

his or her duly authorized representatives, shall have access, for purposes of audit and examination, to any books, documents, papers, and records of the Institute that are pertinent to the funds received and expended by the Institute.”

Subsec. (e). Pub. L. 106-554, §1(a)(4) [div. B, title I, §144(c)(1)(B)], inserted at end “The administrative funds of the Institute and the administrative funds of the North Pacific Research Board created under Public Law 105-83 may be used to jointly administer such programs at the discretion of the North Pacific Research Board.”

### SUBCHAPTER III—MISCELLANEOUS

#### § 2751. Savings provision

##### (a) Cross-references

A reference to a law replaced by this Act, including a reference in a regulation, order, or other law, is deemed to refer to the corresponding provision of this Act.

##### (b) Continuation of regulations

An order, rule, or regulation in effect under a law replaced by this Act continues in effect under the corresponding provision of this Act until repealed, amended, or superseded.

##### (c) Rule of construction

An inference of legislative construction shall not be drawn by reason of the caption or catch line of a provision enacted by this Act.

##### (d) Actions and rights

Nothing in this Act shall apply to any rights and duties that matured, penalties that were incurred, and proceedings that were begun before August 18, 1990, except as provided by this section, and shall be adjudicated pursuant to the law applicable on the date prior to August 18, 1990.

##### (e) Admiralty and maritime law

Except as otherwise provided in this Act, this Act does not affect—

(1) admiralty and maritime law; or

(2) the jurisdiction of the district courts of the United States with respect to civil actions under admiralty and maritime jurisdiction, saving to suitors in all cases all other remedies to which they are otherwise entitled.

(Pub. L. 101-380, title VI, § 6001, Aug. 18, 1990, 104 Stat. 554.)

#### Editorial Notes

##### REFERENCES IN TEXT

This Act, referred to in text, is Pub. L. 101-380, Aug. 18, 1990, 104 Stat. 484, known as the Oil Pollution Act of 1990, which is classified principally to this chapter. For complete classification of this Act to the Code, see Short Title note set out under section 2701 of this title and Tables.

#### § 2752. Annual appropriations

##### (a) Required

Except as provided in subsection (b), amounts in the Fund shall be available only as provided in annual appropriation Acts.

##### (b) Exceptions

###### (1) In general

Subsection (a) shall not apply to—

(A) section 2706(f), 2712(a)(4), or 2736 of this title; or

(B) an amount, which may not exceed \$50,000,000 in any fiscal year, made available by the President from the Fund—

(i) to carry out section 1321(c) of this title; and

(ii) to initiate the assessment of natural resources damages required under section 2706 of this title.

#### (2) Fund advances

##### (A) In general

To the extent that the amount described in subparagraph (B) of paragraph (1) is not adequate to carry out the activities described in such subparagraph, the Coast Guard may obtain 1 or more advances from the Fund as may be necessary, up to a maximum of \$100,000,000 for each advance, with the total amount of advances not to exceed the amounts available under section 9509(c)(2) of title 26.

##### (B) Notification to Congress

Not later than 30 days after the date on which the Coast Guard obtains an advance under subparagraph (A), the Coast Guard shall notify Congress of—

(i) the amount advanced; and

(ii) the facts and circumstances that necessitated the advance.

##### (C) Repayment

Amounts advanced under this paragraph shall be repaid to the Fund when, and to the extent that, removal costs are recovered by the Coast Guard from responsible parties for the discharge or substantial threat of discharge.

#### (3) Availability

Amounts to which this subsection applies shall remain available until expended.

(Pub. L. 101-380, title VI, § 6002, Aug. 18, 1990, 104 Stat. 555; Pub. L. 104-324, title XI, § 1102(c)(1), Oct. 19, 1996, 110 Stat. 3966; Pub. L. 107-295, title III, § 323, Nov. 25, 2002, 116 Stat. 2104; Pub. L. 111-191, § 1, June 15, 2010, 124 Stat. 1278; Pub. L. 111-212, title II, § 2001, July 29, 2010, 124 Stat. 2337; Pub. L. 117-263, div. K, title CXIII, § 11313, Dec. 23, 2022, 136 Stat. 4086.)

#### Editorial Notes

##### AMENDMENTS

2022—Subsec. (b). Pub. L. 117-263 added subsec. (b) and struck out former subsec. (b) which related to exceptions.

2010—Subsec. (b). Pub. L. 111-212, which directed amendment of second sentence by inserting “: (1)” before “may obtain an advance from the Fund” and substituting “advance; (2) in the case of discharge of oil that began in 2010 in connection with the explosion on, and sinking of, the mobile offshore drilling unit Deepwater Horizon, may, without further appropriation, obtain one or more advances from the Oil Spill Liability Trust Fund as needed, up to a maximum of \$100,000,000 for each advance, the total amount of all advances not to exceed the amounts available under section 9509(c)(2) of the Internal Revenue Code of 1986 (26 U.S.C. 9509(c)(2)), and within 7 days of each advance, shall notify Congress of the amount advanced and the facts and