

111<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 2865

To ensure safe, secure, and reliable marine shipping in the Arctic including the availability of aids to navigation, vessel escorts, spill response capability, and maritime search and rescue in the Arctic, and for other purposes.

---

## IN THE HOUSE OF REPRESENTATIVES

JUNE 12, 2009

Mr. YOUNG of Alaska introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

---

## A BILL

To ensure safe, secure, and reliable marine shipping in the Arctic including the availability of aids to navigation, vessel escorts, spill response capability, and maritime search and rescue in the Arctic, and for other purposes.

1        *Be it enacted by the Senate and House of Representa-*  
2        *tives of the United States of America in Congress assembled,*

3        **SECTION 1. SHORT TITLE.**

4        This Act may be cited as the “Arctic Marine Shipping  
5        Assessment Implementation Act of 2009”.

6        **SEC. 2. FINDINGS AND PURPOSE.**

7        (a) FINDINGS.—The Congress finds and declares the  
8        following:

1           (1) The Arctic Ocean and adjacent seas are be-  
2           coming increasingly accessible to shipping, due to  
3           thinning ice cover, technological improvements allow-  
4           ing greater efficiencies in the operation of ice-break-  
5           ers and ice-strengthened cargo and passenger ves-  
6           sels, satellite support for navigation and real-time  
7           ice-charting, and growing demand for Arctic tourism  
8           and natural resources.

9           (2) It is in the interests of the United States  
10          to work with the State of Alaska and our neighbors  
11          in the Arctic Region to ensure that shipping in the  
12          Arctic Ocean and adjacent seas is safe for mariners,  
13          protective of the natural environment, including the  
14          air, land, water, and wildlife of the Arctic, and  
15          mindful of the needs of longstanding subsistence  
16          users of Arctic resources.

17          (3) It is further in the interests of the United  
18          States to ensure that shipping in the Arctic Ocean  
19          and adjacent seas is secure, and that United States  
20          sovereign and security interests, including the rights  
21          of United States vessels to innocent passage through  
22          international straits, are respected and protected,  
23          that access is provided throughout the Arctic Ocean  
24          for legitimate research vessels of all nations, and

1 that peaceful relations are maintained in the Arctic  
2 region.

3 (4) It is further in the interests of the United  
4 States to see that a system of international coopera-  
5 tion is established to support reliable shipping, with  
6 methods for joint investment in providing mariners  
7 aids to navigation, ports of refuge, vessel-to-shore  
8 communication, hydrographic mapping, and search  
9 and rescue capability.

10 (5) For nearly 500 years, mariners and sea-  
11 faring nations have sought national and global bene-  
12 fits from sea routes in the Arctic similar to those  
13 provided now by the Panama and Suez canals, but  
14 as those benefits may finally be realized, expanded  
15 shipping will present risks to residents of the Arctic,  
16 and coordinated shipping regulations are needed to  
17 protect United States interests even from shipping  
18 that may occur in the Arctic region outside United  
19 States territorial waters.

20 (6) Proven models for international cooperation  
21 in management of regional waterways exist, includ-  
22 ing United States joint administration of the St.  
23 Lawrence Seaway with Canada, and existing co-  
24 operation between the Coast Guard and its Russian

1 Federation counterpart for fisheries enforcement in  
2 the Bering Sea and North Pacific regions.

3 (7) The United States has continuing research,  
4 security, environmental, and commercial interests in  
5 the Arctic region that rely on the availability of ice-  
6 breaker platforms of the Coast Guard. The Polar  
7 Class icebreakers commissioned in the 1970s are in  
8 need of replacement.

9 (8) Sovereign interests of the United States in  
10 the Arctic Ocean and Bering Sea regions may grow  
11 with submission of a United States claim for an ex-  
12 tended continental shelf.

13 (9) Building new icebreakers, mustering inter-  
14 national plans for aids to navigation and other facili-  
15 ties, and establishing coordinated shipping regula-  
16 tions and oil spill prevention and response capability  
17 through international cooperation, including the ap-  
18 proval of the International Maritime Organization,  
19 requires long lead times. Beginning those efforts  
20 now, with the completion of an Arctic Marine Ship-  
21 ping Assessment by the eight-nation Arctic Council,  
22 is essential to protect United States interests given  
23 the extensive current use of the Arctic Ocean and  
24 adjacent seas by vessels of many nations.

1 (b) PURPOSE.—The purpose of this Act is to ensure  
2 safe, secure, and reliable maritime shipping in the Arctic  
3 including the availability of aids to navigation, vessel es-  
4 corts, spill response capability, and maritime search and  
5 rescue in the Arctic.

6 **SEC. 3. INTERNATIONAL MARITIME ORGANIZATION AGREE-**  
7 **MENTS.**

8 To carry out the purpose of this Act, the Secretary  
9 of the department in which the Coast Guard is operating  
10 shall work through the International Maritime Organiza-  
11 tion to establish agreements to promote coordinated action  
12 among the United States, Russia, Canada, Iceland, Nor-  
13 way, and Denmark and other seafaring and Arctic nations  
14 to ensure, in the Arctic—

15 (1) placement and maintenance of aids to navi-  
16 gation;

17 (2) appropriate icebreaking escort, tug, and sal-  
18 vage capabilities;

19 (3) oil spill prevention and response capability;

20 (4) maritime domain awareness, including long-  
21 range vessel tracking; and

22 (5) search and rescue.

1 **SEC. 4. COORDINATION BY COMMITTEE ON THE MARITIME**  
2 **TRANSPORTATION SYSTEM.**

3 The Committee on the Maritime Transportation Sys-  
4 tem established under a directive of the President in the  
5 Ocean Action Plan, issued December 17, 2004, shall co-  
6 ordinate the establishment of domestic transportation poli-  
7 cies in the Arctic necessary to carry out the purpose of  
8 the Act.

9 **SEC. 5. AGREEMENTS AND CONTRACTS.**

10 The Secretary of the department in which the Coast  
11 Guard is operating may, subject to the availability of ap-  
12 propriations, enter into cooperative agreements, contracts,  
13 or other agreements with, or make grants to individuals  
14 and governments to carry out the purpose of this Act or  
15 any agreements established under section 3.

16 **SEC. 6. ICEBREAKING.**

17 The Secretary of the department in which the Coast  
18 Guard is operating shall promote safe maritime navigation  
19 by means of icebreaking where needed to assure the rea-  
20 sonable demands of commerce.

21 **SEC. 7. DEMONSTRATION PROJECTS.**

22 The Secretary of Transportation may enter into coop-  
23 erative agreements, contracts, or other agreements with,  
24 or make grants to, individuals to conduct demonstration  
25 projects to reduce emissions or discharges from vessels op-  
26 erating in the Arctic.

1 **SEC. 8. AUTHORIZATION OF APPROPRIATIONS.**

2 There are authorized to be appropriated—

3 (1) to the Secretary of the department in which  
4 the Coast Guard is operating—

5 (A) \$750,000,000 for each of fiscal years  
6 2011 and 2012 for the construction of two  
7 polar capable icebreakers;

8 (B) \$5,000,000 for each of fiscal years  
9 2011 through 2015 for seasonal operations in  
10 the Arctic; and

11 (C) \$10,000,000 for each of fiscal years  
12 2012 through 2015 to carry out agreements es-  
13 tablished under section 5; and

14 (2) to the Secretary of Transportation  
15 \$5,000,000 for each of fiscal years 2011 through  
16 2015 to conduct demonstration projects under sec-  
17 tion 7.

18 **SEC. 9. ARCTIC DEFINITION.**

19 In this Act the term “Arctic” has the same meaning  
20 as in section 112 of the Arctic Research and Policy Act  
21 of 1984 (15 U.S.C. 4111).

○