

117TH CONGRESS  
2D SESSION

# S. 4736

To enhance United States standing as an Arctic nation by facilitating greater maritime accessibility, strong trading partners, and reliable infrastructure.

---

## IN THE SENATE OF THE UNITED STATES

AUGUST 2, 2022

Ms. MURKOWSKI (for herself and Mr. KING) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

---

## A BILL

To enhance United States standing as an Arctic nation by facilitating greater maritime accessibility, strong trading partners, and reliable infrastructure.

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; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the  
5 “Arctic Commitment Act”.

6 (b) TABLE OF CONTENTS.—The table of contents for  
7 this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Defined term.
- Sec. 3. Arctic Shipping Federal Advisory Committee.
- Sec. 4. Arctic Executive Steering Committee.

- Sec. 5. Implementation of Arctic strategy at Port of Nome.  
 Sec. 6. Report on establishing persistent presence of Navy or Coast Guard in the United States Arctic.  
 Sec. 7. Report on eliminating the Russian monopoly on Arctic shipping.  
 Sec. 8. Expanding investment by the United States International Development Finance Corporation in Arctic countries.  
 Sec. 9. Partnership with Iceland.  
 Sec. 10. Amendment to Deepwater Port Act of 1974.  
 Sec. 11. Amendments to the Arctic Research and Policy Act of 1984.  
 Sec. 12. Crosseut report on Arctic research programs.  
 Sec. 13. Pribilof Island transition completion actions.

1 **SEC. 2. DEFINED TERM.**

2 In this Act, the term “appropriate committees of  
 3 Congress” means—

4 (1) the Committee on Armed Services of the  
 5 Senate;

6 (2) the Committee on Homeland Security and  
 7 Governmental Affairs of the Senate;

8 (3) the Committee on Foreign Relations of the  
 9 Senate;

10 (4) the Committee on Energy and Natural Re-  
 11 sources of the Senate;

12 (5) the Committee on Armed Services of the  
 13 House of Representatives;

14 (6) the Committee on Homeland Security of the  
 15 House of Representatives;

16 (7) the Committee on Foreign Affairs of the  
 17 House of Representatives; and

18 (8) the Committee on Energy and Commerce of  
 19 the House of Representatives.

1 **SEC. 3. ARCTIC SHIPPING FEDERAL ADVISORY COM-**  
2 **MITTEE.**

3 (a) ESTABLISHMENT.—Not later than 30 days after  
4 the date of the enactment of this Act, the Secretary of  
5 Transportation shall establish the Arctic Shipping Federal  
6 Advisory Committee, as required in section 8426 of the  
7 Elijah E. Cummings Coast Guard Authorization Act of  
8 2020 (division G of Public Law 116–283).

9 (b) FUNDING.—The Secretary of Transportation  
10 shall make available to the Arctic Shipping Advisory Com-  
11 mittee, from amounts appropriated to the Office of the  
12 Secretary of Transportation, such funds as may be nec-  
13 essary for the operation and sustainment of the Com-  
14 mittee.

15 **SEC. 4. ARCTIC EXECUTIVE STEERING COMMITTEE.**

16 The Arctic Executive Steering Committee, which was  
17 originally established by Executive Order 13689 (80 Fed.  
18 Reg. 4191; relating to enhancing coordination of national  
19 efforts in the Arctic), is reauthorized for the 10-year pe-  
20 riod beginning on the date of the enactment of this Act.

21 **SEC. 5. IMPLEMENTATION OF ARCTIC STRATEGY AT PORT**  
22 **OF NOME.**

23 The Secretary of the Navy, in consultation with the  
24 Commandant of the Coast Guard, shall engage in a con-  
25 sultation with the Chief of Engineers of the Army Corps  
26 of Engineers to ensure that the Port of Nome is usable

1 for the implementation of the National Strategy for the  
2 Arctic Region and the Arctic strategy of the Department  
3 of the Navy, as described in the strategic blueprint for  
4 the Arctic of the Department of the Navy entitled “A Blue  
5 Arctic”.

6 **SEC. 6. REPORT ON ESTABLISHING PERSISTENT PRESENCE**  
7 **OF NAVY OR COAST GUARD IN THE UNITED**  
8 **STATES ARCTIC.**

9 Not later than 180 days after the date of the enact-  
10 ment of this Act, the Commandant of the Coast Guard  
11 and the Secretary of the Navy shall jointly submit a report  
12 to the appropriate committees of Congress that—

13 (1) describes the requirements necessary to es-  
14 tablish, and the feasibility of establishing, a per-  
15 sistent, year-round presence of the Navy and the  
16 Coast Guard in the Arctic region at—

17 (A) the Port of Nome;

18 (B) the natural deepwater port of Un-  
19 alaska;

20 (C) the former Coast Guard Station at  
21 Port Clarence;

22 (D) Point Spencer (as defined in section  
23 532 of the Pribilof Island Transition Comple-  
24 tion Act of 2015 (subtitle B of title V of Public  
25 Law 114–120));

1 (E) the port on Saint George Island in the  
2 Bering Sea;

3 (F) the Port of Adak;

4 (G) Cape Blossom;

5 (H) ports in the Northeastern United  
6 States, including Eastport, Searsport, and Port-  
7 land, Maine; and

8 (I) any other deepwater port that the Com-  
9 mandant determines would facilitate such a  
10 presence in the places described in subpara-  
11 graphs (A) through (H); and

12 (2) provides an estimate of the costs of imple-  
13 menting the requirements described in paragraph  
14 (1), after taking into account the costs of con-  
15 structing the onshore infrastructure that will be re-  
16 quired to support year-round maritime operations in  
17 the vicinity of the Bering Sea and the Arctic region.

18 **SEC. 7. REPORT ON ELIMINATING THE RUSSIAN MONOP-**

19 **OLY ON ARCTIC SHIPPING.**

20 Not later than 180 days after the date of the enact-  
21 ment of this Act, the Committee on the Maritime Trans-  
22 portation System, in coordination with the Arctic Shipping  
23 Federal Advisory Committee, shall submit a report to the  
24 appropriate committees of Congress that—

1 (1) describes the control and influence of the  
2 Russian Federation on shipping in the Arctic region;

3 (2) analyzes the effect of such control and in-  
4 fluence on ongoing efforts to increase the presence,  
5 capacity, and volume of United States shipping in  
6 the Arctic region; and

7 (3) includes a plan for eliminating the Russian  
8 monopoly on shipping in the Arctic region to enable  
9 an increase United States presence in the Arctic  
10 shipping domain.

11 **SEC. 8. EXPANDING INVESTMENT BY THE UNITED STATES**

12 **INTERNATIONAL DEVELOPMENT FINANCE**

13 **CORPORATION IN ARCTIC COUNTRIES.**

14 (a) DEFINITIONS.—In this section:

15 (1) APPROPRIATE CONGRESSIONAL COMMIT-  
16 TEES.—The term “appropriate congressional com-  
17 mittees” means—

18 (A) the Committee on Foreign Relations of  
19 the Senate;

20 (B) the Committee on Armed Services of  
21 the Senate;

22 (C) the Select Committee on Intelligence of  
23 the Senate;

24 (D) the Committee on Energy and Natural  
25 Resources of the Senate;

1 (E) the Committee on Foreign Affairs of  
2 the House of Representatives;

3 (F) the Committee on Armed Services of  
4 the House of Representatives;

5 (G) the Permanent Select Committee on  
6 Intelligence of the House of Representatives;  
7 and

8 (H) the Committee on Energy and Com-  
9 merce of the House of Representatives.

10 (2) ARCTIC COUNTRIES.—The term “Arctic  
11 countries”—

12 (A) means the United States, Canada,  
13 Denmark, Iceland, Norway, Sweden, and Fin-  
14 land, which are permanent members of the Arc-  
15 tic Council; and

16 (B) does not include the Russian Federa-  
17 tion.

18 (3) ARCTIC INDIGENOUS ORGANIZATIONS.—The  
19 term “Arctic indigenous organizations”—

20 (A) means the Aleut International Associa-  
21 tion, the Arctic Athabaskan Council, the  
22 Gwich’in International Council, the Inuit Cir-  
23 cumpolar Council, and the Saami Council; and

24 (B) does not include the Russian Associa-  
25 tion of Indigenous Peoples of the North.

1 (b) SENSE OF CONGRESS.—It is the sense of Con-  
2 gress that—

3 (1) Arctic countries are important partners of  
4 the United States; and

5 (2) the United States International Develop-  
6 ment Finance Corporation should make investments  
7 in Arctic countries to facilitate technologies that—

8 (A) strengthen energy security and reli-  
9 ability; and

10 (B) provide durable, sustainable opportuni-  
11 ties for indigenous entities.

12 (c) AUTHORIZATION.—The United States Inter-  
13 national Development Finance Corporation is authorized  
14 to provide financing to entities in Arctic countries, includ-  
15 ing Arctic indigenous organizations, for projects that—

16 (1) involve the responsible extraction, proc-  
17 essing, development, and recycling of critical min-  
18 erals (as defined in section 7002(a) of the Energy  
19 Act of 2020 (30 U.S.C. 1606(a))); or

20 (2) the Chief Executive Officer of the United  
21 States International Development Finance Corpora-  
22 tion, in coordination with the Secretary of State, de-  
23 termine to be in the strategic interest of the United  
24 States.

25 (d) REPORTING REQUIREMENT.—



1           (1) IN GENERAL.—Not later than 180 days  
2 after the date of the enactment of this Act, the  
3 Chief Executive Officer of the United States Inter-  
4 national Development Finance Corporation, in co-  
5 ordination with the Secretary of State, shall submit  
6 a report to the appropriate congressional committees  
7 that—

8           (A) identifies the countries in which fi-  
9 nancing by the United States International De-  
10 velopment Finance Corporation could be most  
11 impactful for responsibly producing critical min-  
12 erals needed for energy security;

13           (B) explains the interests of the United  
14 States and of partner countries that are served  
15 when the United States provides support for  
16 such projects;

17           (C) describes any support provided by  
18 other United States allies and partners to ex-  
19 pand the projects described in subsection (c);  
20 and

21           (D) describes any support provided by the  
22 People’s Republic of China in support of the  
23 projects described in subsection (c).

24           (2) FORM OF REPORT.—The report required  
25 under paragraph (1) shall be submitted in unclassi-

1       fied form, but may include a classified annex, if nec-  
2       essary.

3 **SEC. 9. PARTNERSHIP WITH ICELAND.**

4       (a) SENSE OF CONGRESS REGARDING A FREE  
5 TRADE AGREEMENT WITH ICELAND.—It is the sense of  
6 Congress that the United States should enter into negotia-  
7 tions with the Government of Iceland to develop and enter  
8 into a comprehensive free trade agreement between the  
9 United States and Iceland.

10       (b) NONIMMIGRANT TRADERS AND INVESTORS.—For  
11 purposes of clauses (i) and (ii) of section 101(a)(15)(E)  
12 of the Immigration and Nationality Act (8 U.S.C.  
13 1101(a)(15)(E)), Iceland shall be considered to be a for-  
14 eign State under such section if the Government of Iceland  
15 offers similar nonimmigrant status to nationals of the  
16 United States.

17 **SEC. 10. AMENDMENTS TO DEEPWATER PORT ACT OF 1974.**

18       The Deepwater Port Act of 1974 (33 U.S.C. 1501  
19 et seq.) is amended—

20               (1) in section 4 (33 U.S.C. 1503)—

21                       (A) in subsection (c)(9), by inserting “(ex-  
22                       cluding any State that developed a coastal zone  
23                       management program pursuant to section 305  
24                       of the Coastal Zone Management Act of 1972  
25                       (16 U.S.C. 1454) that was approved by the

1 Secretary pursuant to section 306 of such Act  
 2 (16 U.S.C. 1455) and withdrew such plan be-  
 3 fore January 1, 2012)” after “connected by  
 4 pipeline”; and

5 (B) by adding at the end the following:

6 “(j) EXPORT LICENSE FOR ALL FORMS OF HYDRO-  
 7 GEN.—The Secretary may issue a license in accordance  
 8 with the provisions of this Act for the export of hydrogen  
 9 in all of its forms, including as liquefied natural gas, hy-  
 10 drogen, and ammonia.”; and

11 (2) in section 9(c), (33 U.S.C. 1508(c)), by in-  
 12 serting “(excluding any State that developed a coast-  
 13 al zone management program pursuant to section  
 14 305 of the Coastal Zone Management Act of 1972  
 15 (16 U.S.C. 1454) that was approved by the Sec-  
 16 retary pursuant to section 306 of such Act (16  
 17 U.S.C. 1455) and withdrew such plan before Janu-  
 18 ary 1, 2012)” after “connected by pipeline”.

19 **SEC. 11. AMENDMENTS TO THE ARCTIC RESEARCH AND**  
 20 **POLICY ACT OF 1984.**

21 (a) FINDINGS AND PURPOSES.—Section 102(a) of  
 22 the Arctic Research and Policy Act of 1984 (15 U.S.C.  
 23 4101(a)) is amended—

24 (1) in paragraph (2), by inserting “and home-  
 25 land” after “national”;

1           (2) by redesignating paragraphs (5) through  
2           (17) as paragraphs (6) through (18), respectively;

3           (3) by striking paragraph (4) and inserting the  
4           following:

5           “(4) Changing Arctic conditions directly affect  
6           global weather and climate patterns and must be  
7           better understood—

8                   “(A) to promote better agricultural man-  
9                   agement throughout the United States; and

10                   “(B) to address the myriad of impacts,  
11                   challenges, and opportunities brought about by  
12                   such change.

13           “(5) Since a rapidly changing climate will re-  
14           shape the economic, social, cultural, political, envi-  
15           ronmental, and security landscape of the Arctic re-  
16           gion, sustained, robust, coordinated, reliable, appro-  
17           priately funded, and dependable Arctic research is  
18           required to inform and influence sound United  
19           States domestic and international Arctic policy.”;  
20           and

21           (4) in paragraph (6), as redesignated, by insert-  
22           ing “and climate” after “weather”.

23           (b) ARCTIC RESEARCH COMMISSION.—Section 103 of  
24           the Arctic Research and Policy Act of 1984 (15 U.S.C.  
25           4102) is amended—

1 (1) in subsection (b)—

2 (A) in paragraph (1)(B)—

3 (i) by striking “who are” and insert-  
4 ing “who is a”; and

5 (ii) by striking “who live in areas”  
6 and inserting “who live in an area”; and

7 (B) in paragraph (2), by striking “chair-  
8 person” and inserting “Chair”; and

9 (2) in subsection (d)—

10 (A) in paragraph (1)—

11 (i) by inserting “or her” after “his”;  
12 and

13 (ii) by inserting “, or in the case of  
14 the Chair, not to exceed 120 days of serv-  
15 ice each year”; and

16 (B) in paragraph (2), by striking “Chair-  
17 man” and inserting “Chair”.

18 (c) ADMINISTRATION OF THE COMMISSION.—Section  
19 106(4) of the Arctic Research and Policy Act of 1984 (15  
20 U.S.C. 4105(4)) is amended—

21 (1) by inserting “, and other Federal Govern-  
22 ment entities, as appropriate,” after “with the Gen-  
23 eral Services Administration”; and

1           (2) by inserting “, or the heads of other Fed-  
2           eral Government entities, as appropriate,” before the  
3           semicolon.

4           (d) INTERAGENCY ARCTIC RESEARCH POLICY COM-  
5           MITTEE.—Section 107(b)(2) of the Arctic Research and  
6           Policy Act of 1984 (15 U.S.C. 4106(b)(2)) is amended—

7           (1) by redesignating subparagraph (L) as sub-  
8           paragraph (P);

9           (2) in subparagraph (K), by striking “and” at  
10          the end; and

11          (3) by inserting after subparagraph (K) the fol-  
12          lowing:

13                       “(L) the Department of Agriculture;

14                       “(M) the Marine Mammal Commission;

15                       “(N) the Smithsonian Institution;

16                       “(O) the Denali Commission; and”.

17          (e) 5-YEAR ARCTIC RESEARCH PLAN.—Section  
18          109(a) of the Arctic Research and Policy Act of 1984 (15  
19          U.S.C. 4108(a)) is amended by striking “The Plan” and  
20          inserting “Notwithstanding section 3003 of the Federal  
21          Reports Elimination and Sunset Act of 1995 (Public Law  
22          104–66), the Plan”.

1 **SEC. 12. CROSSCUT REPORT ON ARCTIC RESEARCH PRO-**  
2 **GRAMS.**

3 (a) IN GENERAL.—Not later than 180 days after the  
4 date of the enactment of this Act, and annually thereafter,  
5 the Director of the Office of Management and Budget  
6 shall submit a detailed report to Congress regarding all  
7 existing Federal programs relating to Arctic research, in-  
8 cluding—

9 (1) the goals of each such program;

10 (2) the funding levels for each such program for  
11 each of the 5 immediately preceding fiscal years;

12 (3) the anticipated funding levels for each such  
13 program for each of the 5 following fiscal years; and

14 (4) the total funding appropriated for the cur-  
15 rent fiscal year for such programs.

16 (b) DISTRIBUTION.—Not later than 3 days after sub-  
17 mitting the report to Congress pursuant to subsection (a),  
18 the Director of the Office of Management and Budget  
19 shall submit a copy of the report to the National Science  
20 Foundation, the United States Arctic Research Commis-  
21 sion, and the Office of Science and Technology Policy.

22 **SEC. 13. PRIBILOF ISLAND TRANSITION COMPLETION AC-**  
23 **TIONS.**

24 (a) EXTENSIONS.—Section 524 of the Pribilof Island  
25 Transition Completion Act of 2015 (subtitle B of title V  
26 of Public Law 114–120) is amended—

1           (1) in subsection (b)(5), by striking “5 years”  
2           and inserting “6 years”; and

3           (2) in subsection (c)(3), by striking “60 days”  
4           and inserting “120 days”.

5           (b) QUARTERLY ACTUAL USE AND OCCUPANCY RE-  
6 PORTS.—Not later than 90 days after the date of the en-  
7 actment of this Act, and every 3 months thereafter, the  
8 Secretary of the department in which the Coast Guard is  
9 operating shall submit a report to the Committee on Com-  
10 merce, Science, and Transportation of the Senate and the  
11 Committee on Transportation and Infrastructure of the  
12 House of Representatives that describes—

13           (1) the degree to which Coast Guard personnel  
14           and equipment are deployed to St. Paul Island,  
15           Alaska, in actual occupancy of the facilities, as re-  
16           quired under section 524 of the Pribilof Island  
17           Transition Completion Act of 2015 (subtitle B of  
18           title V of Public Law 114–120); and

19           (2) the status of the activities described in sub-  
20           sections (c) and (d) if such activities have not been  
21           completed.

22           (c) AIRCRAFT HANGER.—The Secretary of the de-  
23 partment in which the Coast Guard is operating may—

24           (1) enter into a lease for a hangar to house de-  
25           ployed Coast Guard aircraft if such hangar was pre-



1 viously under lease by the Coast Guard for the pur-  
2 poses of housing such aircraft;

3 (2) enter into an agreement with the lessor of  
4 the hanger referred to in paragraph (1) in which the  
5 Secretary may carry out repairs necessary to sup-  
6 port the deployment of such aircraft; and

7 (3) offset the cost such repairs under the terms  
8 of the lease entered into pursuant to paragraph (2).

9 (d) FUEL TANK.—

10 (1) DETERMINATION.—Not later than 30 days  
11 after the date of the enactment of this Act, the Sec-  
12 retary of the department in which the Coast Guard  
13 is operating shall determine whether the fuel tank  
14 located on St. Paul Island, Alaska, that is owned by  
15 the Coast Guard is needed for Coast Guard oper-  
16 ations.

17 (2) TRANSFER.—Subject to paragraph (3), if  
18 the Secretary determines the tank referred to in  
19 paragraph (1) is not needed for Coast Guard oper-  
20 ations, the Secretary, not later than 90 days after  
21 making such determination, shall transfer such tank  
22 to the Alaska Native Village Corporation for St.  
23 Paul Island, Alaska.

24 (3) FAIR MARKET VALUE EXCEPTION.—The  
25 Secretary may only carry out a transfer described in

1 paragraph (2) if the fair market value of such tank  
2 is less than the aggregate value of any lease pay-  
3 ments for the property on which the tank is located  
4 that the Coast Guard would have paid to the Alaska  
5 Native Village Corporation for St. Paul Island, Alas-  
6 ka, had such lease been extended at the same rate.

7 (e) RULE OF CONSTRUCTION.—Nothing in this sec-  
8 tion may be construed to limit any rights of the Alaska  
9 Native Village Corporation for St. Paul Island, Alaska to  
10 receive conveyance of all or part of the lands and improve-  
11 ments related to Tract 43 under the same terms and con-  
12 ditions as prescribed in section 524 of the Pribilof Island  
13 Transition Completion Act of 2015 (subtitle B of title V  
14 of Public Law 114–120).

○