminated with nearly 20,000 gallons of jet fuel.⁹ The consumption of this fuel caused a wide range of symptoms from coughing and persistent pain to developing seizure disorders.¹⁰ Its alleged that some individuals may have consumed and bathed in the contaminated water for months without knowledge of the risk.¹¹

In 2022, individuals who were exposed to the toxic substances expelled by the Red Hill facility filed suit in the U.S. District Court for the District of Hawaii.¹² The lawsuit alleges that the Navy negligently stored to the water and later examination by the Navy determined that the risk could have been identified with proper training.¹³ It was later revealed that the jet fuel which had leaked into the Pearl Harbor-Hickam drinking water system had also been treated with an anti-freezing agent, diethylene glycol monomethyl ether, which is actually more toxic than its conventional counterpart.¹⁴ During preparation for litigation, it was revealed that the Hawaii Department of Health alerted the Navy about detecting the anti-freeze in water samples a month after the initial leak.¹⁵ Litigation in this case is still very early, so facts regarding the arguments of the parties are still scarce and any liability on the part of the Navy has yet to fully be determined.

Several individual and class action lawsuits had been previously filed by former members of the armed services who served at Camp Lejeune from 1953 to

8. Id.

9. Paradise Afshar, *The lawsuit over Hawaii's Red Hill water contamination crisis has drawn in more than 100 new plaintiffs*, (November, 11, 2022, 9:25 pm EST), CNN, <https://www.cnn.com/2022/11/11/us/red-hill-hawaii-lawsuit-new-plaintiffs/index.html>

10. Id.

11. Max Hauptman, *New Red Hill legal filing alleges water contamination contained antifreeze*, Task and Purpose, (March 21, 2023, 4:34 pm EDT), <https://taskandpurpose.com/news/navy-red-hill-fuel-leak-hawaii/#:~:text=A%20class-action%20lawsuit%20on%20behalf%20of%20the%20families,to%20decommission%20the%20Red%20hill%20facility%20by%202027>.

12. Paradise Afshar, *The lawsuit over Hawaii's Red Hill water contamination crisis has drawn in more than 100 new plaintiffs*, (November, 11, 2022, 9:25 pm EST), CNN, <https://www.cnn.com/2022/11/11/us/red-hill-hawaii-lawsuit-new-plaintiffs/index.html>

13. Patricia Kime, *Military Families File Lawsuit over Water Contamination in Hawaii*, Military.com, (January 6, 2022), <https://www.military.com/daily-news/2022/01/06/military-families-file-lawsuit-over-water-contamination-hawaii.html>

14. Max Hauptman, *New Red Hill legal filing alleges water contamination contained antifreeze*, Task and Purpose, (March 21, 2023, 4:34 pm EDT), <https://taskandpurpose.com/news/navy-red-hill-fuel-leak-hawaii/#:~:text=A%20class-action%20lawsuit%20on%20behalf%20of%20the%20families,to%20decommission%20the%20Red%20hill%20facility%20by%202027>.

15. Id.



1987. In the Camp Lejeune lawsuits, servicemen and civilians were exposed to trichloroethylene (TCE), tetrachloroethylene (PCE), benzene, vinyl chloride, among many other toxic substances.¹⁶ This exposure has led to early cancer diagnosis for thousands of individuals. Marines who were stationed at Camp Lejeune have been shown to be 35% more likely to develop kidney cancer, 42% more likely to develop liver cancer, 47% more likely to develop Hodgkin's Lymphoma, 68% more likely to develop multiple myeloma, and twice as likely to develop ALS.¹⁷ The CDC currently estimates that the number of exposed individuals may be in the millions.

Individuals who were exposed to the toxic water began filing administrative claims with Navy pursuant to the Federal Tort Claims Act in 2005.¹⁸ The first lawsuit was brought in 2009 by a woman named Laura Jones who was diagnosed with non-Hodgkin's Lymphoma after consuming presumably tainted water.¹⁹ The Navy moved to dismiss the claim, however the judge denied the motion.²⁰ This led to other individuals filing similar suits. While many of these cases were pending, the Supreme Court issued its opinion in Waldburger v. CTS Corporation, which would later be determined to be controlling for many of the early cases brought by individuals for compensation for illnesses developed as a result of exposure to water at Camp Lejeune.²¹

In Waldburger, individuals in North Carolina filed a state law nuisance suit against CTS Corporation who had previously operated an electronics manufacturing plant on or near their property.²² The suit was filed seeking reclamation of the chemicals by the manufacturer, remediation of environmental harm and monetary

16. Maggie Fox, *Contamination at NC Marine base lasted up to 60 years*, (March 14, 2013, 7:04 EDT), NBC News, <https://www.nbcnews.com/healthmain/contamination-nc-marine-base-lived-60-years-1C8880227>

17. Maggie Fox, *Camp Lejeune Study Finds Higher Cancer Death Risk*, (March 14, 2013), <https://www.nbcnews.com/health/health-news/camp-lejeune-study-finds-higher-cancer-death-risk-n33991>

18. Lori L. Freshwater, *History of the Legal Process from the First Case Filed to the Signing of the Camp Lejeune Justice Act*, (August 11, 2022), MassTortNews, <https://masstortnews.org/history-of-the-legal-process-from-the-first-case-filed-to-the-signing-of-the-camp-lejeune-justice-act/>

19. Richard Console, Jr., *The Timeline of the Camp Lejeune Contaminated Water Lawsuits*, (July 11, 2022) JDSupra.com, <https://www.jdsupra.com/legalnews/the-timeline-of-the-camp-lejeune-4464690/>

20. Lori L. Freshwater, *History of the Legal Process from the First Case Filed to the Signing of the Camp Lejeune Justice Act*, (August 11, 2022), MassTortNews, <https://masstortnews.org/history-of-the-legal-process-from-the-first-case-filed-to-the-signing-of-the-camp-lejeune-justice-act/>

21. Id.

22. CTS Corp. v. Waldburger, 573 U.S. 1, 2175 (2014)



damages.²³ The District Court for the Western District of North Carolina dismissed the suit on the grounds that the claim was barred by North Carolina’s statute of repose.²⁴ The Court of Appeals for the Fourth Circuit affirmed.²⁵ On appeal, the Supreme Court examined whether the Comprehensive Environmental Response, Compensation, and Liability Act (“CERCLA”) preempted the North Carolina statute of repose.²⁶ The Supreme Court held that it did not.²⁷ The Supreme Court stated that a statute of repose sets an outer limit on the right to bring a lawsuit not based on the date a claim accrues but rather on the date of the last culpable act by a defendant.²⁸ Rather, the Supreme Court held that CERCLA’s preemption was limited to only statutes of *limitations* and that no language regarding repose statutes were included in the text.²⁹ Thus, the Supreme Court affirmed the decision of the Court of Appeals and dismissed the suit.³⁰

As a result of the Supreme Court’s decision in Waldburger, the Navy began rejecting claims en masse relating to the Camp Lejeune lawsuits on the grounds that the statute of repose had passed.³¹ In response to public outrage, in 2022 Congress passed the PACT Act.³² The PACT Act permitted individuals who were exposed to the water at Camp Lejeune and later experienced adverse health effects to file claims with the federal government.³³ The Act permits the U.S. Navy’s Tort Claims Unit to accept or reject liability. If liability is rejected or the Navy fails to respond for 6 months, the individual may then file a lawsuit in the Eastern District of North Carolina.³⁴ However, individuals are only permitted to bring a claim for two years starting August 10, 2022.³⁵ In sum, the Congressional Budget Office has estimated it

23. Id.

24. Id.

25. Id.

26. Id. at 2176

27. Id.

28. Id. at 2183

29. Id.

30. Id. at 2176

31. Lori L. Freshwater, *History of the Legal Process from the First Case Filed to the Signing of the Camp Lejeune Justice Act*, (August 11, 2022), MassTortNews, <https://masstortnews.org/history-of-the-legal-process-from-the-first-case-filed-to-the-signing-of-the-camp-lejeune-justice-act/>

32. Id.

33. Id.

34. Diana Novak Jones, *More than 100 lawsuits filed in U.S. court over Camp Lejeune water after waiting period passes*, (February 13, 2023), Reuters, <https://www.reuters.com/legal/litigation/more-than-100-lawsuits-filed-us-court-over-camp-lejeune-water-after-waiting-2023-02-14/>.

35. Id.



will cost more than \$6 billion to settle all outstanding claims.³⁶ In response to the massive amount of health issues experienced by veterans who served at Camp Lejeune or the nearby Marine Corps Air Station New River, the Department of Veterans Affairs established that exposure and subsequent diagnosis of individuals stationed there would also be eligible for disability benefits.³⁷

The negative environmental effects caused by the Department of Defense experienced by individuals abroad is equally terrifying. Shortly after World War II ended, the United States utilized the Marshall Islands, located northeast of Australia, as a testing ground for nuclear weapons.³⁸ At the time of the testing, the islands were inhabited by indigenous people, many of whom were forcefully removed.³⁹ Over the course of 12 years, 67 nuclear bombs were dropped on or near the islands resulting in substantial damage to the immediate area and rendering substantial portions of the islands unlivable.⁴⁰ Once residents were allowed to return to the affected islands in the early 1970s, many were again removed after it was determined that foods grown on the islands contained high levels of radiation.⁴¹ In 1980, the Marshall Islands, among other states, gained free association status with the United States.⁴² In the agreement granting the Marshall Islands free association status, the United States received complete indemnification for any future claims stemming from nuclear testing in exchange for \$150 million held in trust.⁴³ Later in 1988, the Marshall Islands Nuclear Claims Tribunal was established as a method for residents to receive further compensation from the federal government.⁴⁴ As of present day, nearly \$2.2 billion in judgments have been levied against the United States.⁴⁵ However since 2009 federal courts in the United States have blocked attempts at recovery of the funds.⁴⁶

36. Stacy Barrett, *How Much Is Your Camp Lejeune Lawsuit Worth?*, AllLaw, <https://www.alllaw.com/articles/nolo/topics/camp-lejeune-lawsuit-settlements-and-damages.html>

37. Camp Lejeune water contamination health issues, The Department of Veterans Affairs, <https://www.va.gov/disability/eligibility/hazardous-materials-exposure/camp-lejeune-water-contamination/>

38. *The Legacy of U.S. Nuclear Testing and Radiation Exposure in the Marshall Islands*, U.S. Embassy in the Republic of the Marshall Islands, (September 15, 2012), <https://mh.usembassy.gov/the-legacy-of-u-s-nuclear-testing-and-radiation-exposure-in-the-marshall-islands/>

39. Id.

40. Id.

41. Id.

42. Id.

43. Id.

44. Id.

45. Id.

46. Id.



In conjunction with the detrimental effects suffered by those on the Marshall Islands from the exposure to radiation from the nuclear explosions and remaining radiation, the radioactive material stored on the island is still there and presents a continuing environmental threat. After nuclear tests ceased in the Marshall Islands, Enewetak Atoll was used as a storage station for the nuclear waste.⁴⁷ The topsoil of the island was removed and placed into a crater of the previous explosion and covered with concrete.⁴⁸ The “tomb” as it is referred to currently holds 3.1 million cubic feet of radioactive debris.⁴⁹ However, in 2013 the Department of Energy released a report indicating that the cement cover of the structure was cracking.⁵⁰ A subsequent 2020 report found that the structure is not in any immediate danger of failing, nor was presently having any measurable negative effect on the environment.⁵¹ However, the report did note that a better groundwater radiochemical analysis program was needed and specifically cited to the threat that storm surges and other flooding as a justification for this program.⁵² The surges and storms experienced at Enewetak will likely be more severe as climate change accelerates.

III. The Department of Defense has Identified Climate Change as a Threat and has been Preparing for its Effects.

The Department of Defense itself has identified that climate change poses a serious threat to its own goals and capabilities, as well as a threat to the interests of the US as a whole. At the ground level, the Department of Defense has experienced the direct effects of climate change at its own facilities. In 2003, Hurricane Isabel hit Langley Air Force Base located in Hampton, Virginia. 35 percent of the buildings and 22 percent of the aircraft located on the base were damaged, with severe flooding throughout the base.⁵³ Hurricane Isabel ultimately cost the Department, and thus taxpayers, more than \$150 million.⁵⁴ Because of Langley Air Force Base’s close

47. Aria Bendix, *A 'tomb' in the Marshall Islands contains enough radioactive waste to fill 35 Olympic-sized pools. It's starting to crack*, Business Insider, (November 12, 2019), <https://www.businessinsider.com/marshall-islands-nuclear-dome-radioactive-waste-11#:~:text=The%20United%20States%20conducted%20dozens%20of%20nuclear%20tests,the%20Run%20Dome%2C%20is%20now%20chipping%20and%20cracking.>

48. Id.

49. Id.

50. Id.

51. Susanne Rust, *U.S. says leaking nuclear waste dome is safe; Marshall Islands leaders don't believe it*, Los Angeles Times, (July 1, 2020), <https://www.latimes.com/environment/story/2020-07-01/us-says-nuclear-waste-safe-marshall-islands-runit-dome>

52. Id.

53. Renee Cho, *What the U.S. Military is Doing About Climate Change*, Columbia Climate School, (September 20, 2017), <https://news.climate.columbia.edu/2017/09/20/what-the-u-s-military-is-doing-about-climate-change/>

54. Id.



proximity to the ocean, the Department ultimately constructed a 3,000-foot-long seawall and implemented other procedures in order to protect the facility from similar future events.⁵⁵

The effects that climate change can have on current military infrastructure is not simply limited to a one-off instance of a particularly severe hurricane. Presently, 128 U.S. military bases are located in areas that are threatened by rising sea levels.⁵⁶ The largest military installation in the world, Naval Station Norfolk, currently floods roughly 10 times a year, with some predictions estimating that the base could flood 280 times per year by the year 2050.⁵⁷ Camp Lejeune, the location of the chemical leak which potentially infected hundreds of thousands, is another facility which is particularly vulnerable to the effects of climate change.⁵⁸ In some scenarios, Camp Lejeune could be underwater for 90 percent of the year.⁵⁹

Additionally, the effects of climate change on military infrastructure will not only be limited to those located in coastal regions. As global temperatures increase, the risk of wildfires will also increase. This increased risk places the military installations located in the interior of the U.S. at risk.⁶⁰ A potential increase in the severity of storms as a result of climate change could also be another factor which puts these installations at risk.⁶¹ From 2016 to 2021 the National Guard has had to increase the number of personnel days dedicated to firefighting from 14,000 to more than 176,000.⁶²

Climate change will also likely have a major impact on international stability. One area of the world that has gained particular interest because of its location and sensitivity to climate change is the Arctic Ocean. As noted in an article authored by Linda Malone, the Arctic Ocean has long been considered to be impassable for substantial maritime traffic.⁶³ As global temperatures continue to rise and Arctic Sea

55. Id.

56. Id.

57. Id.

58. Id.

59. Id.

60. Malone, Linda A., "Human Security and Military Preparedness" (2012). *Faculty Publications*. 1518.

<https://scholarship.law.wm.edu/facpubs/1518>

61. Id.

62. Terri Moon Cronk, *Climate Change a Critical Challenge for DOD, Hicks Says*, U.S. Department of Defense, (March 8, 2022), <https://www.defense.gov/News/News-Stories/Article/Article/2959693/climate-change-a-critical-challenge-for-dod-hicks-says/>

63. Malone, Linda A., "Human Security and Military Preparedness" (2012). *Faculty Publications*. 1518. <https://scholarship.law.wm.edu/facpubs/1518>



ice continues to recede, so does the long-held assumption of impassibility.⁶⁴ Additionally, because the Arctic had long been covered by ice, there are notably very few international laws which govern.⁶⁵ The Arctic Council, which is composed of Canada, Denmark, Finland, Iceland, Norway, Russia, Sweden and the United States, was created in 1996 to prevent disputes stemming from this area, however it remains to be seen how effective the council will be as conditions in the Arctic continue to deteriorate.⁶⁶ The U.S. Geological Survey estimates that there are more than 400 oil and natural gas fields north of the Arctic Circle, and these areas may hold as many as 90 billion barrels worth of oil and 1.5 *quadrillion* cubic feet of natural gas.⁶⁷ By any account the amount of resources at play within the Arctic Circle would create a global gold rush for countries seeking to capitalize off of their discovery, and could very well lead to increased conflict between competing nations.⁶⁸ Increased conflict in this area would then lead to direct involvement by the U.S. Department of Defense.

In response to the threat presented by continued change in the Arctic, in 2022 the White House issued the National Strategy for the Arctic Region for the years 2022-2032.⁶⁹ The plan states as Pillar 1 of the National Strategy “we will exercise U.S. government presence in the Arctic region as required to protect the American people and defend our sovereign territory.”⁷⁰ In order to achieve this goal, the federal government will first be seeking to improve and modernize its capability by learning to understand the Arctic environment, exercise its presence in the region, and further coordinate with allies to ensure that American interests are protected in the region.⁷¹ In exercising the U.S. government’s presence in the region, the plan introduced by the White House specifically includes increasing the military’s presence in the region.⁷²

In areas other than the Arctic, the Department of Defense has just recently released its own greater, Climate Action Plan. As currently implemented, the Department of Defense plans on adapting a five-stage plan in order to effectively

64. Id.

65. Id.

66. Id.

67. Id.

68. Id.

69. National Strategy for the Arctic Region, Whitehouse.gov, (October, 2022), <https://www.whitehouse.gov/wp-content/uploads/2022/10/National-Strategy-for-the-Arctic-Region.pdf>

70. Id.

71. Id.

72. Id.



address and prepare for the effects of Climate Change within the service.⁷³ First, the department plans on integrating “climate informed decision making” from which the subsequent actions will stem from.⁷⁴ Second, the Department is seeking to increase training for service members to deal with adverse conditions stemming from a rapidly changing climate.⁷⁵ Third, the Department will invest in the development of infrastructure to sustain their level of readiness.⁷⁶ Fourth, the Department will use climate informed decision making when developing supply chain management plans.⁷⁷ The Climate Action Plan laments that climate change is undoubtedly a destabilizing force that could have an immeasurable impact on global stability and its own operation capability.⁷⁸

Each of the branches of the Department of Defense have also begun adopting their own climate strategies. On May 24, 2022, the United States Navy and Marine Corps announced their joint climate strategy titled Climate Action 2030.⁷⁹ The Secretary of the Navy stated when announcing the plan “Climate change is one of the most destabilizing forces of our time, exacerbating other national security concerns and posing serious readiness challenges.”⁸⁰ In the plan, the Department of the Navy announced that it is on track to be carbon neutral by 2050 and to reduce their current emissions by 65% by 2030.⁸¹ In order to achieve these lofty goals, the Department plans to reduce its energy demand and increase the use of carbon neutral electricity on their installations.⁸² Additionally, the Navy is developing and acquiring zero-emission vehicles.⁸³

73. *DOD Announces Plan to Tackle Climate Crisis*, Office of the Deputy Assistant Secretary of Defense for Environment and Energy Resilience, (October 7, 2021), <https://www.defense.gov/News/News-Stories/Article/Article/2787056/dod-announces-plan-to-tackle-climate-crisis/>

74. Id.

75. Id.

76. Id.

77. Id.

78. Id.

79. Fatima Bahtic, *US Navy unveils new action plan to tackle global climate crisis*, (May 25, 2022), Naval Today, <https://www.navaltoday.com/2022/05/25/us-navy-unveils-new-action-plan-to-tackle-global-climate-crisis/#:~:text=The%20navy%E2%80%99s%20response%20to%20this%20is%20adopting%20an,2035%2C%20including%20zero-emission%20light-duty%20vehicle%20acquisitions%20by%202027>

80. Id.

81. Id.

82. Id.

83. Id.



IV. *Inconsistency within the Federal Government*

One of the most readily apparent challenges for advocates when addressing the issue of climate change within the federal government is inconsistency across political lines. Democrats and progressives seemingly lead the way in advocating for greener policies while the Republican and conservative position can range from the quiet protest of a green energy focused energy network to an outright denial the climate change is occurring. This inconsistency along party lines can be due to a number of things. Here in Pennsylvania, one of the most common criticisms of implementing greener policies is the widespread belief that investing in greener energy will take away high paying jobs in the non-renewable energy sector. This is certainly a valid criticism. It is understandable for someone who was working in the energy sector in a position that is inconsistent with green energy policies to view green energy as an immediate threat to their livelihood. In turn, many of these individuals vote for politicians who are opposed to green energy.

Strangely, the inconsistency on the issue of climate change across party lines is a new to the U.S. political environment. By in large protecting the environment has actually historically received bipartisan support. For example, the Clean Air Act was passed in the United States House of Representatives in 1963 with a vote of 273-102.⁸⁴ Of the yes votes, 206 were Democrats, while 67 were Republican⁸⁵. As for the no votes, 10 were Democrat, while 67 were Republican.⁸⁶ At the time the act was passed, even Pittsburgh, Pennsylvania's Congressional representative voted in favor to pass the Act.⁸⁷ Compared to today will the passing of the Inflation Reduction Act, protecting the environment has become a much more partisan issue. The Inflation Reduction Act passed with a vote of 220 to 207.⁸⁸ The yes votes were all Democrats, while the no votes were all Republican.⁸⁹

The partisanship regarding green energy and reducing the effects of climate change is not strictly limited to congressional representatives. According to the Pew Research Center, 70% of Liberal Democrats in the United States believe that climate scientists can be trusted to provide accurate information regarding the causes of

84. *H.R. 6518. THE CLEAN AIR ACT. PASSAGE.*, GovTrack, <https://www.govtrack.us/congress/votes/88-1963/h47>

85. *Id.*

86. *Id.*

87. *Id.*

88. *H.R. 5376: Inflation Reduction Act of 2022.*, GovTrack, <https://www.govtrack.us/congress/votes/117-2022/h420>

89. *Id.*



climate change, compared to just 15% of Conservative Republicans.⁹⁰ Further, 55% of Liberal Democrats believe that climate scientists' research findings are influenced by the best available scientists as opposed to just 9% of Conservative Republicans.⁹¹ Additionally, 57% of Conservative Republicans say the scientist's desire to advance their own careers is a factor for the findings of climate scientist, while 54% say the climate scientists own political beliefs are a determining factor for their ultimate findings.⁹² This data, compared to the bipartisan support for many early pieces of climate legislation, makes it fairly clear that the polarization of this subject has become an untenable situation.

The broad polarization of climate change I believe is an area where the Department of Defense could provide a potential solution. For many reasons, the U.S. Military is an entity that receives widespread respect and admiration across conventional American political lines. At the most fundamental level, those who decide to undertake military service exemplify characteristics that deserve the highest levels of respect: duty, integrity, and bravery. Further, the Military is an entity that is actively preparing for the effects that climate change will have on their organization individually and global stability as a whole. Providing this information to the wider public and holding politicians accountable for any misleading information they provide to their constituents, I believe are both ways that they U.S. Military could have a positive influence in changing the partisanship surrounding climate change. Many Americans hold the U.S. Military to the highest regard, so it is important that their position on this issue is clear, as well as the many negative consequences that are likely to occur should we ignore the threat that climate change poses.

V. *Greenwashing the Armed Forces*

As many people will likely point out, it is an inherently strange idea to advocate that a military must change to reduce its climate emissions. The fundamental purpose for a military is to zealously protect a country and its interests at all costs. Most real critical scholarship in this area offers that the only true method of addressing pollution and climate change contributions by the Department of Defense to be a massive reduction of the size of the military itself. However, as most people will reluctantly admit, the Department of Defense will likely not be getting smaller as the threat of a global conflict increases in the post-Cold War era. However, most

90. *The Politics of Climate*, Pew Research Center, (October 4, 2016), <https://www.pewresearch.org/science/2016/10/04/the-politics-of-climate/>

91. *Id.*

92. *Id.*



people understand by now that climate change simply isn't an issue that can be ignored, especially for entities who pollute at the scale of the Department of Defense. Instead, I believe that transitioning to greener alternatives, at least for the time being, is a step in the right direction.

One critique of the concept of greenwashing the military is the idea that it is an attempt to deflect negative environmental and political practices. One example offered of this is the island of Diego Garcia in the Chagos Archipelago within the Indian Ocean.⁹³ This archipelago was annexed by the government of the United Kingdom with United States support in the 1960s.⁹⁴ The local populations were forcefully removed due to the island's strategic position and was converted to a secret military installation.⁹⁵ In order to create the military base both governments had to develop the land.⁹⁶ This resulted in much of previously untouched environment being destroyed. Additionally, there is evidence of substantial spills of jet fuel and other chemicals as a result of the large storage tanks present on the island.⁹⁷ In the early 21st century Diego Garcia became an increasing source of contention among the British public.⁹⁸ The story of the islanders who were forcefully removed and the potential negative environmental effects that could be attributed to the situation became a compelling storyline.⁹⁹ In response, the British government banned fishing in the waters surrounding the island among other environmental protections.¹⁰⁰

By all accounts, the protections enacted by both the U.S. and U.K. governments did have a beneficial impact on the environment.¹⁰¹ However, the strangeness of the situation remains. Much of the initial outcry stemming from the conditions on Diego Garcia only came to fruition after locals who had previously been removed from the island began to gain support from outside sources which then caused the British public to want change.¹⁰² The change in policy towards the environment in the Chagos Archipelago only came after criticism for the political situation which enabled it. During the War on Terror, Diego Garcia was widely suspected of being a detainment site for the CIA and numerous allegations regarding the treatment of potential

93. Peter Harris, *Militarism in Environmental Disguise: The Greenwashing of an Overseas Military Base*, 9 *International Political Sociology* 19 (2015).

94. Id.

95. Id.

96. Id.

97. Id.

98. Id.

99. Id.

100. Id.

101. Id.

102. Id.



detainees at the location are still alive.¹⁰³ However, any discussion relating to the U.K. and U.S. presence on the island has been limited to the improving environmental conditions on the island.

VI. Conclusion

It is difficult to measure the effect that war can have on the environment or its contribution to climate change. However, it is now clear that the U.S. Federal Government and the Department of Defense has definitively been a substantial contributing factor to climate change's progression. The Department of Defense alone consumes as many hydrocarbons and produces as much greenhouse gas as many small nations do as a whole. Further, its storage of certain hazardous chemicals has also caused many of its own members to develop chronic health issues the scale of which may never be fully realized. The Department of Defense has itself appreciated the risk that climate change poses in the protection of its own facilities as well as its public plans for the future. While shifting towards greener and renewable energy sources may be seen as greenwashing, all options must be on the table in order to reduce the impact that climate change will have on our society.

The Department of Defense and the emissions they produce are a problem that will not quietly go away. The Department of Defense's presence is felt throughout many aspects of American life. There are absolutely discussions that can be had regarding the extent and size of the Department of Defense and the financial resources it consumes. However, at this point it's clear that the status quo cannot remain the same. The federal government has to take steps to reduce emissions from all sides, including the military. The threat climate change poses to both our own society in the United States and the greater global community is in many ways immeasurable. Even conservative estimates put the financial cost of climate change on business and governments in the trillions of dollars in the next few years alone, and this is without beginning to address the human cost.¹⁰⁴ Adopting greener policies at a much early date is necessary in order to prevent the negative effects that the Department itself is aware of and preparing for. Why wait?

103. *Id.*

104. Celestin, Rose, Climate Change will Cost Companies \$1.3 trillion by 2026, Forbes, (March, 5, 2021) <https://www.forbes.com/sites/rosecelestin/2021/03/05/climate-change-will-cost-companies-13-trillion-by-2026/?sh=5a4edc9d6cdc>

