

116TH CONGRESS
1ST SESSION

S. 2786

To establish a Federal advisory committee to provide policy recommendations to the Secretary of Transportation on positioning the United States to take advantage of emerging opportunities for Arctic maritime transportation.

IN THE SENATE OF THE UNITED STATES

NOVEMBER 5, 2019

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

A BILL

To establish a Federal advisory committee to provide policy recommendations to the Secretary of Transportation on positioning the United States to take advantage of emerging opportunities for Arctic maritime transportation.

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 Shipping Fed-
5 eral Advisory Committee Act”.

1 **SEC. 2. PURPOSE.**

2 The purpose of this Act is to establish a Federal advisory
3 committee to provide policy recommendations to the
4 Secretary of Transportation on positioning the United
5 States to take advantage of emerging opportunities for
6 Arctic maritime transportation.

7 **SEC. 3. DEFINITIONS.**

8 In this Act:

9 (1) **ADVISORY COMMITTEE.**—The term “Advisory
10 Committee” means the Arctic Shipping Federal
11 Advisory Committee established under section 4(a).

12 (2) **ARCTIC.**—The term “Arctic” has the meaning
13 given the term in section 112 of the Arctic Research
14 and Policy Act of 1984 (15 U.S.C. 4111).

15 (3) **ARCTIC SEA ROUTES.**—The term “Arctic
16 Sea Routes” means the international Northern Sea
17 Route, the Transpolar Sea Route, and the Northwest
18 Passage.

19 **SEC. 4. ESTABLISHMENT OF THE ARCTIC SHIPPING FEDERAL**
20 **ADVISORY COMMITTEE.**

21 (a) **IN GENERAL.**—The Secretary of Transportation,
22 in consultation with the Secretary of State, the Secretary
23 of Defense acting through the Secretary of the Army, and
24 the Secretary of the Department in which the Coast Guard
25 is operating, shall establish an Arctic Shipping Federal
26 Advisory Committee in the Department of Transportation

1 to advise the Secretary of Transportation on matters re-
2 lated to Arctic maritime transportation, including Arctic
3 seaway development.

4 (b) MEMBERSHIP.—

5 (1) IN GENERAL.—The Advisory Committee
6 shall be composed of 15 members as described in
7 paragraph (2).

8 (2) COMPOSITION.—The members of the Advi-
9 sory Committee shall be—

10 (A) 1 individual appointed and designated
11 by the Secretary of Transportation to serve as
12 the Chairperson of the Advisory Committee;

13 (B) 1 designee of the Secretary of Com-
14 merce;

15 (C) 1 designee of the Secretary of State;

16 (D) 1 designee of the Secretary of Trans-
17 portation;

18 (E) 1 designee of the Secretary of the De-
19 partment in which the Coast Guard is oper-
20 ating;

21 (F) 1 designee of the Department of De-
22 fense;

23 (G) 1 designee from the State of Alaska,
24 nominated by the Governor of Alaska and des-
25 ignated by the Secretary of Transportation;

1 (H) 1 designee from the State of Wash-
2 ington, nominated by the Governor of Wash-
3 ington and designated by the Secretary of
4 Transportation;

5 (I) 1 Alaska Native Tribal member;

6 (J) 1 individual representing Alaska Na-
7 tive subsistence co-management groups affected
8 by Arctic maritime transportation;

9 (K) 1 individual representing coastal com-
10 munities affected by Arctic shipping;

11 (L) 1 individual representing the shipping
12 industry;

13 (M) 1 individual representing the marine
14 safety community;

15 (N) 1 individual representing the Arctic
16 business community; and

17 (O) 1 individual representing Alaskan mar-
18 itime labor organizations.

19 (3) TERMS.—

20 (A) LIMITATIONS.—Each member of the
21 Advisory Committee described in subparagraphs
22 (G) through (O) of paragraph (2) shall serve
23 for a 2-year term and shall not be eligible for
24 more than 2 consecutive term reappointments.

1 (B) VACANCIES.—Any vacancy in the
2 membership of the Advisory Committee shall
3 not affect its responsibilities, but shall be filled
4 in the same manner as the original appoint-
5 ment.

6 (c) FUNCTIONS.—The Advisory Committee shall
7 carry out all of the following functions:

8 (1) Develop a set of policy recommendations
9 that would enhance the leadership role played by the
10 United States in improving the safety and reliability
11 of Arctic maritime transportation in accordance with
12 customary international maritime law, which shall
13 include options for establishing a United States enti-
14 ty that could perform the following functions in ac-
15 cordance with customary international maritime law:

16 (A) Construction, operation, and mainte-
17 nance of current and future maritime infra-
18 structure necessary for vessels transiting the
19 Arctic Sea Routes, including new deepwater
20 ports.

21 (B) Provision of services that would im-
22 prove Arctic maritime safety and environmental
23 protection, including for navigation and incident
24 response for vessels transiting the Arctic Sea
25 Routes.

1 (C) Establishment of rules of measurement
2 for vessels and cargo for the purposes of levying
3 voluntary rates of charges or fees for services.

4 (2) As an option under paragraph (1), consider
5 establishing a congressionally chartered seaway de-
6 velopment corporation modeled on the St. Lawrence
7 Seaway Development Corporation, and—

8 (A) develop recommendations for estab-
9 lishing such a corporation and a detailed imple-
10 mentation plan for establishing such an entity;
11 or

12 (B) if the Advisory Committee decides
13 against establishing such a corporation, provide
14 a written explanation as to the rationale for the
15 decision and develop an alternative.

16 (3) Provide advice and recommendations to the
17 Secretary of Transportation as requested on Arctic
18 marine transportation, including seaway develop-
19 ment.

20 **SEC. 5. REPORT TO CONGRESS.**

21 Not later than 2 years after the date of enactment
22 of this Act, the Advisory Committee shall submit a report
23 with its recommendations under paragraphs (1) and (2)
24 of section 4(c) to the Committee on Commerce, Science,
25 and Transportation of the Senate and the Committee on

1 Transportation and Infrastructure of the House of Rep-
2 resentatives.

3 **SEC. 6. TERMINATION OF THE ADVISORY COMMITTEE.**

4 Not later than 8 years after the submission of the
5 report described in section 5, the Secretary of Transpor-
6 tation shall dissolve the Advisory Committee.

7 **SEC. 7. INTERNATIONAL ENGAGEMENT.**

8 If a Special Representative for the Arctic Region is
9 appointed by the Secretary of State, the duties of that
10 Representative shall include—

11 (1) coordination of any activities recommended
12 by the implementation plan submitted by the Advi-
13 sory Committee and approved by the Secretary of
14 Transportation; and

15 (2) facilitation of multilateral dialogues with
16 member and observer nations of the Arctic Council
17 to encourage cooperation on Arctic maritime trans-
18 portation.

○