

106TH CONGRESS
2D SESSION

S. 3268

To amend the Oil Pollution Act of 1990 to improve provisions concerning the recovery of damages for injuries resulting from oil spills.

IN THE SENATE OF THE UNITED STATES

NOVEMBER 1 (legislative day, SEPTEMBER 22), 2000

Mr. SMITH of Oregon introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

A BILL

To amend the Oil Pollution Act of 1990 to improve provisions concerning the recovery of damages for injuries resulting from oil spills.

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 “Fishery and Aqua-
5 culture Oil Spill Assistance Act”.

6 **SEC. 2. INTEREST; PARTIAL PAYMENT OF CLAIMS.**

7 Section 1005 of the Oil Pollution Act of 1990 (33
8 U.S.C. 2705) is amended by adding at the end the fol-
9 lowing:

10 “(c) LOAN PROGRAM.—

1 “(1) IN GENERAL.—The President shall estab-
2 lish a loan program to assist injured parties in meet-
3 ing financial obligations during the claims procedure
4 described in section 1013.

5 “(2) CONDITION FOR LOAN.—A loan may be
6 awarded under paragraph (1) only to a fisherman or
7 aquaculture producer to whom a responsible party
8 has failed to provide an interim payment under sub-
9 section (a).”.

10 **SEC. 3. USES OF THE FUND.**

11 Section 1012(a) of the Oil Pollution Act of 1990 (33
12 U.S.C. 2712(a)) is amended—

13 (1) in paragraph (5)(C), by striking the period
14 at the end and inserting “; and”; and

15 (2) by adding at the end the following:

16 “(6) the making of loans to assist any injured
17 party in paying financial obligations during the
18 claims procedure described in section 1013.”.

19 **SEC. 4. STUDY.**

20 Not later than 270 days after the date of enactment
21 of this Act, the Secretary of Commerce, in consultation
22 with the Administrator of the Environmental Protection
23 Agency, shall submit to Congress a study that contains—

24 (1) an assessment of the effectiveness of the
25 claims procedures and emergency response programs

1 under the Oil Pollution Act of 1990 (33 U.S.C.
2 2701 et seq.) concerning claims filed by, and emer-
3 gency responses carried out to protect the interests
4 of, fishermen and aquaculture producers; and

5 (2) any legislative or other recommendations to
6 improve the procedures and programs referred to in
7 paragraph (1).

○