

113TH CONGRESS
1ST SESSION

H. R. 373

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

IN THE HOUSE OF REPRESENTATIVES

JANUARY 23, 2013

Mrs. CAPPS (for herself, Mr. FARR, Mr. CONYERS, Mr. HOLT, Ms. LEE of California, and Mr. GRIJALVA) introduced the following bill; which was referred to the Committee on Science, Space, and Technology

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 “Oil Pollution Research
5 and Development Program Reauthorization Act of 2013”.

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

7 (a) PURPOSES.—Section 7001(a)(2) of the Oil Pollu-
8 tion Act of 1990 (33 U.S.C. 2761(a)(2)) is amended by
9 striking “State” and inserting “State and tribal”.

1 (b) MEMBERSHIP.—Section 7001(a)(3) of such Act
2 (33 U.S.C. 2761(a)(3)) is amended to read as follows:

3 “(3) STRUCTURE.—

4 “(A) MEMBERS.—The Interagency Com-
5 mittee shall consist of representatives from the
6 following:

7 “(i) The Coast Guard.

8 “(ii) The Department of Commerce,
9 including the National Oceanic and Atmos-
10 pheric Administration.

11 “(iii) The Department of the Interior.

12 “(iv) The Environmental Protection
13 Agency.

14 “(B) COLLABORATING AGENCIES.—The
15 Interagency Committee shall collaborate with
16 the following:

17 “(i) The National Institute of Stand-
18 ards and Technology.

19 “(ii) The Department of Energy.

20 “(iii) The Department of Transpor-
21 tation, including the Maritime Administra-
22 tion and the Pipeline and Hazardous Mate-
23 rials Safety Administration.

1 “(iv) The Department of Defense, in-
2 cluding the Army Corps of Engineers and
3 the Navy.

4 “(v) The Department of Homeland
5 Security, including the United States Fire
6 Administration in the Federal Emergency
7 Management Agency.

8 “(vi) The National Aeronautics and
9 Space Administration.

10 “(vii) The National Science Founda-
11 tion.

12 “(viii) Other Federal agencies, as ap-
13 propriate.”.

14 (c) ROLE OF THE CHAIR.—Section 7001(a)(4) of
15 such Act (33 U.S.C. 2761(a)(4)) is amended to read as
16 follows:

17 “(4) CHAIR.—

18 “(A) IN GENERAL.—A representative of
19 the Coast Guard shall serve as Chair.

20 “(B) ROLE OF CHAIR.—The primary role
21 of the Chair shall be to ensure that—

22 “(i) the activities of the Interagency
23 Committee and the agencies listed in para-
24 graph (3)(B) are coordinated;

1 “(ii) the implementation plans re-
2 quired under subsection (b)(1) are com-
3 pleted and submitted;

4 “(iii) the annual reports required
5 under subsection (e) are completed and
6 submitted;

7 “(iv) the Interagency Committee
8 meets in accordance with the requirements
9 of paragraph (5); and

10 “(v) the Oil Pollution Research Advi-
11 sory Committee under subsection (f) is es-
12 tablished and utilized.”.

13 (d) ACTIVITIES.—Section 7001(a) of such Act (33
14 U.S.C. 2761(a)) is amended by adding at the end the fol-
15 lowing:

16 “(5) ACTIVITIES.—

17 “(A) ONGOING, COORDINATED EFFORTS.—
18 The Interagency Committee shall ensure that
19 the research, development, and demonstration
20 efforts authorized by this section are coordi-
21 nated and conducted on an ongoing basis.

22 “(B) MEETINGS.—

23 “(i) IN GENERAL.—The Interagency
24 Committee shall meet, or otherwise com-
25 municate, as appropriate, to—

1 “(I) plan program-related activi-
2 ties; and

3 “(II) determine whether the pro-
4 gram is resulting in the development
5 of new or improved methods and tech-
6 nologies to prevent, detect, respond to,
7 contain, and mitigate oil discharge.

8 “(ii) FREQUENCY.—In no event shall
9 the Interagency Committee meet less than
10 once per year.

11 “(C) INFORMATION EXCHANGE.—The
12 Interagency Committee, acting through the Ad-
13 ministrator of the National Oceanic and Atmos-
14 pheric Administration, shall develop a national
15 information clearinghouse on oil discharge
16 that—

17 “(i) includes scientific information
18 and research on preparedness, response,
19 and restoration; and

20 “(ii) serves as a single electronic ac-
21 cess and input point for Federal agencies,
22 emergency responders, the research com-
23 munity, and other interested parties for
24 such information.”.

1 **SEC. 3. OIL POLLUTION RESEARCH AND TECHNOLOGY**
2 **PLAN.**

3 (a) IMPLEMENTATION PLAN.—Section 7001(b)(1) of
4 such Act (33 U.S.C. 2761(b)(1)) is amended—

5 (1) by striking “180 days after the date of en-
6 actment of this Act” and inserting “180 days after
7 the date of enactment of the Oil Pollution Research
8 and Development Program Reauthorization Act of
9 2013 and periodically thereafter, as appropriate, but
10 not less than once every 5 years”;

11 (2) by striking subparagraph (A) and inserting
12 the following:

13 “(A) identify the roles and responsibilities
14 of each member agency of the Interagency
15 Committee under subsection (a)(3)(A) and each
16 of the collaborating agencies under subsection
17 (a)(3)(B);”;

18 (3) in subparagraph (B) by inserting “contain-
19 ment,” after “response,”;

20 (4) in subparagraph (D) by inserting “contain-
21 ment,” after “response,”;

22 (5) by striking “and” at the end of subpara-
23 graph (E);

24 (6) in subparagraph (F)—

25 (A) by striking “the States” through “re-
26 search needs” and inserting “State and tribal

1 governments, regional oil pollution research
2 needs, including natural seeps and pollution re-
3 sulting from importing oil from overseas,”; and

4 (B) by striking the period at the end and
5 inserting a semicolon; and

6 (7) by adding at the end the following new sub-
7 paragraphs:

8 “(G) identify the information needed to
9 conduct risk assessment and risk analysis re-
10 search to effectively prevent oil discharges, in-
11 cluding information on human factors and deci-
12 sionmaking, and to protect the environment;
13 and

14 “(H) identify a methodology that—

15 “(i) provides for the solicitation, eval-
16 uation, preapproval, funding, and utiliza-
17 tion of technologies and research projects
18 developed by the public and private sector
19 in advance of future oil discharges; and

20 “(ii) where appropriate, ensures that
21 such technologies are readily available for
22 rapid testing and potential deployment and
23 that research projects can be implemented
24 during an incident response.”.

1 (b) ADVICE AND GUIDANCE.—Section 7001(b)(2) of
2 such Act (33 U.S.C. 2761(b)(2)) is amended to read as
3 follows:

4 “(2) ADVICE AND GUIDANCE.—

5 “(A) IN GENERAL.—The Chair shall solicit
6 advice and guidance in the development of the
7 research plan under paragraph (1) from—

8 “(i) the Oil Pollution Research Advi-
9 sory Committee established under sub-
10 section (f);

11 “(ii) the National Institute of Stand-
12 ards and Technology on issues relating to
13 quality assurance and standards measure-
14 ments;

15 “(iii) third party standard-setting or-
16 ganizations on issues relating to voluntary
17 consensus standards; and

18 “(iv) the public in accordance with
19 subparagraph (B).

20 “(B) PUBLIC COMMENT.—Prior to the
21 submission of the research plan to Congress
22 under paragraph (1), the research plan shall be
23 published in the Federal Register and subject
24 to a public comment period of 30 days. The
25 Chair shall review the public comments received

1 and incorporate those comments into the plan,
2 as appropriate.”.

3 (c) REVIEW.—Section 7001(b) of such Act (33
4 U.S.C. 2761(b)) is amended by adding at the end the fol-
5 lowing:

6 “(3) REVIEW.—After the submission of each re-
7 search plan to Congress under paragraph (1), the
8 Chair shall contract with the National Academy of
9 Sciences—

10 “(A) to review the research plan;

11 “(B) to assess the adequacy of the re-
12 search plan; and

13 “(C) to submit a report to Congress on the
14 conclusions of the assessment.

15 “(4) INCORPORATION OF RECOMMENDA-
16 TIONS.—The Chair shall address any recommenda-
17 tions in the review conducted under paragraph (3)
18 and shall incorporate such recommendations into the
19 research plan, as appropriate.”.

20 **SEC. 4. OIL POLLUTION RESEARCH AND DEVELOPMENT**
21 **PROGRAM.**

22 (a) ESTABLISHMENT.—Section 7001(c)(1) of such
23 Act (33 U.S.C. 2761(c)(1)) is amended by striking “re-
24 search and development, as provided in this subsection”

1 and inserting “research, development, and demonstration,
2 as provided in this subsection and subsection (a)(2)”.

3 (b) INNOVATIVE OIL POLLUTION TECHNOLOGY.—
4 Section 7001(c)(2) of such Act (33 U.S.C. 2761(c)(2)) is
5 amended—

6 (1) in the matter before subparagraph (A), by
7 striking “preventing or mitigating” and inserting
8 “preventing, detecting, containing, recovering, or
9 mitigating”;

10 (2) by striking subparagraph (I);

11 (3) by striking the period at the end of sub-
12 paragraph (J) and inserting a semicolon;

13 (4) by redesignating subparagraph (J) as sub-
14 paragraph (I); and

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

16 “(J) technologies and methods to address
17 oil discharge on land and in inland waters,
18 coastal areas, offshore areas, including deep-
19 water and ultra-deepwater areas, and polar and
20 other icy areas; and

21 “(K) modeling and simulation capabilities,
22 including tools and technologies, that can be
23 used to facilitate effective recovery and contain-
24 ment of oil discharge during incident re-
25 sponse.”.

1 (c) OIL POLLUTION TECHNOLOGY EVALUATION.—
2 Section 7001(c)(3) of such Act (33 U.S.C. 2761(c)(3)) is
3 amended to read as follows:

4 “(3) OIL POLLUTION TECHNOLOGY EVALUA-
5 TION.—The program established under this sub-
6 section shall provide for the evaluation of oil pollu-
7 tion prevention, containment, and mitigation tech-
8 nologies, including—

9 “(A) the evaluation of the performance and
10 effectiveness of such technologies in preventing,
11 detecting, containing, recovering, and miti-
12 gating oil discharges;

13 “(B) the evaluation of the environmental
14 effects of the use of such technologies;

15 “(C) the evaluation and testing of tech-
16 nologies developed independently of the research
17 and development program established under
18 this subsection, including technologies developed
19 by small businesses;

20 “(D) the establishment, with the advice
21 and guidance of the National Institute of
22 Standards and Technology, of standards and
23 testing protocols traceable to national standards
24 to measure the performance of oil pollution pre-

1 vention, containment, or mitigation tech-
2 nologies;

3 “(E) an evaluation of the environmental
4 effects and utility of controlled field testing;

5 “(F) the use, where appropriate, of con-
6 trolled field testing to evaluate real-world appli-
7 cation of new or improved oil discharge preven-
8 tion, response, containment, recovery, or mitiga-
9 tion technologies;

10 “(G) an evaluation of the effectiveness of
11 oil pollution prevention technologies based on
12 probabilistic risk analyses of the system; and

13 “(H) research conducted by the Environ-
14 mental Protection Agency and other appro-
15 priate Federal agencies for the evaluation and
16 testing of technologies that demonstrate—

17 “(i) maximum effectiveness, including
18 application and delivery mechanisms; and

19 “(ii) minimum effects, including tox-
20 icity, to human health and the environment
21 in both the near-term and long-term.”.

22 (d) OIL POLLUTION EFFECTS RESEARCH.—Section
23 7001(c)(4) of such Act (33 U.S.C. 2761(c)(4)) is amend-
24 ed—

1 (1) by striking subparagraph (A) and inserting
2 the following:

3 “(A) IN GENERAL.—

4 “(i) ESTABLISHMENT.—The Inter-
5 agency Committee, acting through the Ad-
6 ministrator of the National Oceanic and
7 Atmospheric Administration, shall estab-
8 lish a research program to monitor and
9 scientifically evaluate the environmental ef-
10 fects, including long-term effects, of oil dis-
11 charge.

12 “(ii) SPECIFICATIONS.—Such pro-
13 gram shall include the following elements:

14 “(I) Research on and the devel-
15 opment of effective tools to detect,
16 measure, observe, analyze, monitor,
17 model, and forecast the presence,
18 transport, fate, and effect of an oil
19 discharge throughout the environ-
20 ment, including tools and models to
21 accurately measure and predict the
22 flow of oil discharged.

23 “(II) The development of meth-
24 ods, including economic methods, to
25 assess and predict damages to natural

1 resources, including air quality, result-
2 ing from oil discharges, including in
3 economically disadvantaged commu-
4 nities and areas.

5 “(III) The identification of types
6 of ecologically sensitive areas at par-
7 ticular risk from oil discharges, such
8 as inland waters, coastal areas, off-
9 shore areas, including deepwater and
10 ultra-deepwater areas, and polar and
11 other icy areas.

12 “(IV) The preparation of sci-
13 entific monitoring and evaluation
14 plans for the areas identified under
15 subclause (III) to be implemented in
16 the event of major oil discharges in
17 such areas.

18 “(V) The collection of environ-
19 mental baseline data in the areas
20 identified under subclause (III) if
21 such data are insufficient.

22 “(VI) The use of both onshore
23 and offshore air quality monitoring to
24 study the effects of an oil discharge
25 and oil discharge cleanup technologies

1 on air quality and making the results
2 of such monitoring and health and
3 safety warnings readily available to
4 the public, including emergency re-
5 sponders, the research community,
6 local residents, and other interested
7 parties.

8 “(VII) Research on technologies,
9 methods, and standards for protecting
10 removal personnel and for volunteers
11 that may participate in incident re-
12 sponses, including training, adequate
13 supervision, protective equipment,
14 maximum exposure limits, and decon-
15 tamination procedures.”;

16 (2) in subparagraph (B)—

17 (A) by striking “(B) The Department of
18 Commerce” and all that follows through “fu-
19 ture oil discharges.” and inserting the following:

20 “(B) CONDITIONS.—The Interagency Com-
21 mittee, acting through the Administrator of the
22 National Oceanic and Atmospheric Administra-
23 tion, shall conduct research activities under
24 subparagraph (A) for areas in which—

1 “(i) the amount of oil discharged ex-
2 ceeds 250,000 gallons; and

3 “(ii) a study of the long-term environ-
4 mental effects of the discharge would be of
5 significant scientific value, especially for
6 preventing or responding to future oil dis-
7 charges.”;

8 (B) by striking “ATHOS I, and” and in-
9 serting “ATHOS I;”; and

10 (C) by striking the period at the end and
11 inserting “; Prince William Sound, where oil
12 was discharged by the EXXON VALDEZ; and
13 the Gulf of Mexico, where oil was discharged by
14 the DEEPWATER HORIZON.”; and

15 (3) in subparagraph (C) by striking “Research”
16 and inserting “COORDINATION.—Research”.

17 (e) DEMONSTRATION PROJECTS.—Section
18 7001(c)(6) of such Act (33 U.S.C. 2761(c)(6)) is amend-
19 ed—

20 (1) by striking the first sentence and inserting
21 the following: “The United States Coast Guard, in
22 conjunction with such agencies as the President may
23 designate, shall conduct a total of 2 port oil pollu-
24 tion minimization demonstration projects, 1 with the
25 Ports of Los Angeles and Long Beach, California,

1 and 1 with a port on the Great Lakes, for the pur-
2 pose of developing and demonstrating integrated
3 port oil pollution prevention and cleanup systems
4 that utilize the information and implement the im-
5 proved practices and technologies developed from the
6 research, development, and demonstration program
7 established in this section.”; and

8 (2) in the second sentence by striking “oil spill”
9 and inserting “oil discharge”.

10 (f) SIMULATED ENVIRONMENTAL TESTING.—Section
11 7001(c)(7) of such Act (33 U.S.C. 2761(c)(7)) is amended
12 by inserting “Oil pollution technology testing and evalua-
13 tions shall be given priority over all other activities per-
14 formed at such Research Center.” after “evaluations.”.

15 (g) REGIONAL RESEARCH PROGRAM.—

16 (1) IN GENERAL.—Section 7001(c)(8) of such
17 Act (33 U.S.C. 2761(c)(8)) is amended—

18 (A) in subparagraph (A)—

19 (i) by striking “program of competi-
20 tive grants” and inserting “program of
21 peer-reviewed, competitive grants”; and

22 (ii) by striking “(1989)” and inserting
23 “(2009)”;

1 (B) in subparagraph (C) by striking “the
2 entity or entities which” and inserting “at least
3 one entity that”; and

4 (C) by adding at the end the following new
5 subparagraph:

6 “(H) In carrying out this paragraph, the Inter-
7 agency Committee shall coordinate the program of
8 peer-reviewed, competitive grants to universities or
9 other research institutions, including Minority Serv-
10 ing Institutions as defined under section 371(a) of
11 the Higher Education Act of 1965 (20 U.S.C.
12 1067q(a)), and provide consideration to such institu-
13 tions in the recommendations for awarding grants.”.

14 (2) FUNDING.—Section 7001(c)(9) of such Act
15 (33 U.S.C. 2761(c)(9)) is amended by striking
16 “1991” and all that follows through “shall be avail-
17 able” and inserting “2014, 2015, 2016, 2017, and
18 2018, there are authorized to be appropriated from
19 amounts in the Fund \$12,000,000”.

20 **SEC. 5. INTERNATIONAL COOPERATION.**

21 Section 7001(d) of such Act (33 U.S.C. 2761(d)) is
22 amended to read as follows:

23 “(d) INTERNATIONAL COOPERATION.—In accordance
24 with the research plan submitted under subsection (b), the

1 Interagency Committee shall engage in international co-
2 operation by—

3 “(1) harnessing global expertise through col-
4 laborative partnerships with foreign governments
5 and research entities, and domestic and foreign pri-
6 vate actors, including nongovernmental organizations
7 and private sector companies; and

8 “(2) leveraging public and private capital, tech-
9 nology, expertise, and services towards innovative
10 models that can be instituted to conduct collabo-
11 rative oil pollution research, development, and dem-
12 onstration activities, including controlled field tests
13 of oil discharges and other activities designed to im-
14 prove oil recovery and cleanup.”.

15 **SEC. 6. ANNUAL REPORTS.**

16 Section 7001(e) of such Act (33 U.S.C. 2761(e)) is
17 amended to read as follows:

18 “(e) ANNUAL REPORT.—

19 “(1) IN GENERAL.—Concurrent with the sub-
20 mission to Congress of the President’s annual budg-
21 et request in each year after the date of enactment
22 of the Oil Pollution Research and Development Pro-
23 gram Reauthorization Act of 2013, the Chair of the
24 Interagency Committee shall submit to Congress a
25 report describing the—

1 “(A) activities carried out under this sec-
2 tion in the preceding fiscal year, including—

3 “(i) a description of major research
4 conducted on oil discharge prevention, de-
5 tection, containment, recovery, and mitiga-
6 tion techniques in all environments by each
7 agency described in subparagraphs (A) and
8 (B) of subsection (a)(3); and

9 “(ii) a summary of—

10 “(I) projects in which the agency
11 contributed funding or other re-
12 sources;

13 “(II) major projects undertaken
14 by State and tribal governments, and
15 foreign governments; and

16 “(III) major projects undertaken
17 by the private sector and educational
18 institutions;

19 “(B) activities being carried out under this
20 section in the current fiscal year, including a
21 description of major research and development
22 activities on oil discharge prevention, detection,
23 containment, recovery, and mitigation tech-
24 nologies and techniques in all environments that
25 each agency will conduct or contribute to; and

1 “(C) activities proposed to be carried out
2 under this section in the subsequent fiscal year,
3 including an analysis of how these activities will
4 further the purposes of the program authorized
5 by this section.

6 “(2) **ADDITIONAL REQUIREMENT.**—If the Na-
7 tional Academy of Sciences provides recommenda-
8 tions on the research plan under section 7001(b)(3),
9 the Chair shall include, in the first annual report
10 under paragraph (1) of this subsection, a description
11 of those recommendations incorporated into the re-
12 search plan, and a description of, and explanation
13 for, any recommendations that are not included in
14 such plan.”.

15 **SEC. 7. ADVISORY COMMITTEE.**

16 Section 7001 of such Act (33 U.S.C. 2761) is further
17 amended—

18 (1) by striking subsection (f); and

19 (2) by inserting after subsection (e) the fol-
20 lowing:

21 “(f) **ADVISORY COMMITTEE.**—

22 “(1) **ESTABLISHMENT.**—Not later than 90 days
23 after the date of enactment of the Oil Pollution Re-
24 search and Development Program Reauthorization
25 Act of 2013, the Chair of the Interagency Com-

1 mittee shall establish an advisory committee to be
2 known as the Oil Pollution Research Advisory Com-
3 mittee (in this subsection referred to as the ‘advisory
4 committee’).

5 “(2) MEMBERSHIP.—

6 “(A) IN GENERAL.—The advisory com-
7 mittee shall be composed of members appointed
8 by the Chair, in consultation with each member
9 agency described in subsection (a)(3), includ-
10 ing—

11 “(i) individuals with extensive knowl-
12 edge and research experience or oper-
13 ational knowledge of prevention, detection,
14 response, containment, and mitigation of
15 oil discharges;

16 “(ii) individuals broadly representative
17 of stakeholders affected by oil discharges;
18 and

19 “(iii) other individuals, as determined
20 by the Chair.

21 “(B) LIMITATIONS.—The Chair shall—

22 “(i) appoint no more than 25 mem-
23 bers that shall not include representatives
24 of the Federal Government, but may in-

1 clude representatives from State, tribal,
2 and local governments; and

3 “(ii) ensure that no class of individ-
4 uals described in clause (ii) or (iii) of sub-
5 paragraph (A) comprises more than $\frac{1}{3}$ of
6 the membership of the advisory committee.

7 “(C) TERMS OF SERVICE.—

8 “(i) IN GENERAL.—Members shall be
9 appointed for a 3-year term and may serve
10 for not more than 2 terms, except as pro-
11 vided in clause (iii).

12 “(ii) VACANCIES.—Vacancy appoint-
13 ments shall be for the remainder of the un-
14 expired term of the vacancy.

15 “(iii) SPECIAL RULE.—If a member is
16 appointed to fill a vacancy and the remain-
17 der of the unexpired term is less than 1
18 year, the member may subsequently be ap-
19 pointed for 2 full terms.

20 “(D) COMPENSATION AND EXPENSES.—

21 Members of the advisory committee shall not be
22 compensated for service on the advisory com-
23 mittee, but may be allowed travel expenses, in-
24 cluding per diem in lieu of subsistence, in ac-

1 cordance with subchapter I of chapter 57 of
2 title 5, United States Code.

3 “(3) DUTIES.—The advisory committee shall
4 review, advise, and comment on Interagency Com-
5 mittee activities, including the following:

6 “(A) Management and functioning of the
7 Interagency Committee.

8 “(B) Collaboration of the Interagency
9 Committee and the agencies listed in subsection
10 (a)(3)(B).

11 “(C) The research and technology develop-
12 ment of new or improved response capabilities.

13 “(D) The use of cost-effective research
14 mechanisms.

15 “(E) Research, computation, and modeling
16 needs and other resources needed to develop a
17 comprehensive program of oil pollution re-
18 search.

19 “(4) SUBCOMMITTEES.—The advisory com-
20 mittee may establish subcommittees of its members.

21 “(5) MEETINGS.—The advisory committee shall
22 meet at least once per year and at other times at the
23 call of the chairperson.

24 “(6) REPORT.—The advisory committee shall
25 submit biennial reports to the Interagency Com-

1 mittee and Congress on the function, activities, and
2 progress of the Interagency Committee and the pro-
3 grams established under this section.

4 “(7) EXPIRATION.—Section 14 of the Federal
5 Advisory Committee Act (5 U.S.C. App.) shall not
6 apply to the advisory committee.”.

7 **SEC. 8. FUNDING.**

8 (a) IN GENERAL.—Section 7001 of such Act (33
9 U.S.C. 2761) is further amended by adding at the end
10 the following new subsection:

11 “(g) FUNDING.—

12 “(1) IN GENERAL.—There are authorized to be
13 appropriated from amounts in the Fund not more
14 than \$48,000,000 annually to carry out this section,
15 except for subsection (c)(8).

16 “(2) SPECIFIC ALLOCATIONS.—From the
17 amounts in paragraph (1), there are authorized to
18 be appropriated—

19 “(A) \$16,000,000 to the Administrator of
20 the National Oceanic and Atmospheric Admin-
21 istration annually to carry out this section; and

22 “(B) \$2,000,000 for each of fiscal years
23 2014, 2015, 2016, and 2017 to carry out the
24 activities in subsection (c)(6).”.

1 (b) AUTHORIZATION.—Section 1012(a)(5)(C) of such
2 Act (33 U.S.C. 2712(a)(5)(C)) is amended to read as fol-
3 lows:

4 “(C) notwithstanding section 9509(f) of
5 the Internal Revenue Code of 1986, not more
6 than \$48,000,000 in each fiscal year shall be
7 available to carry out title VII of this Act;
8 and”.

9 **SEC. 9. ACCESS TO RESEARCH DURING AN EMERGENCY.**

10 Section 7001 of such Act (33 U.S.C. 2761) is further
11 amended by adding at the end the following new sub-
12 section:

13 “(h) ACCESS TO RESEARCH DURING AN EMER-
14 GENCY.—Any entity that receives Federal funding for re-
15 search, the methodologies or results of which may be use-
16 ful for response activities in the event of an oil discharge
17 incident described in sections 300.300–334 of title 40 of
18 the Code of Federal Regulations, shall, upon request to
19 that entity, make the methodologies or results of such re-
20 search available to the Interagency Committee and the
21 Federal On-Scene Coordinator (as defined in section
22 311(a)(21) of the Federal Water Pollution Control Act
23 (33 U.S.C. 1321(a)(21))). Any methodologies or research
24 results made available under this subsection shall be for
25 use only for purposes of the response activities with re-

1 spect to the oil discharge incident and shall not be avail-
2 able for disclosure under section 552 of title 5, United
3 States Code, or included in information made publicly
4 available pursuant to this Act.”.

○