

107TH CONGRESS  
1ST SESSION

# H. R. 1976

To clarify the authority of the Secretary of Defense to respond to  
environmental emergencies.

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## IN THE HOUSE OF REPRESENTATIVES

MAY 23, 2001

Mr. UDALL of Colorado (for himself and Mr. HEFLEY) introduced the  
following bill; which was referred to the Committee on Armed Services

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## A BILL

To clarify the authority of the Secretary of Defense to  
respond to environmental emergencies.

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 “International Environ-  
5       mental Defense Act of 2001”.

6       **SEC. 2. FINDINGS AND PURPOSE.**

7       (a) FINDINGS.—The Congress finds the following:

8               (1) Environmental emergencies, such as oil  
9       spills, wherever they occur, can affect the national  
10      interests of the United States.

1           (2) In appropriate circumstances, it is in the  
2       national interest of the United States for the De-  
3       partment of Defense to provide assistance to re-  
4       spond to environmental emergencies, to an extent  
5       not authorized under current law.

6       (b) PURPOSE.—It is the purpose of this Act to au-  
7       thorize the Secretary of Defense to provide assistance to  
8       respond to environmental emergencies in appropriate cir-  
9       cumstances.

10   **SEC. 3. CLARIFICATION OF DEPARTMENT OF DEFENSE RE-**  
11                   **SPONSE TO ENVIRONMENTAL EMERGENCIES.**

12       (a) TRANSPORTATION OF HUMANITARIAN RELIEF  
13   SUPPLIES.—(1) Section 402 of title 10, United States  
14   Code, is amended—

15           (A) by redesignating subsection (d) as sub-  
16       section (e); and

17           (B) by inserting after subsection (e) the fol-  
18       lowing new subsection (d):

19       “(d) RESPONSE TO ENVIRONMENTAL EMER-  
20   GENCIES.—The authority of the Secretary of Defense to  
21   transport humanitarian relief supplies under this section  
22   includes the authority to transport supplies intended for  
23   use to respond to, or mitigate the effects of, an event or  
24   condition, such as an oil spill, that threatens serious harm  
25   to the environment.”.

1 (2) Subsection (b) of such section is amended—

2 (A) in paragraph (1)(C), by inserting “or enti-  
3 ty” after “people”;

4 (B) in paragraph (1)(E), by inserting “or use”  
5 after “distribution”; and

6 (C) in paragraph (3), by striking “donor to en-  
7 sure that supplies to be transported under this sec-  
8 tion” and inserting “entity requesting the transport  
9 of supplies under this section to ensure that the sup-  
10 plies”.

11 (b) PROVISION OF DISASTER ASSISTANCE.—Section  
12 404 of such title is amended—

13 (1) in subsection (a), by inserting “or serious  
14 harm to the environment” after “loss of lives”; and

15 (2) in subsection (c)(2), by inserting “or the en-  
16 vironment” after “human lives”.

17 (c) PROVISION OF HUMANITARIAN ASSISTANCE.—  
18 Section 2561(a) of such title is amended—

19 (1) by inserting “(1)” before “To the extent”;  
20 and

21 (2) by adding at the end the following new  
22 paragraph:

23 “(2) The authority of the Department of Defense to  
24 provide humanitarian assistance under this section in-  
25 cludes the authority to transport supplies or provide as-

1 sistance intended for use to respond to, or mitigate the  
2 effects of, an event or condition, such as an oil spill, that  
3 threatens serious harm to the environment.”.

