

113TH CONGRESS
1ST SESSION

S. 272

To promote research, monitoring, and observation of the Arctic and for other purposes.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 11, 2013

Mr. BEGICH introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

A BILL

To promote research, monitoring, and observation of 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 Research, Moni-
5 toring, and Observing Act of 2013”.

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

7 (a) FINDINGS.—Congress makes the following find-
8 ings:

9 (1) The United States is an Arctic Nation
10 with—

1 (A) an approximately 700-mile border with
2 the Arctic Ocean;

3 (B) more than 100,000,000 acres of land
4 above the Arctic Circle; and

5 (C) an even broader area defined as Arctic
6 by temperature, which includes the Bering Sea
7 and Aleutian Islands.

8 (2) The Arctic region of the United States is
9 home to an indigenous population that has subsisted
10 for millennia on the abundance in marine mammals,
11 fish, and wildlife, many of which are unique to the
12 region.

13 (3) Temperatures in the United States Arctic
14 region have warmed by 3 to 4 degrees Celsius over
15 the past half-century, a rate of increase that is twice
16 the global average.

17 (4) The Arctic ice pack is rapidly diminishing
18 and thinning, and the National Oceanic and Atmos-
19 pheric Administration estimates the Arctic Ocean
20 may be ice free during summer months in as few as
21 30 years.

22 (5) Such changes to the Arctic region are hav-
23 ing a significant impact on the indigenous people of
24 the Arctic, their communities and ecosystems, as

1 well as the marine mammals, fish, and wildlife upon
2 which they depend.

3 (6) Such changes are opening new portions of
4 the United States Arctic continental shelf to possible
5 development for offshore oil and gas, commercial
6 fishing, marine shipping, and tourism.

7 (7) Existing Federal research and science advi-
8 sory programs focused on the environmental and so-
9 cioeconomic impacts of a changing Arctic lack a co-
10 hesive, coordinated, and integrated approach and are
11 not adequately coordinated with State, local, aca-
12 demic, and private-sector Arctic research programs.

13 (8) The lack of research integration and syn-
14 thesis of findings of Arctic research has impeded the
15 progress of the United States and international com-
16 munity in understanding climate change impacts
17 and feedback mechanisms in the Arctic Ocean.

18 (9) An improved scientific understanding of the
19 changing Arctic is critical to the development of ap-
20 propriate and effective regional, national, and global
21 climate change adaptation strategies.

22 (b) PURPOSE.—The purpose of this Act is to estab-
23 lish a permanent program to conduct research, moni-
24 toring, and observation activities in the Arctic—

1 (1) to promote and sustain a productive and re-
2 silient marine, coastal, and estuarine ecosystem in
3 the Arctic and the human uses of its natural re-
4 sources through greater understanding of how the
5 ecosystem works and monitoring and observation of
6 its vital signs; and

7 (2) to track and evaluate the effectiveness of
8 natural resource management in the Arctic in order
9 to facilitate improved performance and adaptive
10 management.

11 **SEC. 3. ARCTIC RESEARCH COMMISSION.**

12 (a) DUTIES OF THE ARCTIC RESEARCH COMMIS-
13 SION.—Section 104(a) of the Arctic Research and Policy
14 Act of 1984 (15 U.S.C. 4103(a)) is amended—

15 (1) in paragraph (2), by striking “assist in es-
16 tablishing” and inserting “establish”;

17 (2) by redesignating paragraphs (3) through
18 (10) as paragraphs (4) through (11), respectively;
19 and

20 (3) by inserting after paragraph (2) the fol-
21 lowing:

22 “(3) award—

23 “(A) grants to Federal, State, local, or
24 tribal governments and academic and private
25 organizations to conduct research on or related

1 to the Arctic, including to the marine environ-
2 ment of the Arctic Ocean, its adjacent seas or
3 associated lesser bodies of water; and

4 “(B) such grants on the basis of merit in
5 accordance with such national Arctic research
6 program plan;”.

7 (b) ADMINISTRATION OF THE COMMISSION.—Section
8 106 of the Arctic Research and Policy Act of 1984 (15
9 U.S.C. 4105) is amended—

10 (1) in paragraph (4), by striking “and” at the
11 end;

12 (2) in paragraph (5), by striking the period at
13 the end and inserting “; and”; and

14 (3) by adding at the end the following:

15 “(6) enter into agreements with appropriate
16 agencies or organizations to administer grants made
17 pursuant to this title for Arctic research including
18 reimbursement from funds of the Commission to ad-
19 minister such grants.”.

20 (c) COMPENSATION OF COMMISSION MEMBERS.—
21 Section 103(d)(1) of the Arctic Research and Policy Act
22 of 1984 (15 U.S.C. 4102(d)(1)) is amended by striking
23 “for compensation” in the second sentence and inserting
24 “by the Federal Government or any State or local govern-
25 ment”.

1 (d) CONFLICTS OF INTEREST.—

2 (1) ARCTIC RESEARCH COMMISSION.—Section
3 103 of the Arctic Research and Policy Act of 1984
4 (15 U.S.C. 4102) is amended by adding at the end
5 the following:

6 “(e) CONFLICT OF INTEREST.—The Commission
7 shall adopt conflict of interest and recusal provisions that
8 apply to any decision by the Commission and to all mem-
9 bers of the Commission as if each member of the Commis-
10 sion is an ‘affected individual’ within the meaning of sec-
11 tion 302(j) of the Magnuson-Stevens Fishery Conservation
12 and Management Act (16 U.S.C. 1852(j)), except that in
13 addition to the disclosure requirements of paragraph (2)
14 of such section 302(j), each member of the Commission
15 shall disclose any financial interest or relationship in an
16 organization or with an individual that is applying for
17 funding from the Commission held by the member of the
18 Commission, including an interest as an officer, director,
19 trustee, partner, employee, contractor, agent, or other rep-
20 resentative.”.

21 (2) NORTH PACIFIC RESEARCH BOARD.—Sub-
22 section (e) of section 401 of the Department of the
23 Interior and Related Agencies Appropriations Act,
24 1998 (43 U.S.C. 1474d) is amended—

1 (A) in paragraph (4)(B), by striking “15
2 percent” and inserting “20 percent”; and

3 (B) by striking paragraph (5) and insert-
4 ing the following:

5 “(5) The Board shall adopt conflict of interest
6 and recusal provisions that apply to any decision by
7 the Board and to all members of the Board as if
8 each member of the Board is an ‘affected individual’
9 within the meaning of section 302(j) of the Magnu-
10 son-Stevens Fishery Conservation and Management
11 Act (16 U.S.C. 1852(j)), except that in addition to
12 the disclosure requirements of paragraph (2) of such
13 section 302(j), each member of the Board shall dis-
14 close any financial interest or relationship in an or-
15 ganization or with an individual that is applying for
16 funding from the Board, including an interest as an
17 officer, director, trustee, partner, employee, con-
18 tractor, agent, or other representative.”.

19 **SEC. 4. ENVIRONMENTAL IMPROVEMENT AND RESTORA-**
20 **TION FUND.**

21 (a) **TRANSFER AND AVAILABILITY OF AMOUNTS**
22 **EARNED.**—Subsection (c) of section 401 of the Depart-
23 ment of the Interior and Related Agencies Appropriations
24 Act, 1998 (43 U.S.C. 1474d) is amended—

1 (1) in paragraph (1), by striking “To the extent
2 provided in the subsequent appropriations Acts, 80
3 percent of such amounts shall be made available”
4 and inserting “40 percent of such amounts shall be
5 made available without further appropriations”;

6 (2) in paragraph (2), by striking “20 percent”
7 and inserting “25 percent”; and

8 (3) by adding at the end the following:

9 “(3) 25 percent of such amounts shall be made
10 without further appropriation to the United States
11 Arctic Research Commission for the purposes of car-
12 rying out research and monitoring in the Arctic as
13 provided in subsection (f).

14 “(4) 10 percent of such amounts shall be made
15 available without further appropriations to the Sec-
16 retary of Commerce to fund the Alaska Ocean Ob-
17 serving Program as provided in subsection (g).”.

18 (b) **AUTHORITY TO ACCEPT NON-FEDERAL FUNDS**
19 **FOR USE BY NORTH PACIFIC RESEARCH BOARD.**—Sub-
20 section (e) of such section is amended by adding at the
21 end the following:

22 “(6) **ACCEPTANCE OF NON-FEDERAL FUNDS.**—
23 The Secretary of Commerce may accept funds from
24 a source other than the Government of the United

1 States to be used by the Board to carry out this
2 subsection.”.

3 (c) USE OF FUNDS.—Such section is further amend-
4 ed by adding at the end the following:

5 “(f) UNITED STATES ARCTIC RESEARCH COMMIS-
6 SION.—

7 “(1) USE OF FUNDS.—Funds available under
8 subsection (c)(3) shall be used by the Arctic Re-
9 search Commission established by section 103 of the
10 Arctic Research and Policy Act of 1984 (15 U.S.C.
11 4102) to award grants under subsection (a)(3) of
12 such section.

13 “(2) LIMITATION.—Not more than 20 percent
14 of funds available under subsection (c)(3) may be
15 used for costs associated with administering the
16 awarding of grants under section 103(a)(3) of the
17 Arctic Research and Policy Act of 1984 (15 U.S.C.
18 4102(a)(3)).

19 “(g) ALASKA OCEAN OBSERVING SYSTEM.—Funds
20 available under subsection (c)(4) shall be used to support
21 the Alaska Ocean Observing System in a manner con-
22 sistent with the Integrated Coastal and Ocean Observation
23 System Act of 2009 (33 U.S.C. 3601 et seq.), for the pur-
24 pose of establishing long-term ocean observing systems
25 and monitoring programs in waters of the United States

1 in the North Pacific, Bering Sea, and Arctic Ocean. Not
2 more than 20 percent of the funds made available pursu-
3 ant to subsection (c)(4) may be used to provide adminis-
4 trative support under this subsection.

5 “(h) DUPLICATION OF EFFORT; REPORT.—Pro-
6 grams and grants funded pursuant to paragraphs (2), (3),
7 and (4) of subsection (c) shall seek to avoid duplicating
8 other research activities. The North Pacific Research
9 Board, the Arctic Research Commission, and the Alaska
10 Ocean Observing System shall—

11 “(1) meet not less than once annually to pro-
12 mote coordination among research programs and
13 projects; and

14 “(2) submit to Congress and the President an
15 annual report on the status of research conducted
16 pursuant to this title.

17 “(i) ARCTIC DEFINED.—In this section, the term
18 ‘Arctic’ has the meaning given that term in section 112
19 of the Arctic Research and Policy Act of 1984 (15 U.S.C.
20 4111).”.

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