

107TH CONGRESS
1ST SESSION

H. R. 1976

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

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

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.”.

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