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Legislative Bulletin.....June 10, 2010

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S. 3473—To amend the Oil Protection Act of 1990 to authorize advances from the Oil Spill Liability Trust Fund for the Deepwater Horizon oil spill

**S. 3473—To amend the Oil Pollution Act of 1990 to authorize advances from Oil Spill Liability Trust Fund for the Deepwater Horizon oil spill
 (Senator Reid, D-NV)**

Order of Business: The bill is scheduled to be considered Thursday, June 10, 2010, under a motion to suspend the rules and pass the bill.

Summary: The legislation authorizes advances (without further appropriation) to the Coast Guard (for purposes of dealing with the oil spill in the Gulf) from the Oil Spill Liability Trust Fund of up to \$100 million for each advance (the Coast Guard would be authorized to use this authority more than once). Within seven days of making use of the authority under this bill, the Coast Guard would have to notify Congress.

Additional Background: [CRS](#) summarizes the mechanics of the Oil Spill Liability Trust Fund as follows:

Although the Oil Spill Liability Trust Fund is not the focus of this report, the purpose and operation of the Fund should be briefly explained. The Oil Spill Liability Trust Fund is a federally administered trust fund that may be used to pay costs related to federal and state oil spill removal activities; costs incurred by federal, state, and Indian tribe trustees for natural resource damage assessments; and unpaid damages claims.⁶⁸ The Fund is financed by a per-barrel tax on crude oil received at United States refineries, and on petroleum products imported into the United States for consumption.⁶⁹ The maximum amount of money that may be withdrawn from the Fund is \$1 billion per incident.⁷⁰ Currently, the Fund may not receive advances from the United States Treasury, as its authority to borrow expired December 31, 1994.⁷¹ The United States Attorney General, however, may commence an action on behalf of the Fund, against a responsible party, to recover any money paid by the Fund to any claimant pursuant to OPA.

Cost to Taxpayers: No CBO score is available for the legislation.

Committee Action: The legislation was introduced on June 9, 2010 and passed the Senate by unanimous consent on the same day.

Does the Bill Expand the Size and Scope of the Federal Government?: No.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: No CBO score listing any potential mandates is available.

Does the Bill Comply with House Rules Regarding Earmarks/Limited Tax Benefits/Limited Tariff Benefits?: A committee report citing compliance with the rules regarding earmarks, limited tax benefits, or limited tariff benefits is not available.

Constitutional Authority: A committee report citing constitutional authority is unavailable.

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