

108TH CONGRESS  
1ST SESSION

# H. R. 638

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

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IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 5, 2003

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 2003”.

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 TO RESPOND TO ENVIRONMENTAL EMER-  
14       GENCIES.—Section 402 of title 10, United States Code,  
15       is amended—

16           (1) by redesignating subsection (d) as sub-  
17       section (e); and

18           (2) by inserting after subsection (c) the fol-  
19       lowing new subsection (d):

20       “(d) RESPONSE TO ENVIRONMENTAL EMER-  
21       GENCIES.—The authority of the Secretary of Defense to  
22       transport humanitarian relief supplies under this section  
23       includes the authority to transport supplies intended for  
24       use to respond to, or mitigate the effects of, an event or

1 condition, such as an oil spill, that threatens serious harm  
2 to the environment.”.

3 (b) CONDITIONS ON PROVISION OF TRANSPOR-  
4 TATION.—Subsection (b) of such section is amended—

5 (1) in paragraph (1)(C), by inserting “or enti-  
6 ty” after “people”;

7 (2) in paragraph (1)(E), by inserting “or use”  
8 after “distribution”; and

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

14 (c) PROVISION OF DISASTER ASSISTANCE.—Section  
15 404 of such title is amended—

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

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

20 (d) PROVISION OF HUMANITARIAN ASSISTANCE.—  
21 Section 2561(a) of such title is amended—

22 (1) by inserting “(1)” before “To the extent”;  
23 and

24 (2) by adding at the end the following new  
25 paragraph

1       “(2) The authority of the Department of Defense to  
2 provide humanitarian assistance under this section in-  
3 cludes the authority to transport supplies or provide as-  
4 sistance intended for use to respond to, or mitigate the  
5 effects of, an event or condition, such as an oil spill, that  
6 threatens serious harm to the environment.”.

