

## Calendar No. 502

109TH CONGRESS  
2D SESSION**S. 2023****[Report No. 109–272]**

To amend the Oil Pollution Act of 1990 to improve that Act, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

NOVEMBER 16, 2005

Mr. INHOFE (for himself and Mr. THUNE) introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

JUNE 29, 2006

Reported by Mr. INHOFE, with an amendment

[Strike out all after the enacting clause and insert the part printed in italic]

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**A BILL**

To amend the Oil Pollution Act of 1990 to improve that Act, 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,*

1 **SECTION 1. AUDITS AND REPORTS.**

2       (a) ~~IN GENERAL.~~—Title I of the Oil Pollution Act  
3 of 1990 (33 U.S.C. 2701 et seq.) is amended by adding  
4 at the end the following:

5 **~~“SEC. 1021. AUDITS AND REPORTS.~~**

6       ~~“(a) AUDITS.—Not later than April 30 of the fiscal~~  
7 ~~year in which this section is enacted, and every April 30~~  
8 ~~thereafter, the President shall provide to the Committees~~  
9 ~~on Commerce, Science, and Transportation and Environ-~~  
10 ~~ment and Public Works of the Senate and the Committee~~  
11 ~~on Transportation and Infrastructure of the House of~~  
12 ~~Representatives an audit conducted by an independent~~  
13 ~~third party that includes a detailed accounting of—~~

14               ~~“(1) all funds from the Fund disbursed by the~~  
15 ~~National Pollution Funds Center; and~~

16               ~~“(2) all funds from the Fund administered and~~  
17 ~~managed by the receiving agencies, including final~~  
18 ~~payments made through agencies, contractors, and~~  
19 ~~subcontractors.~~

20       ~~“(b) REPORTS.—Not later than February 28 of the~~  
21 ~~fiscal year in which this section is enacted, and every Feb-~~  
22 ~~ruary 28 thereafter, the Secretary, the Secretary of the~~  
23 ~~Interior, the Secretary of Transportation, the Adminis-~~  
24 ~~trator of the Environmental Protection Agency, and the~~  
25 ~~heads of any other Federal agencies that, during the pre-~~  
26 ~~ceding fiscal year, received funds from the Fund, shall—~~

1           “(1) provide to the President a report account-  
 2           ing for the uses of the funds by the Federal agency,  
 3           including a description of ways in which those uses  
 4           relate to—

5                   “(A) oil pollution liability, compensation,  
 6                   prevention, preparedness, and removal;

7                   “(B) natural resource damage assessment  
 8                   and restoration;

9                   “(C) oil pollution research and develop-  
 10                  ment; and

11                  “(D) other oil pollution-related activities;  
 12                  and

13           “(2) make each report available to the public  
 14           and other interested parties via the Internet website  
 15           of the National Pollution Funds Center.

16           “(c) AUTHORIZATION OF APPROPRIATIONS.—There  
 17           are authorized to be appropriated such sums as are nec-  
 18           essary to carry out this section.”.

19           (b) CONFORMING AMENDMENT.—The table of sec-  
 20           tions in section 2 of the Oil Pollution Act of 1990 (33  
 21           U.S.C. prec. 1001) is amended by inserting after the item  
 22           relating to section 1020 the following:

          “Sec. 1021. Audits and reports.”.

1 **SECTION 1. AUDITS AND REPORTS.**

2       (a) *IN GENERAL.*—*Title I of the Oil Pollution Act of*  
 3 *1990 (33 U.S.C. 2701 et seq.) is amended by adding at the*  
 4 *end the following:*

5 **“SEC. 1021. AUDITS AND REPORTS.**

6       “(a) *AUDITS.*—*Not later than April 30 of the fiscal*  
 7 *year in which this section is enacted, and every 2 years*  
 8 *thereafter, the President shall provide to the Committees on*  
 9 *Commerce, Science, and Transportation and Environment*  
 10 *and Public Works of the Senate and the Committee on*  
 11 *Transportation and Infrastructure of the House of Rep-*  
 12 *resentatives an audit conducted by the Comptroller General*  
 13 *of the United States that includes a detailed accounting of*  
 14 *all funds from the Fund in excess of \$100,000 that are—*

15               “(1) *disbursed by the National Pollution Funds*  
 16 *Center; and*

17               “(2) *administered and managed by the receiving*  
 18 *agencies, including final payments made through*  
 19 *agencies, contractors, and subcontractors.*

20       “(b) *REPORTS.*—*Not later than February 28 of the fis-*  
 21 *cal year in which this section is enacted, and every Feb-*  
 22 *ruary 28 thereafter, the Secretary, the Secretary of the Inte-*  
 23 *rior, the Secretary of Transportation, the Administrator of*  
 24 *the Environmental Protection Agency, and the heads of any*  
 25 *other Federal agencies that, during the preceding fiscal*

1 year, received funds from the Fund in excess of \$100,000,  
2 shall—

3 “(1) provide to the President a report accounting  
4 for the uses of the funds by the Federal agency, in-  
5 cluding a description of ways in which those uses re-  
6 late to—

7 “(A) oil pollution liability, compensation,  
8 prevention, preparedness, and removal;

9 “(B) natural resource damage assessment  
10 and restoration;

11 “(C) oil pollution research and development;  
12 and

13 “(D) other oil pollution-related activities;  
14 and

15 “(2) make each report available to the public  
16 and other interested parties via the Internet website  
17 of the National Pollution Funds Center.

18 “(c) *AUTHORIZATION OF APPROPRIATIONS.*—There are  
19 authorized to be appropriated such sums as are necessary  
20 to carry out this section.”.

21 (b) *CONFORMING AMENDMENT.*—The table of sections  
22 in section 2 of the Oil Pollution Act of 1990 (33 U.S.C.  
23 prec. 1001) is amended by inserting after the item relating  
24 to section 1020 the following:

“Sec. 1021. Audits and reports.”.

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109<sup>TH</sup> CONGRESS  
2<sup>D</sup> Session

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