

work out some agreement as to the responsibilities, as I see it, in a port safety question.

Mr. SULLIVAN. Mr. Chairman, may I ask your permission, would it be possible for you to supply the committee with a brief of some language about an additional amendment to this bill along the lines we have been discussing?

Admiral TRIMBLE. We will be glad to attempt to do that. This is a very complicated subject, and I am not prepared today to offer any language; but we certainly will study it and will be glad to work with your staff.

Mr. SULLIVAN. Thank you, Mr. Chairman.

DRAFT LANGUAGE FOR H.R. 15906 AND S. 2760 REGARDING OIL CLEANUP
AUTHORITY

Sec. 20(i) (1) The owner or operator of a vessel or shore installation from which oil is discharged into the navigable waters of the United States or the Contiguous Zone shall notify the Secretary of the department in which the Coast Guard is operating and shall immediately remove the discharged oil from any waters and shorelines where it may be found, act to minimize and mitigate damage, prevent additional or continuing oil discharge, and preclude other adverse effects as become apparent, in accordance with regulations prescribed under this section and as directed by competent authority. If a discharge of oil is the result of a collision between vessels the owner or operator of each vessel involved shall comply with the foregoing. If an owner or operator fails to act or if the source of an oil discharge is not determinable, the Secretary of the department in which the Coast Guard is operating may remove or arrange for removal of the oil and the owner or operator and, as appropriate, the vessel or shore installation responsible for the discharge, except that resulting from an Act of God, shall be liable, notwithstanding any other provision of law, to the United States, in addition to any penalties prescribed in this section, for the costs to the United States of any Federal action taken pursuant to this subsection. Clearance of a vessel liable for such costs from the United States may be withheld until the costs are paid or until a satisfactory bond or other surety is posted.

(2) In carrying out the provisions of this subsection and whenever as a result of marine disaster there is created a substantial threat or menace to the public welfare because of potential discharge of large quantities of oil, the Secretary of the department in which the Coast Guard is operating may:

- (i) perform any and all acts necessary to remove the oil or eliminate the threat or menace;
- (ii) utilize by agreement with or without reimbursement personnel and facilities of other Federal agencies;
- (iii) coordinate and direct all public and private effort directed at oil removal or elimination of the threat or menace;
- (iv) under emergency summarily destroy or remove wrecks, debris, and other matter which he determines substantially contributes to continuing oil discharge or the threat or menace by whatever means are available to him, or made available to him, without regard to the laws governing employment of personnel or the expenditure of appropriated funds.

(3) In carrying out the provisions of this subsection and to prevent detrimental ecological impact or other significant deleterious effect on public health and welfare, no person, including any Federal agency, engaged in any oil removal or related effort shall use or direct the use of any chemical, compound, or substance upon or in the navigable waters of the United States or in the Contiguous Zone, which has been prohibited by the Secretary by regulation, or otherwise.

Additionally, in line 23, page 9, delete "Secretary" and substitute therefore "United States."

Mr. McEWEN. Admiral Trimble, I would say, sir, that we have had incidents of oil spillages in the St. Lawrence Seaway. I think all of us in that area, including this Congressman, know where the U.S. Coast Guard is. They know that the cutter is stationed nearby, and I know you are the ones we would call in a situation like that.