

115TH CONGRESS
1ST SESSION

S. 1442

To establish United States policy for the Arctic region for the next 10 years, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JUNE 26, 2017

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

A BILL

To establish United States policy for the Arctic region for the next 10 years, 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 “Securing Our Arctic
5 Interests Act of 2017”.

6 **SEC. 2. AUTHORIZATION TO PROCURE UP TO SIX POLAR-**
7 **CLASS ICEBREAKERS.**

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

1 (1) The strategic importance of the Arctic con-
2 tinues to increase as the United States and other
3 countries recognize the military significance of the
4 sea lanes and choke points within the region and un-
5 derstand the potential for power projection from the
6 Arctic into multiple regions.

7 (2) The economic significance of the Arctic con-
8 tinues to grow as nations around the globe begin to
9 understand the potential for maritime transportation
10 through, and economic and trade development in,
11 the region.

12 (3) Given the potential for maritime accidents,
13 oil spills, and illegal fishing near the exclusive eco-
14 nomic zone of the United States, increases in
15 human, maritime, and resource development activity
16 in the Arctic region are expected to create additional
17 mission requirements for the Department of Defense
18 and the Department of Homeland Security.

19 (4) The Bering Strait is experiencing signifi-
20 cant increases in international traffic from vessels
21 transiting the Northern Sea Route, increases which
22 are projected to continue if decreases in sea ice cov-
23 erage continue.

24 (5) Russia has prioritized the development of
25 Arctic capabilities and has made significant invest-

1 ments in military infrastructure in the Arctic, in-
2 cluding the creation of a new Arctic Command and
3 the construction or refurbishment of 16 deepwater
4 ports and 14 airfields in the region.

5 (6) Russia currently has approximately 40 ice-
6 breakers, including several nuclear-powered ice-
7 breakers, is currently constructing four, and is
8 planing to build an additional eight.

9 (7) On May 15, 2015, former Secretary of De-
10 fense Ash Carter stated that “[t]he Arctic is going
11 to be a major area of importance to the United
12 States, both strategically and economically in the fu-
13 ture—it’s fair to say that we’re late to the recogni-
14 tion of that”.

15 (8) On July 6, 2015, Admiral Paul F. Zukunft,
16 the Commandant of the United States Coast Guard,
17 stated with respect to United States strategic pres-
18 ence and supporting infrastructure of the United
19 States in the Arctic that “[w]e’re not even in the
20 same league as Russia right now. We’re not playing
21 in this game at all”.

22 (9) On January 12, 2017, Secretary of Defense
23 James Mattis stated that “[t]he Arctic is key stra-
24 tegic terrain . . . Russia is taking aggressive steps
25 to increase its presence there . . . I will prioritize

1 the development of an integrated strategy for the
2 Arctic. I believe that our interests and the security
3 of the Arctic would benefit from increasing the focus
4 of the Department of Defense on this region”.

5 (10) Section 1068 of the National Defense Au-
6 thorization Act for Fiscal Year 2016 (Public Law
7 114–92) requires a new Department of Defense
8 “Strategy to Protect the United States National Se-
9 curity Interests in the Arctic Region”.

10 (11) Section 1095 of the National Defense Au-
11 thorization Act for Fiscal Year 2017 (Public Law
12 114–328) requires the Department of Defense to
13 designate a Department of Defense Strategic Arctic
14 Port.

15 (12) In January 2017, the Department of De-
16 fense released a report entitled “Report to Congress
17 on Strategy to Protect United States National Secu-
18 rity Interests in the Arctic Region” to “update the
19 ways and means the Department of Defense intends
20 to use to achieve its objectives as it implements the
21 2013 National Strategy for the Arctic Region”, in-
22 cluding—

23 (A) enhancing the capability of United
24 States forces to defend the homeland and exer-
25 cise sovereignty;

1 (B) strengthening deterrence at home and
2 abroad;

3 (C) strengthening alliances and partner-
4 ships;

5 (D) preserving freedom of the seas in the
6 Arctic;

7 (E) engaging public, private, and inter-
8 national partners to improve domain awareness
9 in the Arctic;

10 (F) evolving the infrastructure and capa-
11 bilities of the Department in the Arctic con-
12 sistent with changing conditions and needs;

13 (G) providing support to civil authorities,
14 as directed;

15 (H) partnering with other departments
16 and agencies of Government, and other nations,
17 to support human and environmental security;
18 and

19 (I) supporting international institutions
20 that promote regional cooperation and the rule
21 of law.

22 (13) In June 2014, the Government Account-
23 ability Office (GAO) reported that the Coast Guard
24 was experiencing a gap in its heavy icebreaking ca-

1 pability and was without a heavy icebreaker from
2 2010 to 2013.

3 (14) Since 2013, the United States Coast
4 Guard has operated just one heavy icebreaker—the
5 Polar Star—and one medium icebreaker—the
6 Healy—which is less capability and capacity than
7 the United States Coast Guard has historically had
8 in its fleet.

9 (15) The only other heavy icebreaker of the
10 United States Coast Guard—the Polar Sea—has
11 been inactive since experiencing major engine dam-
12 age in June 2010.

13 (16) In June 2016, the Government Account-
14 ability Office reported on the status of the Arctic
15 strategy of the United States Coast Guard and how
16 it had been unable to fulfill a portion of its polar
17 icebreaking responsibilities due to its aging ice-
18 breaker fleet.

19 (17) Senior Coast Guard, Department of
20 Homeland Security, and Office of Management and
21 Budget officials have acknowledged that, at histor-
22 ical funding levels, the Coast Guard cannot afford to
23 recapitalize and modernize its assets in accordance
24 with the current plan.

1 (18) In July 2010, the Coast Guard first identi-
2 fied a need for a new icebreaker fleet of 3 heavy cut-
3 ters and 3 medium cutters to fulfill its statutory
4 missions.

5 (19) Preliminary estimates for the acquisition
6 cost for detailed development and construction of the
7 first new heavy icebreaker for the United States
8 have been as high as \$1,000,000,000.

9 (20) The Coast Guard is currently partnering
10 with the Navy, through an Integrated Program Of-
11 fice, in an attempt to leverage the shipbuilding ex-
12 pertise of the Navy.

13 (b) **AUTHORITY TO PROCURE ICEBREAKERS.**—The
14 Secretary of the department in which the Coast Guard is
15 operating may, in consultation with the Secretary of the
16 Navy, enter into a contract or contracts for the procure-
17 ment of up to six polar-class icebreakers, including—

18 (1) polar-class heavy icebreakers; and

19 (2) polar-class medium icebreakers.

20 (c) **COMPTROLLER GENERAL OF THE UNITED**
21 **STATES REPORT.**—

22 (1) **IN GENERAL.**—Not later than 45 days after
23 the date of the enactment of the this Act, the Comp-
24 troller General of the United States shall submit to
25 the Committees on Armed Services of the Senate

1 and the House of Representatives, the Committee on
2 Commerce, Science, and Transportation of the Sen-
3 ate, and the Committee on Transportation and In-
4 frastructure of the House of Representatives a re-
5 port assessing the cost and procurement schedule for
6 new United States icebreakers.

7 (2) ELEMENTS.—The report required in para-
8 graph (1) shall include an analysis of the following:

9 (A) The current status of the efforts of the
10 Coast Guard to acquire new icebreaking capa-
11 bility, including coordination through the Inte-
12 grated Program Office.

13 (B) Actions being taken by the Coast
14 Guard to incorporate key practices from other
15 nations that procure icebreakers to increase
16 knowledge and reduce costs and risks.

17 (C) The extent by which the cost and
18 schedule for building Coast Guard icebreakers
19 differs from those in other countries, if known.

20 (D) The extent that innovative acquisition
21 practices (such as multiyear funding and block
22 buys) may be applied to icebreaker acquisition
23 to reduce the cost and accelerate the schedule.

1 (E) A capacity replacement plan to miti-
2 gate a potential icebreaker capability gap if the
3 Polar Star cannot remain in service.

4 (F) Any other matters the Comptroller
5 General considers appropriate.

6 **SEC. 3. DEPARTMENT OF DEFENSE REVIEW OF NAVY CAPA-**
7 **BILITIES IN THE ARCTIC REGION.**

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

10 (1) In recent years, the retreat of polar sea ice
11 in the Arctic, combined with an expected increase in
12 human activity in the region, has heightened the in-
13 terests of the United States and other nations in the
14 Arctic region.

15 (2) Diminishing sea ice has made some Arctic
16 waters navigable for longer periods and, as a result,
17 may contribute to new economic opportunities in
18 commercial shipping, resource extraction, tourism,
19 and commercial fishing.

20 (3) Arctic Region Policy, as outlined in Na-
21 tional Security Presidential Directive–66 and Home-
22 land Security Presidential Directive–25, states that
23 “[t]he United States has broad and fundamental na-
24 tional security interests in the Arctic region,” includ-
25 ing “such matters as . . . deployment of sea and air

1 systems for strategic sealift, strategic deterrence,
2 maritime presence, and maritime security oper-
3 ations; and ensuring freedom of navigation and over-
4 flight”.

5 (4) The January 2017 report of the Depart-
6 ment of Defense entitled “Report to Congress on
7 Strategy to Protect United States National Security
8 Interests in the Arctic Region” states that “[i]n sup-
9 port of the U.S. national security interest in pre-
10 serving all of the rights, freedoms, and uses of the
11 sea and airspace recognized under international law,
12 DoD will preserve the global mobility of U.S. mili-
13 tary and civilian vessels and aircraft throughout the
14 Arctic, as in other regions. This includes conducting
15 Freedom of Navigation operations to challenge ex-
16 cessive maritime claims when and where necessary”.

17 (5) In regard to the ability of the United States
18 Navy to conduct Freedom of Navigation Operations
19 (FONOPs) in the Arctic region, on June 15, 2017,
20 Admiral John Richardson, Chief of Naval Oper-
21 ations, stated that “[i]t’s absolutely true that we
22 don’t have the capacity or the capability”.

23 (b) REPORTS.—

24 (1) IN GENERAL.—Not later than 180 days
25 after the date of the enactment of this Act, the Sec-

1 retary of the Navy shall submit to the congressional
2 defense committees a report on the capabilities of
3 the Navy in the Arctic region.

4 (2) ELEMENTS.—The report required in para-
5 graph (1) shall include an analysis of the following:

6 (A) The current naval capabilities of the
7 Department of Defense in the Arctic region,
8 with a particular emphasis on surface capabili-
9 ties.

10 (B) Any gaps that exist between the cur-
11 rent naval capabilities described in paragraph
12 (1) and the ability of the Department to fully
13 execute its updated strategy for the Arctic re-
14 gion.

15 (C) Any gaps in the capabilities described
16 in paragraph (1) that require ice-hardening of
17 existing vessels or the construction of new ves-
18 sels to preserve freedom of navigation in the
19 Arctic region whenever and wherever necessary.

20 (D) An analysis and recommendation of
21 which Navy vessels could be ice-hardened to ef-
22 fectively preserve freedom of navigation in the
23 Arctic region when and where necessary, in all
24 seasons and weather conditions.

1 (E) An analysis of any cost increases or
2 schedule adjustments that may result from ice-
3 hardening existing or new Navy vessels.

4 (3) COMPTROLLER GENERAL OF THE UNITED
5 STATES REVIEW.—Not later than 90 days after the
6 date on which the Secretary submits the report re-
7 quired by paragraph (1), the Comptroller General of
8 the United States shall submit to the congressional
9 defense committees a review of the report, including
10 any matters in connection with the report and the
11 review that the Comptroller General considers appro-
12 priate.

13 (4) FORM.—The report under paragraph (1)
14 and the review under paragraph (3) shall each be
15 submitted in unclassified form, but may include a
16 classified annex.

17 **SEC. 4. DEPUTY ASSISTANT SECRETARY OF DEFENSE FOR**
18 **THE ARCTIC REGION.**

19 (a) FINDINGS.—Congress makes the following find-
20 ings:

21 (1) Current Department of Defense jurisdiction
22 over the Arctic Region is a classic case study in
23 operational seams between three geographic combat-
24 ant commands—the United States Northern Com-
25 mand (USNORTHCOM), the United States Euro-

1 pean Command (USEUCOM), and the United
2 States Pacific Command (USPACOM)—and involv-
3 ing two functional combatant commands—the
4 United States Strategic Command
5 (USSTRATCOM) and the United States Transpor-
6 tation Command (USTRANSCOM).

7 (2) Within the Arctic Region, the United States
8 European Command has primary responsibility for
9 the key adversary, the United States Pacific Com-
10 mand has operational control of the United States
11 forces located in Alaska that are best trained for
12 Arctic conditions, and the United States Northern
13 Command has the assigned role as the “Department
14 of Defense Advocate for Arctic Capability”.

15 (3) Within the Office of the Secretary of De-
16 fense, there is no single person directly responsible
17 for the coordination of Arctic security issues and,
18 while the United States Northern Command is the
19 “Advocate for Arctic Capabilities”, the January
20 2017 report of the Department of Defense entitled
21 “Report to Congress on Strategy to Protect United
22 States National Security Interests in the Arctic Re-
23 gion” was largely written from within the United
24 States European Command.

1 (b) DEPUTY ASSISTANT SECRETARY OF DEFENSE
2 FOR THE ARCTIC REGION.—

3 (1) IN GENERAL.—There is a Deputy Assistant
4 Secretary of Defense for the Arctic Region. The
5 Deputy Assistant Secretary shall be appointed by
6 the Secretary of Defense from among individuals
7 who have an extensive understanding of security en-
8 vironment in the Arctic and Antarctic regions, cur-
9 rent United States capabilities for the Arctic and
10 Antarctic regions and future gaps in such capabili-
11 ties, and other appropriate policy matters relating to
12 the Arctic and Antarctic regions.

13 (2) REPORTING.—The Deputy Assistant Sec-
14 retary shall report to the Assistant Secretary of De-
15 fense for International Security Affairs.

16 (3) DUTIES.—Subject to the authority, direc-
17 tion, and control of the Secretary of Defense, the
18 Under Secretary of Defense for Policy, and the As-
19 sistant Secretary of Defense for International Secu-
20 rity Affairs, the Deputy Assistant Secretary shall as-
21 sist the Assistant Secretary by overseeing the fol-
22 lowing:

23 (A) Advocacy for United States national
24 security interests in the Arctic region, including

1 United States citizens, territory, freedom of
2 navigation, and economic and trade interests.

3 (B) Mitigation of operational seams be-
4 tween relevant geographic and functional com-
5 batant commands in order to improve unity of
6 effort among the combatant commands with re-
7 sponsibility for the Arctic region.

8 (C) Identification of any capability gaps
9 and resource gaps in the Arctic region and the
10 formulation of plans to mitigate these gaps.

11 (D) Identification of actions by foreign na-
12 tions which increase the threat to United States
13 interests in the Arctic region, and the formula-
14 tion of plans to mitigate these actions.

15 (E) Planning of military-to-military co-
16 operation with partner nations that have mu-
17 tual security interests in the Arctic region.

18 (4) DISCHARGE OF DUTIES.—Subject to the au-
19 thority, direction, and control of the Assistant Sec-
20 retary, in carrying out the duties specified in para-
21 graph (3), the Deputy Assistant Secretary shall
22 work closely with the following:

23 (A) The Under Secretary of Defense for
24 Research and Engineering.

1 (B) The Director of the Defense Advanced
2 Research Projects Agency.

3 (C) The Director of the Missile Defense
4 Agency.

5 (D) The Director of the Strategic Capabili-
6 ties Office (or any successor organization).

7 (E) The United States Northern Com-
8 mand.

9 (F) The United States European Com-
10 mand.

11 (G) The United States Pacific Command.

12 (H) The United States Strategic Com-
13 mand.

14 (I) The United States Transportation
15 Command.

16 (J) The Alaska Command.

17 **SEC. 5. REPORT ON INFRASTRUCTURE REQUIRED TO PRO-**
18 **TECT NATIONAL SECURITY INTERESTS OF**
19 **THE UNITED STATES IN THE ARCTIC REGION.**

20 (a) REPORT REQUIRED.—Not later than one year
21 after the date of the enactment of this Act, the Secretary
22 of Defense shall submit to the congressional defense com-
23 mittees a report setting forth the requirements and invest-
24 ment plans for military infrastructure required to protect

1 United States national security interests in the Arctic re-
2 gion.

3 (b) ELEMENTS.—The report required by subsection
4 (a) shall include the following:

5 (1) A review of the operational plan for the pro-
6 tection of United States national security interests
7 in the Arctic region, including strategic national as-
8 sets, United States citizens, territory, freedom of
9 navigation, and economic and trade interests in the
10 region.

11 (2) A description of United States military ca-
12 pabilities required to implement the operational
13 plan, including types of forces, major weapon sys-
14 tems, and logistics required for operations in Arctic
15 terrain.

16 (3) A description of the installations, infra-
17 structure, and deep water ports for deployment of
18 assets required to support the operational plan, in-
19 cluding the stationing, deployment, and training of
20 military forces for operations in the Arctic region.

21 (4) An investment plan to establish the installa-
22 tions and infrastructure required to implement the
23 operational plan.

1 (c) FORM.—The report required by subsection (a)
2 shall be submitted in unclassified form, but may include
3 a classified annex.

4 **SEC. 6. IMPROVEMENT OF DOMAIN AWARENESS IN THE**
5 **ARCTIC REGION.**

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

8 (1) Current Department of Defense and com-
9 mercial satellite constellations do not provide suffi-
10 cient space coverage to offer consistent coverage of
11 the Arctic and Polar regions.

12 (2) The United States military currently faces
13 significant challenges in its ability to operate in the
14 Arctic region, given these current communications,
15 navigational, and domain awareness shortfalls.

16 (3) The September 2016 report of the Inter-
17 national Security Advisory Board entitled “Report
18 on Arctic Policy” stated that “the Arctic presents
19 some unique problems of domain awareness, given
20 that it is a region with limited telecommunications
21 capability, unique geography, and remote and indige-
22 nous populations”.

23 (4) The January 2017 report of the Depart-
24 ment of Defense entitled “Report to Congress on
25 Strategy to Protect United States National Security

1 Interests in the Arctic Region” concluded that
2 “[c]ommand and control of forces are challenged by
3 limited satellite and terrestrial communications
4 above 65 degrees north” and affirmed that
5 “[a]ddressing gaps in key enablers, particularly
6 C5ISR, domain awareness, remote sensing and ob-
7 serving capabilities, ice prediction, and weather fore-
8 casting remains a priority”.

9 (b) REPORT REQUIRED.—

10 (1) IN GENERAL.—Not later than 180 days
11 after the date of the enactment of this Act, the Sec-
12 retary of Defense shall submit to the congressional
13 defense committees a report on strategies to improve
14 United States communications, domain awareness,
15 and navigational capabilities in the Arctic region.

16 (2) ELEMENTS.—The report under paragraph
17 (1) shall include the following:

18 (A) An identification of domain awareness,
19 communications, and navigational requirements
20 in the Arctic region.

21 (B) A plan to leverage potential or existing
22 partnerships with United States allies, State
23 and local governments, and commercial indus-
24 tries to meet immediate domain awareness,
25 communications, and navigational requirements

1 in the Arctic region, including the possible use
2 of improved—

- 3 (i) satellite imagery and communica-
4 tions;
5 (ii) terrestrial communications; and
6 (iii) unmanned aerial systems.

7 (C) Any other urgent needs with respect to
8 the capabilities described in paragraph (1) that
9 the Secretary considers appropriate.

10 (3) FORM.—The report under paragraph (1)
11 shall be submitted in unclassified form, but may in-
12 clude a classified annex.

○