

my colleagues to support this legislation.

I yield back the balance of my time.

Mr. RAHALL. I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from West Virginia (Mr. RAHALL) that the House suspend the rules and pass the bill, S. 1053.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

# **OIL POLLUTION RESEARCH AND DEVELOPMENT PROGRAM REAUTHORIZATION ACT OF 2010**

Mr. GORDON of Tennessee. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 2693) to amend title VII of the Oil Pollution Act of 1990, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2693

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

## **SECTION 1. SHORT TITLE.**

This Act may be cited as the “Oil Pollution Research and Development Program Reauthorization Act of 2010”.

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

(a) **PURPOSES.**—Section 7001(a)(2) of the Oil Pollution Act of 1990 (33 U.S.C. 2761(a)(2)) is amended by striking “State” and inserting “State and tribal”.

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

“(3) **STRUCTURE.**—

“(A) **MEMBERS.**—The Interagency Committee shall consist of representatives from the following:

“(i) The Coast Guard.

“(ii) The Department of Commerce, including the National Oceanic and Atmospheric Administration.

“(iii) The Department of the Interior.

“(iv) The Environmental Protection Agency.

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

“(i) The National Institute of Standards and Technology.

“(ii) The Department of Energy.

“(iii) The Department of Transportation, including the Maritime Administration and the Pipeline and Hazardous Materials Safety Administration.

“(iv) The Department of Defense, including the Army Corps of Engineers and the Navy.

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

“(vi) The National Aeronautics and Space Administration.

“(vii) The National Science Foundation.

“(viii) Other Federal agencies, as appropriate.”.

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

“(4) **CHAIR.**—

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

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

“(i) the activities of the Interagency Committee and the agencies listed in paragraph (3)(B) are coordinated;

“(ii) the implementation plans required under subsection (b)(1) are completed and submitted;

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

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

“(v) the Oil Pollution Research Advisory Committee under subsection (f) is established and utilized.”.

(d) **ACTIVITIES.**—Section 7001(a) of such Act (33 U.S.C. 2761(a)) is amended by adding at the end the following:

“(5) **ACTIVITIES.**—

“(A) **ONGOING, COORDINATED EFFORTS.**—The Interagency Committee shall ensure that the research, development, and demonstration efforts authorized by this section are coordinated and conducted on an ongoing basis.

“(B) **MEETINGS.**—

“(i) **IN GENERAL.**—The Interagency Committee shall meet, or otherwise communicate, as appropriate, to—

“(I) plan program-related activities; and

“(II) determine whether the program is resulting in the development of new or improved methods and technologies to prevent, detect, respond to, contain, and mitigate oil discharge.

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

“(C) **INFORMATION EXCHANGE.**—The Interagency Committee, acting through the Administrator of the National Oceanic and Atmospheric Administration, shall develop a national information clearinghouse on oil discharge that—

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

“(ii) serves as a single electronic access and input point for Federal agencies, emergency responders, the research community, and other interested parties for such information.”.

## **SEC. 3. OIL POLLUTION RESEARCH AND TECHNOLOGY PLAN.**

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

(1) by striking “180 days after the date of enactment of this Act” and inserting “180 days after the date of enactment of the Oil Pollution Research and Development Program Reauthorization Act of 2010 and periodically thereafter, as appropriate, but not less than once every 5 years”;

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

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

(3) in subparagraph (B) by inserting “containment,” after “response,”;

(4) in subparagraph (D) by inserting “containment,” after “response,”;

(5) by striking “and” at the end of subparagraph (E);

(6) in subparagraph (F)—

(A) by striking “the States” through “research needs” and inserting “State and tribal governments, regional oil pollution research needs, including natural seeps and pollution resulting from importing oil from overseas,”; and

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

(7) by adding at the end the following new subparagraphs:

“(G) identify the information needed to conduct risk assessment and risk analysis research to effectively prevent oil discharges, including information on human factors and decisionmaking, and to protect the environment; and

“(H) identify a methodology that—

“(i) provides for the solicitation, evaluation, preapproval, funding, and utilization of technologies and research projects developed by the public and private sector in advance of future oil discharges; and

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

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

“(2) **ADVICE AND GUIDANCE.**—

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

“(i) the Oil Pollution Research Advisory Committee established under subsection (f);

“(ii) the National Institute of Standards and Technology on issues relating to quality assurance and standards measurements;

“(iii) third party standard-setting organizations on issues relating to voluntary consensus standards; and

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

“(B) **PUBLIC COMMENT.**—Prior to the submission of the research plan to Congress under paragraph (1), the research plan shall be published in the Federal Register and subject to a public comment period of 30 days. The Chair shall review the public comments received and incorporate those comments into the plan, as appropriate.”.

(c) **REVIEW.**—Section 7001(b) of such Act (33 U.S.C. 2761(b)) is amended by adding at the end the following:

“(3) **REVIEW.**—After the submission of each research plan to Congress under paragraph (1), the Chair shall contract with the National Academy of Sciences—

“(A) to review the research plan;

“(B) to assess the adequacy of the research plan; and

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

“(4) **INCORPORATION OF RECOMMENDATIONS.**—The Chair shall address any recommendations in the review conducted under paragraph (3) and shall incorporate such recommendations into the research plan, as appropriate.”.

## **SEC. 4. OIL POLLUTION RESEARCH AND DEVELOPMENT PROGRAM.**

(a) **ESTABLISHMENT.**—Section 7001(c)(1) of such Act (33 U.S.C. 2761(c)(1)) is amended by striking “research and development, as provided in this subsection” and inserting “research, development, and demonstration, as provided in this subsection and subsection (a)(2)”.

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

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

(2) by striking subparagraph (I);

(3) by redesignating subparagraph (J) as subparagraph (I);

(4) by striking the period at the end of subparagraph (I) (as so redesignated) and by inserting at the end a semicolon; and

(5) by adding at the end the following:

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

“(K) modeling and simulation capabilities, including tools and technologies, that can be used to facilitate effective recovery and containment of oil discharge during incident response.”.

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

“(3) OIL POLLUTION TECHNOLOGY EVALUATION.—The program established under this subsection shall provide for the evaluation of oil pollution prevention, containment, and mitigation technologies, including—

“(A) the evaluation of the performance and effectiveness of such technologies in preventing, detecting, containing, recovering, and mitigating oil discharges;

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

“(C) the evaluation and testing of technologies developed independently of the research and development program established under this subsection, including technologies developed by small businesses;

“(D) the establishment, with the advice and guidance of the National Institute of Standards and Technology, of standards and testing protocols traceable to national standards to measure the performance of oil pollution prevention, containment, or mitigation technologies;

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

“(F) the use, where appropriate, of controlled field testing to evaluate real-world application of new or improved oil discharge prevention, response, containment, recovery, or mitigation technologies;

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

“(H) research conducted by the Environmental Protection Agency and other appropriate Federal agencies for the evaluation and testing of technologies which demonstrate—

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

“(ii) minimum effects, including toxicity, to human health and the environment in both the near-term and long-term.”.

(d) OIL POLLUTION EFFECTS RESEARCH.—Section 7001(c)(4) of such Act (33 U.S.C. 2761(c)(4)) is amended—

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

“(A) IN GENERAL.—

“(i) ESTABLISHMENT.—The Interagency Committee, acting through the Administrator of the National Oceanic and Atmospheric Administration, shall establish a research program to monitor and scientifically evaluate the environmental effects, including long-term effects, of oil discharge.

“(ii) SPECIFICATIONS.—Such program shall include the following elements:

“(I) Research on and the development of effective tools to detect, measure, observe, analyze, monitor, model, and forecast the presence, transport, fate, and effect of an oil discharge throughout the environment, including tools and models to accurately measure and predict the flow of oil discharged.

“(II) The development of methods, including economic methods, to assess and predict damages to natural resources, including air quality, resulting from oil discharges, including in economically disadvantaged communities and areas.

“(III) The identification of types of ecologically sensitive areas at particular risk from oil discharges, such as inland waters, coastal areas, offshore areas, including deepwater and ultra-deepwater areas, and polar and other icy areas.

“(IV) The preparation of scientific monitoring and evaluation plans for the areas identified under subclause (III) to be implemented in the event of major oil discharges in such areas.

“(V) The collection of environmental baseline data in the areas identified under subclause (III) if such data are insufficient.

“(VI) The use of both onshore and offshore air quality monitoring to study the effects of an oil discharge and oil discharge cleanup technologies on air quality; and making the results, health, and safety warnings readily available to the public, including emergency responders, the research community, local residents, and other interested parties.

“(VII) Research on technologies, methods, and standards for protecting removal personnel and for volunteers that may participate in incident responses, including training, adequate supervision, protective equipment, maximum exposure limits, and decontamination procedures.”;

(2) in subparagraph (B)—

(A) by striking “(B) The Department of Commerce” and all that follows through “future oil discharges.” and inserting the following:

“(B) CONDITIONS.—The Interagency Committee, acting through the Administrator of the National Oceanic and Atmospheric Administration, shall conduct research activities under subparagraph (A) for areas in which—

“(i) the amount of oil discharged exceeds 250,000 gallons; and

“(ii) a study of the long-term environmental effects of the discharge would be of significant scientific value, especially for preventing or responding to future oil discharges.”;

(B) by striking “ATHOS I, and” and inserting “ATHOS I;”;

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

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

(e) DEMONSTRATION PROJECTS.—Section 7001(c)(6) of such Act (33 U.S.C. 2761(c)(6)) is amended—

(1) by striking the first sentence and inserting the following: “The United States Coast Guard, in conjunction with such agencies as the President may designate, shall conduct a total of 2 port oil pollution minimization demonstration projects, 1 with the Ports of Los Angeles and Long Beach, California, and 1 with a port on the Great Lakes, for the purpose of developing and demonstrating integrated port oil pollution prevention and cleanup systems that utilize the information and implement the improved practices and technologies developed from the research, development, and demonstration program established in this section.”; and

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

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

(g) REGIONAL RESEARCH PROGRAM.—

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

(A) in subparagraph (A)—

(i) by striking “program of competitive grants” and inserting “program of peer-reviewed, competitive grants”; and

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

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

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

“(H) In carrying out this paragraph, the Interagency Committee shall coordinate the program of peer-reviewed, competitive grants to universities or other research institutions, including Minority Serving Institutions as defined under section 371(a) of the Higher Education Act of 1965 (20 U.S.C. 1067q(a)), and provide consideration to such institutions in the recommendations for awarding grants.”.

(2) FUNDING.—Section 7001(c)(9) of such Act (33 U.S.C. 2761(c)(9)) is amended by striking “1991” and all that follows through “shall be available” and inserting “2011, 2012, 2013, 2014, and 2015, there are authorized to be appropriated from amounts in the Fund \$12,000,000”.

## SEC. 5. INTERNATIONAL COOPERATION.

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

“(d) INTERNATIONAL COOPERATION.—In accordance with the research plan submitted under subsection (b), the Interagency Committee shall engage in international cooperation by—

“(1) harnessing global expertise through collaborative partnerships with foreign governments and research entities, and domestic and foreign private actors, including non-governmental organizations and private sector companies; and

“(2) leveraging public and private capital, technology, expertise, and services towards innovative models that can be instituted to conduct collaborative oil pollution research, development, and demonstration activities, including controlled field tests of oil discharges and other activities designed to improve oil recovery and cleanup.”.

## SEC. 6. ANNUAL REPORTS.

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

“(e) ANNUAL REPORT.—

“(1) Concurrent with the submission to Congress of the President’s annual budget request in each year after the date of enactment of the Oil Pollution Research and Development Program Reauthorization Act of 2010, the Chair of the Interagency Committee shall submit to Congress a report describing the—

“(A) activities carried out under this section in the preceding fiscal year, including—

“(i) a description of major research conducted on oil discharge prevention, detection, containment, recovery, and mitigation techniques in all environments by each agency described in subsection (a)(3)(A) and (B); and

“(ii) a summary of—

“(I) projects in which the agency contributed funding or other resources;

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

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

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

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

“(2) If the National Academy of Sciences provides recommendations on the research

plan under section 7001(b)(3), the Chair shall include, in the first annual report under paragraph (1) of this subsection, a description of those recommendations incorporated into the research plan, and a description of, and explanation for, any recommendations that are not included in such plan.”.

#### SEC. 7. ADVISORY COMMITTEE.

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

(1) by redesignating subsection (f) as subsection (g); and

(2) by inserting after subsection (e) the following:

“(f) ADVISORY COMMITTEE.—

“(1) ESTABLISHMENT.—Not later than 90 days after the date of enactment of the Oil Pollution Research and Development Program Reauthorization Act of 2010, the Chair of the Interagency Committee shall establish an advisory committee to be known as the Oil Pollution Research Advisory Committee (in this subsection referred to as the ‘advisory committee’).

“(2) MEMBERSHIP.—

“(A) IN GENERAL.—The advisory committee shall be composed of members appointed by the Chair, in consultation with the each member agency described in subsection (a)(3), including—

“(i) individuals with extensive knowledge and research experience or operational knowledge of prevention, detection, response, containment, and mitigation of oil discharges;

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

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

“(B) LIMITATIONS.—The Chair shall—

“(i) appoint no more than 25 members that shall not include representatives of the Federal Government, but may include representatives from State, tribal, and local governments; and

“(ii) ensure that no class of individuals described in clause (ii) or (iii) of subparagraph (A) comprises more than ⅓ of the membership of the advisory committee.

“(C) TERMS OF SERVICE.—

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

“(ii) VACANCIES.—Vacancy appointments shall be for the remainder of the unexpired term of the vacancy.

“(iii) SPECIAL RULE.—If a member is appointed to fill a vacancy and the remainder of the unexpired term is less than 1 year, the member may subsequently be appointed for 2 full terms.

“(D) COMPENSATION AND EXPENSES.—Members of the advisory committee shall not be compensated for service on the advisory committee, but may be allowed travel expenses, including per diem in lieu of subsistence, in accordance with subchapter I of chapter 57 of title 5, United States Code.

“(3) DUTIES.—The advisory committee shall review, advise, and comment on Interagency Committee activities, including the following:

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

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

“(C) The research and technology development of new or improved response capabilities.

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

“(E) Research, computation, and modeling needs and other resources needed to develop a comprehensive program of oil pollution research.

“(4) SUBCOMMITTEES.—The advisory committee may establish subcommittees of its members.

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

“(6) REPORT.—The advisory committee shall submit biennial reports to the Interagency Committee and Congress on the function, activities, and progress of the Interagency Committee and the programs established under this section.

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

#### SEC. 8. FUNDING.

(a) IN GENERAL.—Section 7001(g) of such Act, as redesignated by section 7 of this Act, is amended to read as follows:

“(g) FUNDING.—

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

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

“(A) \$16,000,000 to the Administrator of the National Oceanic and Atmospheric Administration annually to carry out this section; and

“(B) \$2,000,000 for each of fiscal years 2011, 2012, 2013, and 2014 to carry out the activities in subsection (c)(6).”.

(b) AUTHORIZATION.—Section 1012(a)(5)(C) of such Act (33 U.S.C. 2712(a)(5)(C)) is amended to read as follows:

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

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

Section 7001 of such Act (33 U.S.C. 2761) is amended by adding at the end the following new subsection:

“(h) ACCESS TO RESEARCH DURING AN EMERGENCY.—Any entity that receives Federal funding for research, the methodologies or results of which may be useful for response activities in the event of an oil discharge incident described in sections 300.300–334 of title 40 of the Code of Federal Regulations, shall, upon request to that entity, make the methodologies or results of such research available to the Interagency Committee and the Federal On-Scene Coordinator (as defined in section 311(a)(21) of the Federal Water Pollution Control Act (33 U.S.C. 1321(a)(21))). Any methodologies or research results made available under this subsection shall be for use only for purposes of the response activities with respect to the oil discharge incident, and shall not be available for disclosure under section 552 of title 5, United States Code, or included in information made publicly available pursuant to this Act.”.

The SPEAKER pro tempore (Ms. MCCOLLUM). Pursuant to the rule, the gentleman from Tennessee (Mr. GORDON) and the gentleman from Texas (Mr. HALL) each will control 20 minutes.

The Chair recognizes the gentleman from Tennessee.

#### GENERAL LEAVE

Mr. GORDON of Tennessee. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include extraneous material on H.R. 2693, the bill now under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. GORDON of Tennessee. I yield myself such time as I may consume.

Madam Speaker, as we all know, on April 20, 2010, an explosion occurred aboard the BP Deepwater Horizon drill rig that claimed the lives of 11 men and resulted in the largest environmental disaster in our Nation's history. While the flow of oil from the well might have stopped for now, as long as our economy is dependent on oil, we risk similar tragedies happening again and again.

We have a responsibility to ensure that the relevant Federal agencies are equipped with the technology and intellectual and financial resources needed to prevent future oil spills and to effectively respond when they occur. With that, I am pleased to bring before the House two bills that enhance U.S. preparedness for future oil spills and improve worker safety.

The first bill is H.R. 2693, the Oil Pollution Research and Development Program Reauthorization Act of 2010, introduced by my friend from California, Congresswoman LYNN WOOLSEY. I congratulate her for her foresight in introducing this bill.

This bill was passed out of the Science and Technology Committee last week by a voice vote after considering 21 member amendments, and it incorporates a few additional changes, partly to address minority concerns raised in the committee markup.

H.R. 2693 amends the Oil Pollution Act of 1990. In response to the *Exxon Valdez* oil spill, OPA 90 was enacted to improve the Nation's ability to both prevent and mitigate oil spills. Unfortunately, little progress has been made since then, and today's responders are left with virtually the same set of tools they had in 1989.

Ms. WOOLSEY recognized this critical shortcoming in response to the COSCO Busan oil spill in her district in 2007, and she drafted this amendment to the OPA 90 to improve the interagency research program.

The BP Deepwater Horizon tragedy has made the intent of this bill all the more relevant today. H.R. 2693 enhances the research and development activities, sets up a more efficient Federal management structure, and provides for more robust oversight and accountability of the interagency R&D program established in OPA 90.

I would like to thank my ranking member from Texas (Mr. HALL) and other Republican colleagues for working with us to improve this bill.

Also, once again, I commend Ms. WOOLSEY for her foresight and for her commitment to enhancing the Nation's preparedness for oil spills through H.R. 2693.

I reserve the balance of my time.

Mr. HALL of Texas. I yield myself such time as I may consume.

Madam Speaker, oil and natural gas are a vital part of our economy and

will continue to be for the foreseeable future. In order to really ensure continued availability and access to this resource, we absolutely have to develop our domestic supply of oil and natural gas whether it is on land or offshore. Like any other complex endeavor, accidents are going to happen. The most we can do is try to prevent them from happening in the first place and then have the tools, technologies and resources to quickly contain, remove, and mitigate any oil spill. This was the motivation behind the passage of the research and development title of the Oil Pollution Act of 1990, and it is our motivation again today.

H.R. 2693, as reported, is a good effort to address the many concerns that Science Committee members on both sides of the aisle had with the introduced version of the bill. It is also an attempt to deal with some of the shortcomings in the underlying statute. Although we all worked hard to find compromise on some of the language, a few concerns still remain.

I am pleased that the legislation maintains the Coast Guard as the chair of the Interagency Coordinating Committee. As the on-scene commander for oil discharges in water, Coast Guard leadership is very necessary to ensure a research and development program remains focused on relevant research. However, we have some reservations about streamlining the interagency committee by reducing the participants on the committee to Coast Guard, NOAA, EPA, and the Department of the Interior. While I understand the concerns that the size of the interagency committee was unwieldy, we heard testimony that the current structure did work. So I am left wondering if this is a case of a solution in search of a problem.

I am also a bit concerned that the direction of H.R. 2693 has shifted the focus of the underlying statute to concentrate much more on the environmental effects of the use of the cleanup technologies rather than the effectiveness of the technologies, themselves.

While researching and understanding the environmental effects of technology use is important and should definitely be a part of this program, it should not detract from the overreaching and overarching focus of research, technology, development, and demonstration. The Republicans tried to recover some of this equilibrium via an amendment accepted by the majority. However, the legislation still requires more balance.

During the markup, the committee adopted language greatly expanding the international coordination provisions of the statute. A lively discussion illustrated our concerns that such an expansive role could divert the interagency committee from its primary focus of research, technology, development, and demonstration.

I want to thank the majority for agreeing to temper the language to alleviate some of our concerns, and I am

still hesitant that the vague provision could become a larger part of the program than was originally intended.

Coordination and collaboration with other nations and with foreign research entities can be a useful part of the program. For instance, we have seen that some of the assistance offered by other nations during the Deepwater Horizon incident was not accepted for various reasons, including that some technologies failed to be compatible with our own.

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Researching the compatibility issues, advanced technology development and coordinated research for field testing of equipment are all activities that should be considered under this provision. I caution against a broader implementation of the language.

I have some reservations about a provision added during markup that would require any entity that receives Federal funding for research, upon request by the interagency committee, to turn over the results of that research to assist in the response effort. In times of emergency, it's vital that the response and decisionmaking authorities have access to the most recent and relevant information available, but the language included seemed broad and seemed unclear.

Research that could be helpful during a response to an oil spill may come from unconventional sources, such as information or technology developments created for a completely different purpose. The language suggests that the request for information would not be limited to those projects explicitly focused on oil spill research. Such a data call could yield a substantial amount of information, easily overwhelming the interagency committee, much like we saw when BP was taking suggestions on how to stop their leak.

We're pleased that the language has been modified to ensure better protection of this research; however, it's still ambiguous as to how the information request would be conducted.

When the country is in the midst of a crisis and Congress decides to act, it's possible for us to go too far to fix things, causing unintended consequences. Acting deliberately and in a focused manner will help the current situation and ultimately prevent the necessity of having to go back and fix things that resulted unexpectedly.

While H.R. 2693 progressed expeditiously through the committee process, my hope is that as we move through the legislative process, including a formal conference, some of our concerns and questions may be addressed. Preparedness is defined as activities and measures that exist before an emergency and are used to support and enhance the appropriate response. Research and development are key activities necessary for not only preparing for an event, but also trying to prevent its occurrence in the first place.

Finally, after changes made, I'm comfortable with the bill. And I thank

you, Madam Speaker. I thank Chairman GORDON and Ms. WOOLSEY, who have been helpful and have written a bill certainly better than we think it was to begin with.

Madam Speaker, I reserve the balance of my time.

Mr. GORDON of Tennessee. Madam Speaker, I yield 7 minutes to the gentlewoman from California (Ms. WOOLSEY), the author of the bill.

Ms. WOOLSEY. I would like to thank Chairman GORDON and Chairman BAIRD, the chairman of the Energy Subcommittee, and Ranking Member HALL for leadership and for cooperation and for making a base bill even better.

Madam Speaker, in 2007, the container ship Cosco Busan collided with the San Francisco Bay Bridge, spilling 58,000 gallons of oil into the San Francisco Bay and causing great harm, great harm to the surrounding environment, great harm to the economy of my district, and great harm to the surrounding Bay Area.

Although this spill was minor compared to the current gulf coast catastrophe, the impact to the Bay Area was widespread. Thousands of birds, including 50 different species, were killed, coastal fisheries were impacted, and marine mammals died. All told, more than 200 miles of coastline was polluted by the Cosco Busan oil spill, costing more than \$70 million in environmental cleanup costs.

What occurred to me throughout the ordeal was the question and the confusion regarding who was in charge and what technologies were available to assess and clean up the mess. That's why I introduced H.R. 2693 last year, before the catastrophe of the Gulf of Mexico, to strengthen coordination of Federal research and development of science and technologies that will prevent, combat, and clean up spills. And that is why Chairman BAIRD held a hearing on the very issue.

Madam Speaker, if we learned anything from the Cosco Busan spill, it was that we need to strengthen coordination and leadership of oil spill response, research and development. And everything that we learned from the BP Gulf of Mexico disaster magnifies my concerns.

Madam Speaker, following the Exxon Valdez oil spill, Congress passed the Oil Pollution Act of 1990, which created an interagency coordinating committee to coordinate research and development of oil spill prevention and response among 14 Federal agencies. Not one, not two, not three, not four—14 Federal agencies. It was confusing during the Cosco Busan spill, but that was nothing compared to the confusion of the gulf disaster.

Chairman GORDON, I want to thank you. Chairman BAIRD, I want to thank you for helping to streamline the structure of the interagency coordinating committee in H.R. 2693. And Ranking Member HALL, I want to thank you for accepting the changes we've made and the improvements.

I also want to thank the members of the Science and Technology Committee and the staff who worked so hard to improve this legislation and ensure that it reflects recent developments in the gulf.

Madam Speaker, H.R. 2693 streamlines the interagency coordinating committee to include representatives from NOAA, the Coast Guard, EPA, and the Department of the Interior, while retaining the Coast Guard as the chair of the interagency committee. This ensures that the agencies with the most research expertise in oil spill prevention, detection, and recovery and mitigation are working together for common solutions in an effective and efficient way.

Additionally, the interagency committee is required to collaborate with the other Federal agencies listed in the Oil Pollution Act. And my bill now includes the National Science Foundation to this list.

My bill increases the authorized level of funding for Federal oil pollution research and development from \$22 million to \$48 million, all of which is drawn from the Oil Spill Liability Trust Fund. This level of funding hasn't been changed since 1990.

H.R. 2693 also authorizes \$12 million in funding for a regional research program to provide peer-reviewed competitive grants to institutes of higher learning and research facilities to improve technologies used to prevent and respond to oil spills.

□ 1220

Following the Cosco Busan oil leak, we heard time and again from people responding to the bill that the technology they were using was inadequate, and was, in fact, almost the same technology used to respond to Exxon Valdez decades earlier.

During the Science Committee markup of H.R. 2693, as the chairman mentioned, nearly 20 bipartisan amendments were adopted that strengthened this bill. With estimates putting the total amount of oil spilled in the gulf at nearly 200 million barrels, it's essential that we have the best science and technology possible to deal with a disaster of this magnitude.

As long as we extract, use, or transport oil in the United States, there will be some risks of oil spills along our shores. It is obvious that oil spills negatively affect our coastlines, our marine ecosystems, and our fishing and tourism industries. Madam Speaker, we must do our best to protect the public and the environment from future oil spills.

This bill brings us closer to that goal through targeted and coordinated research, development, and demonstration that will help us better prevent, better combat, and better mitigate future oil spills, no matter the size.

Madam Speaker, I urge my colleagues to support this important legislation.

Mr. HALL of Texas. Madam Speaker, I reserve the balance of my time.

Mr. GORDON of Tennessee. Madam Speaker, I yield 5 minutes to the chairman of the Energy and Environment Subcommittee, Dr. BAIRD.

Mr. BAIRD. I thank the chairman for yielding.

Madam Speaker, I rise today in strong support of the bill before us now, H.R. 2693, the Oil Pollution Research and Development Program Reauthorization Act, and shortly we will be discussing H.R. 5716, the Safer Oil and Natural Gas Drilling Technology Research and Development Act.

I want to begin by complimenting our chair, Ms. WOOLSEY and Ranking Member HALL for two outstanding pieces of legislation that could not be more timely, and that are tremendously important given not only the events we are facing in the gulf today, but towards trying to prevent these kinds of incidents from occurring in the future.

I want to start by commending the many thousands, more than 33,000 people who are in the gulf today working on this cleanup effort. I had the privilege of traveling there recently, along with members of our Science Committee staff, and when I met with some of those folks I asked what can we do to help? And their answer was the first thing you can do is tell people that we are working tremendously hard, and we are making a real difference. We have people working in more than 100-degree weather, in a terribly difficult environment, and they are working 12- to 14- to 16-hour days, 7 days a week. And they often feel that all they get is criticism. They are making a real difference. It's a heroic effort, an unprecedented scale, and we should be proud of them.

In that visit I met people from virtually every major Federal agency, from NOAA, EPA, National Marine Fisheries Services, the Coast Guard, and countless others, many of whom, I am proud to say, are from my own great State of Washington. And they are very proud of the work they are doing. I want to begin by acknowledging that.

As we all know, OPA 90 came in response to the Exxon Valdez spill. And thanks to Ms. WOOLSEY's leadership, we had actually begun in our subcommittee to try to review how the research effort to prepare for and prevent these kinds of spills was going forward. Sadly, that proved to be very prescient, because the spill that evolved in the gulf is precisely the kind of event that we were trying to prepare for.

The average folks that I represent say to themselves, and they ask us, a few simple questions: What went wrong that allowed this to happen to begin with? What are we doing now to get it cleaned up? How do we prevent future spills from happening? And if there should be a future spill, what can we do to clean it up and to better understand and mitigate the environmental impacts? The legislation, both bills before us today, answer those questions.

They are designed to improve our ability to extract material in a safe manner. One of the critical measures we are doing is reprioritizing some of the funding so there will still be an emphasis on the extractive technologies, but with greater attention paid to the safety of those, both the safety of the crews working on the vessel, and to the protection of the environment from environmental impact.

At the same time, we are trying to do measures to prevent accidents from occurring in the future. That includes implementing best practices, reviewing the technologies, human factors dealing with the communication, and the training of the workforce. Some of the testimony we had suggested the workforce training has not kept up with technological developments, particularly in the specialized area of deep-water drilling. And this applies to the regulatory agencies, who it's essential that they have personnel on the scene who are experts in the precise technologies that they are overseeing during their regulatory visits.

We also spent a great deal of time looking at the environmental impacts of this. What is it we know about how the environment is being impacted and what is it we need to know? This legislation before us will direct the research agencies to improve our knowledge both of the research available on how to clean this up—we heard from Mr. Kevin Costner and others who have technologies designed to clean up the water—but also so we can understand what we need to know to conduct research prior to the event.

Additionally, I am proud to have authored an amendment, along with PAUL TONKO, that would allow us to prestage both technologies for cleanup and research studies so that should there be an event, we can make use of that event to gather more knowledge on what we can do to reduce the oil in the water and to mitigate the environmental impacts.

The other thing people are asking about is what are we going to do to make sure we can clean this up better? And I will tell you that the areas we visited in the gulf, there are some areas that are doing remarkable work to prevent oil from coming onshore in pelican rookeries, to try to clean up the beaches when they have been contaminated. But one thing we know, this is going to be a long-standing impact. And we need to not only research what's happening today, we need to continue to research what's going on in the future. This will be a long-term research project. This legislation recognizes and supports that.

Finally, I should say that this is an international issue, and this legislation provides for measures to collaborate with international entities.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. GORDON of Tennessee. I yield the gentleman 1 additional minute.

Mr. BAIRD. In conclusion again, I just want to acknowledge the leadership of Mr. HALL, the ranking member, who has been instrumental in prior work to make sure we had developed competitive technologies to gain access to these resources for the benefit of our country, but the foresight of Ms. WOOLSEY, and the outstanding leadership in bipartisan fashion of Chairman GORDON.

The Research and Science Committee has again led the way on an issue of major national importance. I am proud to have been a part of this, and urge passage of both bills today.

Mr. HALL of Texas. Madam Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. GORDON of Tennessee. Madam Speaker, in conclusion, once again I want to thank the gentlelady from California (Ms. WOOLSEY) for bringing this bill before us, Dr. BAIRD for getting it through the subcommittee, the 26 Democrats and Republicans on the Science and Technology Committee that brought amendments to make a good bill better, and the majority and minority staffs for working together to bring this bill before us.

Mr. HALL of Texas. Will the gentleman yield?

Mr. GORDON of Tennessee. I yield to the gentleman from Texas.

Mr. HALL of Texas. I just want to congratulate you and Ms. WOOLSEY. This bill was improved very much by her knowledge and history of a bad occurrence that happened to her in her district that she is trying to spare the rest of our districts. I thank her for the good work on this.

Mr. GORDON of Tennessee. Madam Speaker, as we move forward today with floor consideration of H.R. 2693, the Oil Pollution Research and Development Program Reauthorization Act of 2010, I would like to recognize and thank Chairman THOMPSON of the Homeland Security Committee and Chairman OBERSTAR of the Transportation and Infrastructure Committee for their cooperation with respect to this piece of legislation. Both Chairman THOMPSON and Chairman OBERSTAR have been very supportive in getting this bill to the floor today, and at this time I would like to insert exchanges of letters between myself and each of the Chairmen into the RECORD.

HOUSE OF REPRESENTATIVES, COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE,

Washington, DC, July 20, 2010.

Hon. BART GORDON,  
Chairman, Committee on Science and Technology, House of Representatives, Rayburn House Office Building, Washington, DC.

DEAR CHAIRMAN GORDON: I write to you regarding H.R. 2693, the "Federal Oil Spill Research Program Act".

H.R. 2693 contains provisions that fall within the jurisdiction of the Committee on Transportation and Infrastructure. I recognize and appreciate your desire to bring this legislation before the House in an expeditious manner and, accordingly, I will not seek a sequential referral of the bill. However, I agree to waive consideration of this bill with the mutual understanding that my decision to forgo a sequential referral of the bill does not waive, reduce, or otherwise af-

fect the jurisdiction of the Committee on Transportation and Infrastructure over H.R. 2693.

Further, the Committee on Transportation and Infrastructure reserves the right to seek the appointment of conferees during any House-Senate conference convened on this legislation on provisions of the bill that are within the Committee's jurisdiction. I ask for your commitment to support any request by the Committee on Transportation and Infrastructure for the appointment of conferees on H.R. 2693 or similar legislation.

Please place a copy of this letter and your response acknowledging the Committee on Transportation and Infrastructure's jurisdictional interest in the Committee Report on H.R. 2693 and in the Congressional Record during consideration of the measure in the House.

I look forward to working with you as we prepare to pass this important legislation.

Sincerely,

JAMES L. OBERSTAR, M.C.,  
Chairman.

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON SCIENCE AND TECHNOLOGY,  
Washington, DC, July 20, 2010.

Hon. JAMES L. OBERSTAR,  
Chairman, Committee on Transportation and Infrastructure, House of Representatives, Rayburn House Office Building, Washington, DC.

DEAR CHAIRMAN OBERSTAR: Thank you for your letter regarding H.R. 2693, the Oil Pollution Research and Development Program Reauthorization Act of 2010. Your support for this legislation and your assistance in ensuring its timely consideration are greatly appreciated.

I agree that provisions in the bill are within the jurisdiction of the Committee on Transportation and Infrastructure. I acknowledge that by waiving rights to a referral of H.R. 2693, your Committee is not relinquishing its jurisdiction and I will fully support your request to be represented in a House-Senate conference on those provisions over which the Committee on Transportation and Infrastructure has jurisdiction in H.R. 2693. A copy of our letters will be placed in the legislative report on H.R. 2693 and in the Congressional Record during consideration of the bill on the House floor.

I value your cooperation and look forward to working with you as we move ahead with this important legislation.

Sincerely,

BART GORDON,  
Chairman.

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON HOMELAND SECURITY,  
Washington, DC, July 20, 2010.

Hon. BART GORDON,  
Chairman, Committee on Science and Technology, Rayburn Bldg., House of Representatives, Washington, DC.

DEAR CHAIRMAN GORDON: I write to you regarding H.R. 2693, the "Federal Oil Spill Research Program Act".

H.R. 2693 contains provisions that fall within the jurisdiction of the Committee on Homeland Security. I recognize and appreciate your desire to bring this legislation before the House in an expeditious manner and, accordingly, I will not seek a sequential referral of the bill. However, agreeing to waive consideration of this bill should not be construed as the Committee on Homeland Security waiving, altering, or otherwise affecting its jurisdiction over subject matters contained in the bill which fall within its Rule X jurisdiction.

Further, I request your support for the appointment of an appropriate number of Mem-

bers of the Committee on Homeland Security to be named as conferees during any House-Senate conference convened on H.R. 2693 or similar legislation. I also ask that a copy of this letter and your response be included in the legislative report on H.R. 2693 and in the Congressional Record during floor consideration of this bill.

I look forward to working with you as we prepare to pass this important legislation.

Sincerely,

BENNIE G. THOMPSON,  
Chairman.

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON SCIENCE AND TECHNOLOGY,  
Washington, DC, July 20, 2010.

Hon. BENNIE G. THOMPSON,  
Chairman, Committee on Homeland Security, House of Representatives, Ford House Office Building, Washington, DC.

DEAR CHAIRMAN THOMPSON: Thank you for your letter regarding H.R. 2693, the Oil Pollution Research and Development Program Reauthorization Act of 2010. Your support for this legislation and your assistance in ensuring its timely consideration are greatly appreciated.

I agree that provisions in the bill are within the jurisdiction of the Committee on Homeland Security. I acknowledge that by waiving rights to a referral of H.R. 2693, your Committee is not relinquishing its jurisdiction and I will fully support your request to be represented in a House-Senate conference on those provisions over which the Committee on Homeland Security has jurisdiction in H.R. 2693. A copy of our letters will be placed in the legislative report on H.R. 2693 and in the Congressional Record during consideration of the bill on the House floor.

I value your cooperation and look forward to working with you as we move ahead with this important legislation.

Sincerely,

BART GORDON,  
Chairman.

Mr. GORDON of Tennessee. Madam Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Tennessee (Mr. GORDON) that the House suspend the rules and pass the bill, H.R. 2693, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

□ 1230

SAFER OIL AND NATURAL GAS DRILLING TECHNOLOGY RESEARCH AND DEVELOPMENT ACT

Mr. GORDON of Tennessee. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 5716) to provide for enhancement of existing efforts in support of research, development, demonstration, and commercial application activities to advance technologies for the safe and environmentally responsible exploration, development, and production of oil and natural gas resources, as amended.

The Clerk read the title of the bill.