

AMENDMENT NO. _____ Calendar No. _____

Purpose: In the nature of a substitute.

IN THE SENATE OF THE UNITED STATES—119th Cong., 2d Sess.

S. _____

To improve the security of the Arctic, and for other purposes.

Referred to the Committee on _____ and
ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT IN THE NATURE OF A SUBSTITUTE intended
to be proposed by Mr. LEE (for himself and Mrs. SHAHEEN)

Viz:

1 Strike all after the enacting clause and insert the fol-
2 lowing:

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Arctic Security and
5 Diplomacy Act”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

8 (1) The United States is an Arctic nation by
9 virtue of the State of Alaska.

10 (2) The Arctic is a critical domain for the secu-
11 rity and sovereignty of the United States and faces
12 elevated risks related to the threats of territorial ex-
13 pansion and violation, influence operations, sabotage

1 of critical undersea infrastructure, and espionage by
2 foreign adversaries, particularly the People’s Repub-
3 lic of China and the Russian Federation.

4 (3) The Russian Federation holds a significant
5 portion of the Arctic, accounting for approximately
6 53 percent of the Arctic Ocean coastline, and has
7 significantly expanded its military basing infrastruc-
8 ture and capabilities in the region.

9 (4) In 2018, the People’s Republic of China de-
10 clared that it is a “Near-Arctic State” with signifi-
11 cant interests in the Arctic and is attempting to be-
12 come a “polar great power” through economic ex-
13 pansion, scientific investments, and dual-use civilian
14 and military infrastructure.

15 (5) The Russian Federation is cooperating with
16 the People’s Republic of China to establish a “Polar
17 Silk Road” in the Arctic, and the two countries are
18 working together to strengthen cooperation in polar
19 shipbuilding and ship technology.

20 (6) The People’s Republic of China has made
21 multiple attempts to gain strategic footholds in the
22 Arctic, has research stations in Norway’s Svalbard
23 archipelago and in Iceland, and consistently at-
24 tempts to co-opt and manipulate civilian science and
25 research activities, university partnerships, and mul-

1 bilateral science and research initiatives throughout
2 the Arctic.

3 (7) The People's Republic of China has ob-
4 server status on the Arctic Council, has significantly
5 increased diplomatic engagement with Nordic coun-
6 tries, and uses investments in cooperative marine
7 scientific research as a form of soft power in the
8 Arctic.

9 (8) The People's Republic of China engages in
10 extensive marine surveying, much of which has dual-
11 use risk for military applications, including seabed
12 mapping, NATO asset monitoring, and other espio-
13 nage-related activity.

14 (9) The Russian Federation and the People's
15 Republic of China have overlapping priority interests
16 in the Arctic, though each have their own distinct in-
17 terests with associated challenges.

18 (10) In 2022, the Danish Security and Intel-
19 ligence Service reported several attempts at espio-
20 nage by the People's Republic of China against Den-
21 mark, Greenland, and the Faroe Islands.

22 (11) In 2024, the Canadian Security Intel-
23 ligence Service warned of espionage activity by the
24 People's Republic of China and the Russian Federa-
25 tion, and the Canadian military discovered and re-

1 moved buoys in the Arctic owned by the People’s Re-
2 public of China.

3 (12) In 2025, the head of the National Police
4 Commission in Iceland warned that the China-Ice-
5 land Arctic Science Observatory poses dual-use risks
6 and may be used for espionage.

7 (13) The 2026 Annual Threat Assessment by
8 the intelligence community describes the Russian
9 Federation as “our primary challenge in the Arctic
10 . . . Moscow is seeking to expand and deepen its
11 presence in the Arctic through increased maritime
12 trade, natural resource extraction, and military ac-
13 tivity,” while warning that the People’s Republic of
14 China “seeks to expand its Arctic presence using sci-
15 entific research, investments, and commercial ven-
16 tures along the Northern Sea Route.”

17 (14) The 2025 NATO Maritime Strategy high-
18 lighted the Russian Federation’s military build-up in
19 the Arctic and use of hybrid threats like sabotage
20 against critical undersea infrastructure, while warn-
21 ing that the People’s Republic of China “is pursuing
22 a military build-up, including rapidly expanding its
23 naval capabilities, increasing its use of dual-use mili-
24 tary-scientific vessels and surging its presence in the

1 High North and the Arctic, while remaining opaque
2 about its intentions.”

3 (15) According to the Department of Homeland
4 Security, an unprecedented number of military and
5 research vessels of the People’s Republic of China
6 are operating in or near United States Arctic
7 waters.

8 (16) On May 22, 2026, at the NATO Foreign
9 Ministerial in Sweden, the Arctic allies, consisting of
10 Canada, the Kingdom of Denmark, Finland, Iceland,
11 the Kingdom of Norway, the Kingdom of Sweden,
12 and the United States, issued a joint statement
13 which stated that “With Russia’s increased military
14 activity and China’s growing strategic interest, we
15 seek to bolster stability in the Arctic region” and
16 “recognize the importance of economic and resource
17 development in the Arctic and have tasked our ex-
18 perts to coordinate more closely on these issues . . .
19 to achieve our common goal of a safe, prosperous,
20 and peaceful Arctic”;

21 (17) It is in the interests of Arctic countries to
22 cooperatively limit the ability of the Russian Federa-
23 tion and the People’s Republic of China to conduct
24 further espionage in the Arctic.

1 (18) It is in the interest of the United States
2 to encourage marine scientific research, as President
3 Ronald Reagan noted in his Statement on United
4 States Oceans Policy on March 10, 1983.

5 **SEC. 3. DEFINITIONS.**

6 In this Act:

7 (1) AGENCY.—The term “agency” has the
8 meaning given the term “Executive agency” in sec-
9 tion 105 of title 5, United States Code.

10 (2) APPROPRIATE COMMITTEES OF CON-
11 GRESS.—The term “appropriate committees of Con-
12 gress” means—

13 (A) the Committee on Foreign Relations,
14 the Committee on Homeland Security and Gov-
15 ernmental Affairs, and the Select Committee on
16 Intelligence of the Senate; and

17 (B) the Committee on Foreign Affairs, the
18 Committee on Homeland Security, and the Per-
19 manent Select Committee on Intelligence of the
20 House of Representatives.

21 (3) ARCTIC.—The term “Arctic” has the mean-
22 ing given that term in section 112 of the Arctic Re-
23 search and Policy Act of 1984 (15 U.S.C. 4111).

24 (4) COVERED ACTIVITIES.—The term “covered
25 activities” means marine surveys that may pose

1 dual-use risks for civilian and military applications,
2 including—

3 (A) exploration of natural resources;

4 (B) seabed mapping, hydrographic surveys,
5 and oceanographic surveys;

6 (C) data collection related to subsea assets
7 and infrastructure;

8 (D) operation of unmanned maritime sys-
9 tems; and

10 (E) any other activity designated by the
11 Secretary of State as posing a risk to national
12 security.

13 (5) COVERED VESSEL.—The term “covered ves-
14 sel” means a foreign vessel that—

15 (A) is a vessel of a foreign adversary; or

16 (B) the Secretary of State reasonably be-
17 lieves to be associated with a foreign adversary
18 in a manner that threatens the security of the
19 United States.

20 (6) EXCLUSIVE ECONOMIC ZONE.—The term
21 “exclusive economic zone” means, with respect to
22 the United States, including the Commonwealth of
23 Puerto Rico, the Commonwealth of the Northern
24 Mariana Islands, Guam, American Samoa, the
25 United States Virgin Islands, and any other terri-

1 tory or possession over which the United States ex-
2 ercises sovereignty, the zone seaward of and adja-
3 cent to the territorial sea, including the contiguous
4 zone, and extending 200 nautical miles from the ter-
5 ritorial sea baseline (except where otherwise limited
6 by treaty or other agreement recognized by the
7 United States) in which the United States has sov-
8 ereign rights and jurisdiction.

9 (7) FOREIGN ADVERSARY.—The term “foreign
10 adversary” means any foreign government or foreign
11 nongovernment person engaged in a long-term pat-
12 tern or serious instances of conduct significantly ad-
13 verse to the national security of the United States
14 or the security and safety of United States persons,
15 including—

16 (A) the Democratic People’s Republic of
17 Korea;

18 (B) the Islamic Republic of Iran;

19 (C) the People’s Republic of China; and

20 (D) the Russian Federation.

21 (8) FOREIGN VESSEL.—The term “foreign ves-
22 sel” means any vessel that is—

23 (A) owned, operated, or chartered by a for-
24 eign government;

1 (B) owned or controlled by an entity orga-
2 nized under the laws of, headquartered in, or
3 otherwise subject to the jurisdiction of a foreign
4 country; or

5 (C) registered under the flag of a foreign
6 country.

7 (9) INTELLIGENCE COMMUNITY.—The term
8 “intelligence community” has the meaning given
9 that term in section 3 of the National Security Act
10 of 1947 (50 U.S.C. 3003).

11 (10) MARINE SCIENTIFIC RESEARCH.—The
12 term “marine scientific research” means any activity
13 that is—

14 (A) undertaken in the ocean to expand
15 knowledge of the marine environment and its
16 processes, including data collection activities;
17 and

18 (B) regulated by the United States under
19 the Presidential Proclamation on Revision to
20 United States Marine Scientific Research Policy
21 of September 2020.

22 (11) TERRITORIAL SEA.—The term “territorial
23 sea” means the waters extending to 12 nautical
24 miles from the baselines of the United States.

1 (12) UNITED STATES WATERS.—The term
2 “United States waters” means—

3 (A) the territorial sea of the United States;

4 (B) the exclusive economic zone of the
5 United States; and

6 (C) the continental shelf of the United
7 States, as it pertains to marine scientific re-
8 search and other activities on the seabed or
9 subsoil.

10 **SEC. 4. STATEMENT OF POLICY.**

11 It is the policy of the United States—

12 (1) to limit espionage and influence operations
13 by foreign adversaries in the Arctic and in United
14 States waters;

15 (2) to inform allied countries with a presence in
16 the Arctic about the espionage and influence oper-
17 ations of foreign adversaries in the Arctic, including
18 espionage through covered activities;

19 (3) to condition support from the Federal Gov-
20 ernment for marine surveys on cooperation with
21 counterespionage in the Arctic and in United States
22 waters, including limitations on information sharing
23 of data obtained through covered activities in the
24 Arctic and in United States waters; and

1 (4) to leverage all appropriate diplomatic means
2 available to ensure the security of the Arctic and the
3 sovereignty of United States waters through the en-
4 forcement of section 6, including through—

5 (A) demarches;

6 (B) public condemnations;

7 (C) diplomatic sanctions;

8 (D) coordination of multilateral diplomatic
9 pressure;

10 (E) any other diplomatic means authorized
11 by law; and

12 (F) maintaining robust participation of the
13 United States in the Arctic Council to limit
14 Chinese and Russian efforts to undermine the
15 interests of the United States in the Arctic.

16 **SEC. 5. STRATEGY.**

17 (a) IN GENERAL.—Not later than 180 days after the
18 date of the enactment of this Act, the Secretary of State,
19 in coordination with the heads of the elements of the intel-
20 ligence community and the Secretary of Homeland Secu-
21 rity, shall produce a strategy to identify and combat espio-
22 nage and influence operations by foreign adversaries in the
23 Arctic.

24 (b) ELEMENTS.—The strategy required by paragraph
25 (1) shall include—

1 (1) identifying and countering espionage activi-
2 ties in the Arctic;

3 (2) diplomatic methods to enforce section 6;
4 and

5 (3) as appropriate, enlistment of and coordina-
6 tion with allied countries that have a presence in the
7 Arctic to combat espionage by foreign adversaries.

8 **SEC. 6. MARINE SCIENTIFIC RESEARCH IN UNITED STATES**
9 **WATERS.**

10 (a) IN GENERAL.—No foreign vessel may conduct a
11 marine scientific research project in United States waters
12 without prior consent from the United States Government
13 provided in accordance with this section and with appro-
14 priate international customs as determined by the Sec-
15 retary of State.

16 (b) REQUIREMENTS; APPLICATIONS.—The Secretary
17 of State, in coordination with the heads of the elements
18 of the intelligence community and the Secretary of Home-
19 land Security, shall—

20 (1) require foreign vessels to obtain prior con-
21 sent to conduct marine scientific research in United
22 States waters; and

23 (2) implement a process for reviewing applica-
24 tions for such consent.

1 (c) INFORMATION SHARING.—To facilitate the proc-
2 ess for reviewing applications to conduct marine scientific
3 research under this section, the head of each agency shall
4 share information related to such marine scientific re-
5 search with the Department of State unless otherwise pro-
6 hibited by law.

7 (d) PROHIBITION ON COVERED VESSELS.—Except as
8 provided in subsection (e), the Secretary of State shall not
9 approve any application submitted under this section for
10 any covered vessel.

11 (e) NATIONAL INTEREST WAIVER.—

12 (1) IN GENERAL.—The Secretary of State may
13 waive the prohibition in subsection (d) on an indi-
14 vidual basis if the Secretary determines that doing
15 so is the national interest of the United States.

16 (2) NOTICE REQUIRED.—Not later than 5 days
17 after any issuance of a waiver under paragraph (1),
18 the Secretary of State shall submit to the appro-
19 priate committees of Congress written notice de-
20 scribing the waiver.

21 (f) CONGRESSIONAL NOTIFICATION.—Not later than
22 15 days after the date of any violation of subsection (a),
23 the Secretary of State shall notify the appropriate commit-
24 tees of Congress of such violation, including—

25 (1) the country affiliation of the foreign vessel;

1 (2) the nature of the violation; and

2 (3) subsequent action by the Federal Govern-
3 ment to address the violation.

4 (g) REPORT.—Not later than 180 days after the date
5 of the enactment of this Act, the Secretary of State shall
6 submit to the appropriate committees of Congress a report
7 that details—

8 (1) how the requirements of this section com-
9 pare to the requirements of existing multilateral ma-
10 rine scientific research consent regimes; and

11 (2) the staffing and resources necessary for the
12 Department of State to review applications under
13 such consent regime in a manner that is timely and
14 continues to encourage marine scientific research
15 and scientific diplomacy.

16 **SEC. 7. REPORT.**

17 (a) IN GENERAL.—Not later than 1 year after the
18 date of the enactment of this Act, the Secretary of State,
19 in coordination with the heads of the elements of the intel-
20 ligence community and the Secretary of Homeland Secu-
21 rity, shall submit to the appropriate committees of Con-
22 gress a report on espionage and influence operations by
23 foreign adversaries in the Arctic and in United States
24 waters.

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

3 (1) An assessment of the extent to which cov-
4 ered activities support espionage and influence oper-
5 ations by foreign adversaries in the Arctic and in
6 United States waters.

7 (2) A description of United States Government
8 support for covered activities in the Arctic that in-
9 volve foreign adversaries, including—

- 10 (A) funding;
- 11 (B) public-private partnerships;
- 12 (C) maritime security;
- 13 (D) technical assistance;
- 14 (E) information sharing;
- 15 (F) scientific research; and
- 16 (G) any other form of material or technical
17 support.

18 (3) A description of efforts by the Secretary of
19 State to enlist allied countries with a presence in the
20 Arctic to combat espionage in the Arctic by foreign
21 adversaries.

22 (4) Recommendations for combating such espio-
23 nage.

24 (5) An assessment of the feasibility and poten-
25 tial utility of establishing a formal Arctic security in-

1 formation-sharing framework, under a new or exist-
2 ing framework or mechanism, among allied Arctic
3 countries, as appropriate, such as Canada, the King-
4 dom of Denmark (including Greenland), the King-
5 dom of Norway, Finland, the Kingdom of Sweden,
6 and Iceland, including mechanisms for the exchange
7 of information and joint identification of dual-use
8 maritime scientific activity, and the development of
9 shared watchlists of high-risk vessels, entities, and
10 individuals.

11 (6) An analysis of how existing multilateral
12 agreements combat espionage and influence oper-
13 ations in the Arctic.

14 (c) FORM.—The report required by subsection (a)
15 shall be submitted in unclassified form but may contain
16 a classified annex.

17 (d) AVAILABILITY.—The report required by sub-
18 section (a) shall be made available on request to any Mem-
19 ber of Congress.