

111TH CONGRESS  
1ST SESSION

# H. R. 2693

To amend title VII of the Oil Pollution Act of 1990, and for other purposes.

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IN THE HOUSE OF REPRESENTATIVES

JUNE 3, 2009

Ms. WOOLSEY (for herself and Mr. BAIRD) introduced the following bill; which was referred to the Committee on Science and Technology

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## A BILL

To amend title VII of the Oil Pollution Act of 1990, 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 “Federal Oil Spill Re-  
5 search Program Act”.

6 **SEC. 2. FEDERAL OIL SPILL RESEARCH COMMITTEE.**

7 Title VII of the Oil Pollution Act of 1990 (33 U.S.C.  
8 2761) is amended—

9 (1) by redesignating section 7002 as section  
10 7007; and

1           (2) by amending section 7001 to read as fol-  
2       lows:

3 **“SEC. 7001. FEDERAL OIL SPILL RESEARCH COMMITTEE.**

4       “(a) ESTABLISHMENT.—

5           “(1) IN GENERAL.—The President shall estab-  
6       lish an interagency committee to be known as the  
7       Federal oil spill research committee (in this title re-  
8       ferred to as the ‘Committee’).

9           “(2) CHAIR.—The President shall designate a  
10       representative of the National Oceanic and Atmos-  
11       pheric Administration to serve as chairperson.

12       “(b) COMPOSITION.—The members of the Committee  
13       shall include representatives from the National Oceanic  
14       and Atmospheric Administration, the United States Coast  
15       Guard, the Environmental Protection Agency, and such  
16       other Federal agencies as the President may designate.

17       “(c) FUNCTION OF THE COMMITTEE.—The Com-  
18       mittee shall—

19           “(1) coordinate a comprehensive Federal oil  
20       spill research program (in this title referred to as  
21       the ‘program’) in accordance with section 7002 to  
22       coordinate oil pollution research, technology develop-  
23       ment, and demonstration among the Federal agen-  
24       cies, in cooperation and coordination with industry,  
25       institutions of higher education, research institu-

1 tions, State and tribal governments, and other rel-  
2 evant stakeholders;

3 “(2) complete a research assessment (in this  
4 title referred to as the ‘assessment’) on the status of  
5 the oil spill prevention and response capabilities in  
6 accordance with section 7003; and

7 “(3) develop a Federal oil spill research plan (in  
8 this title referred to as the ‘plan’) in accordance  
9 with section 7004.”.

10 **SEC. 3. FEDERAL OIL SPILL RESEARCH PROGRAM.**

11 Title VII of such Act (33 U.S.C. 2761) is further  
12 amended by inserting after section 7001 (as amended by  
13 section 2 of this Act) the following new section:

14 **“SEC. 7002. FEDERAL OIL SPILL RESEARCH PROGRAM.**

15 “(a) IN GENERAL.—The Committee shall establish a  
16 program for conducting oil pollution research, develop-  
17 ment, and demonstration.

18 “(b) PROGRAM ELEMENTS.—The program estab-  
19 lished under subsection (a) shall provide for research, de-  
20 velopment, and demonstration technologies, practices, and  
21 procedures that provide for effective and direct response  
22 to prevent, detect, recover, or mitigate oil discharges and  
23 include—

24 “(1) new technologies to detect accidental or in-  
25 tentional overboard oil discharges;

1           “(2) transport and fate of oil, including trajec-  
2           tory and behavior predictions due to location, weath-  
3           er patterns, hydrographic data, and water condi-  
4           tions;

5           “(3) response capabilities, such as improved  
6           booms, oil skimmers, and storage capacity;

7           “(4) research and training, in coordination with  
8           the National Response Team, to improve the re-  
9           moval of oil discharge quickly and effectively;

10           “(5) decision support systems for contingency  
11           planning and response; and

12           “(6) improvement of options for oily/oiled waste  
13           dispersal.”.

14 **SEC. 4. FEDERAL RESEARCH ASSESSMENT.**

15           Title VII of such Act (33 U.S.C. 2761) is further  
16           amended by inserting after section 7002 (as added by sec-  
17           tion 3 of this Act) the following new section:

18 **“SEC. 7003. FEDERAL RESEARCH ASSESSMENT.**

19           “Not later than 1 year after the date of enactment  
20           of this section, the Committee shall submit to Congress  
21           an assessment of the status of oil spill prevention and re-  
22           sponse capabilities that—

23           “(1) identifies research programs conducted  
24           and technologies developed by governments, institu-  
25           tions of higher education, and industry;

1           “(2) assesses the status of knowledge on oil pol-  
2           lution prevention, response, and mitigation tech-  
3           nologies;

4           “(3) identifies regional oil pollution research  
5           needs and priorities for a coordinated program of re-  
6           search at the regional level developed in consultation  
7           with State, local, and tribal governments;

8           “(4) assesses the status of spill response equip-  
9           ment and determines areas in need of improvement,  
10          including amount, age, quality, effectiveness, or nec-  
11          essary technological improvements;

12          “(5) assesses the status of real-time data avail-  
13          able to mariners, researchers, and responders, in-  
14          cluding weather, hydrographic data, and water con-  
15          ditions, and the impact of incomplete and inaccess-  
16          sible data on preventing, detecting, or mitigating oil  
17          discharges; and

18          “(6) is subject to a 90-day public comment pe-  
19          riod and shall address suggestions received and in-  
20          corporate public input received, as appropriate.”.

21 **SEC. 5. FEDERAL RESEARCH INTERAGENCY PLAN.**

22          Title VII of such Act (33 U.S.C. 2761) is further  
23          amended by inserting after section 7003 (as added by sec-  
24          tion 4 of this Act) the following new section:

1 **“SEC. 7004. FEDERAL RESEARCH INTERAGENCY PLAN.**

2 “(a) IN GENERAL.—

3 “(1) PLAN.—Not later than 1 year after the  
4 submission of the assessment required under section  
5 7003, the Committee shall submit to Congress the  
6 plan that shall establish the priorities for Federal oil  
7 spill research and development.

8 “(2) RECOMMENDATIONS.—In the development  
9 of the plan, the Committee shall consider and utilize  
10 recommendations by the National Academy of  
11 Sciences and information from State, local, and trib-  
12 al governments.

13 “(b) PLAN REQUIREMENTS.—The plan shall—

14 “(1) suggest changes to the program to improve  
15 the rates of oil recovery and spill mitigation;

16 “(2) make recommendations to improve tech-  
17 nologies, practices, and procedures to provide for ef-  
18 fective and direct response to oil spills;

19 “(3) make recommendations to improve the  
20 quality of real-time data available to mariners, re-  
21 searchers, and responders; and

22 “(4) be subject to a 90-day public comment pe-  
23 riod and address suggestions received and incor-  
24 porate public input received, as appropriate.”.

1 **SEC. 6. EXTRAMURAL GRANTS.**

2 Title VII of such Act (33 U.S.C. 2761) is further  
3 amended by inserting after section 7004 (as added by sec-  
4 tion 5 of this Act) the following new section:

5 **“SEC. 7005. EXTRAMURAL GRANTS.**

6 “In the execution of the program, the Secretary of  
7 Commerce, acting through the Administrator of the Na-  
8 tional Oceanic and Atmospheric Administration, shall—

9 “(1) award competitive grants to institutions of  
10 higher education or other research institutions to  
11 carry out projects to advance research and develop-  
12 ment and to demonstrate technologies for pre-  
13 venting, detecting, or mitigating oil discharges that  
14 are relevant to the goals and priorities of the plan;  
15 and

16 “(2) incorporate a competitive, merit-based  
17 process for awarding grants that may be conducted  
18 jointly with other participating agencies.”.

19 **SEC. 7. ANNUAL REPORT.**

20 Title VII of such Act (33 U.S.C. 2761) is further  
21 amended by inserting after section 7005 (as added by sec-  
22 tion 6 of this Act) the following new section:

23 **“SEC. 7006. ANNUAL REPORT.**

24 “Concurrent with the annual submission of the Presi-  
25 dent’s budget to Congress, the Committee shall submit an  
26 annual report to Congress that describes the activities and

1 results of the program during the previous fiscal year and  
2 outlines the objectives for the next fiscal year.”.

3 **SEC. 8. NATIONAL ACADEMY OF SCIENCE PARTICIPATION.**

4 The Secretary of Commerce, acting through the Ad-  
5 ministrator of the National Oceanic and Atmospheric Ad-  
6 ministration, shall contract with the National Academy of  
7 Sciences to—

8 (1) assess and evaluate, not later than 1 year  
9 after the date of enactment of this Act, the status  
10 of Federal oil spill research and development as of  
11 the day before the date of enactment of this Act;

12 (2) submit a report to the Federal oil spill re-  
13 search committee established under section  
14 7001(a)(1) of the Oil Pollution Act of 1990 and to  
15 Congress evaluating the conclusions and rec-  
16 ommendations from the Federal research assessment  
17 under section 7003 of such Act to be utilized in the  
18 creation of the Federal oil spill research plan under  
19 section 7004 of such Act; and

20 (3) submit a report to Congress, not later than  
21 1 year after the Federal oil spill research commit-  
22 tee’s submission of such plan, evaluating the plan re-  
23 quired by section 7004 of such Act.



1 **SEC. 9. TECHNICAL AND CONFORMING CHANGES.**

2 (a) USE OF FUNDS.—Section 1012(a)(5) of the Oil  
3 Pollution Act of 1990 (33 U.S.C. 2712(a)(5)) is amend-  
4 ed—

5 (1) in subparagraph (A), by adding “and” after  
6 the semicolon; and

7 (2) by striking subparagraph (C).

8 (b) NATIONAL ACADEMY.—Section 5001(c) of such  
9 Act (33 U.S.C. 2731(c)) is amended by striking paragraph  
10 (4).

11 (c) TABLE OF CONTENTS.—Section 2 of such Act is  
12 amended by striking the items in the table of contents re-  
13 lated to sections 7001 and 7002 and inserting the fol-  
14 lowing:

- Sec. 7001. Federal oil spill research committee.
- Sec. 7002. Federal oil spill research program.
- Sec. 7003. Federal research assessment.
- Sec. 7004. Federal research interagency plan.
- Sec. 7005. Extramural grants.
- Sec. 7006. Annual report.
- Sec. 7007. Submerged oil program.

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