

TITLE 33 - NAVIGATION AND NAVIGABLE WATERS
CHAPTER 40 - OIL POLLUTION
SUBCHAPTER II - PRINCE WILLIAM SOUND PROVISIONS

§ 2736. Funding

(a) Sections 2731, 2733, and 2734

Amounts in the Fund shall be available, without further appropriations and without fiscal year limitation, to carry out section 2731 of this title in the amount as determined in subsection (b) of this section, and to carry out sections 2733 and 2734 of this title, in an amount not to exceed \$5,000,000.

(b) Use of interest only

The amount of funding to be made available annually to carry out section 2731 of this title shall be the interest produced by the Fund's investment of the \$22,500,000 remaining funding authorized for the Prince William Sound Oil Spill Recovery Institute and currently deposited in the Fund and invested by the Secretary of the Treasury in income producing securities along with other funds comprising the Fund. The National Pollution Funds Center shall transfer all such accrued interest, including the interest earned from the date funds in the Trans-Alaska Liability Pipeline Fund were transferred into the Oil Spill Liability Trust Fund pursuant to section 8102 (a)(2)(B)(ii), to the Prince William Sound Oil Spill Recovery Institute annually, beginning 60 days after October 19, 1996.

(c) Use for section 2712

Beginning 1 year after the date on which the Secretary, in consultation with the Secretary of the Interior, determines that oil and gas exploration, development, and production in the State of Alaska have ceased, the funding authorized for the Prince William Sound Oil Spill Recovery Institute and deposited in the Fund shall thereafter be made available for purposes of section 2712 of this title in Alaska.

(d) Section 2738

Amounts in the Fund shall be available, without further appropriation and without fiscal year limitation, to carry out section 2738 (b) of this title, in an annual amount not to exceed \$5,000,000 of which up to \$3,000,000 may be used for the lease payment to the Alaska SeaLife Center under section 2738 (b)(2) of this title: Provided, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended [2 U.S.C. 901 (b)(2)(A)]: Provided further, That the entire amount shall be available only to the extent an official budget request that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.

(Pub. L. 101–380, title V, § 5006, Aug. 18, 1990, 104 Stat. 554; Pub. L. 104–324, title XI, § 1102(b), Oct. 19, 1996, 110 Stat. 3965; Pub. L. 106–246, div. B, title II, § 2204(2), July 13, 2000, 114 Stat. 547; Pub. L. 106–554, § 1(a)(4) [div. B, title I, § 144(c)(1)(C)], Dec. 21, 2000, 114 Stat. 2763, 2763A–239; Pub. L. 108–293, title VII, § 704, Aug. 9, 2004, 118 Stat. 1075; Pub. L. 109–58, title III, § 389(2), Aug. 8, 2005, 119 Stat. 747; Pub. L. 109–59, title IV, § 4413, Aug. 10, 2005, 119 Stat. 1779; Pub. L. 109–241, title IX, § 901(j), July 11, 2006, 120 Stat. 564.)

References in Text

Section 8102 (a)(2)(B)(ii), referred to in subsec. (b), is section 8102(a)(2)(B)(ii) of Pub. L. 101–380, title VIII, Aug. 18, 1990, 104 Stat. 565, which is set out as a note under section 1653 of Title 43, Public Lands.

The Balanced Budget and Emergency Deficit Control Act of 1985, referred to in subsec. (d), is title II of Pub. L. 99–177, Dec. 12, 1985, 99 Stat. 1038, as amended, which enacted chapter 20 (§ 900 et seq.) and sections 654 to 656 of Title 2, The Congress, amended sections 602, 622, 631 to 642, and 651 to 653 of Title 2, sections 1104 to 1106, and 1109 of Title 31, Money and Finance, and section 911 of Title 42, The Public Health and Welfare, repealed section 661 of Title 2, enacted provisions set out as notes under section 900 of Title 2 and section 911 of Title 42, and amended

NB: This unofficial compilation of the U.S. Code is current as of Jan. 5, 2009 (see <http://www.law.cornell.edu/uscode/uscsprint.html>).

provisions set out as a note under section 621 of Title 2. For complete classification of this Act to the Code, see Short Title note set out under section 900 of Title 2 and Tables.

Amendments

2006—Subsec. (c). Pub. L. 109–241, which directed the insertion of a comma after “October 1, 2012”, could not be executed because “October 1, 2012” did not appear subsequent to amendment by Pub. L. 109–58. See 2005 Amendment note below.

2005—Subsec. (c). Pub. L. 109–58 substituted “1 year after the date on which the Secretary, in consultation with the Secretary of the Interior, determines that oil and gas exploration, development, and production in the State of Alaska have ceased,” for “October 1, 2012”.

Subsec. (d). Pub. L. 109–59, which directed insertion of “annual” before “amount”, was executed by making the insertion before “amount not to exceed”, to reflect the probable intent of Congress.

2004—Subsecs. (c), (d). Pub. L. 108–293 in subsec. (c) relating to section 2712, substituted “October 1, 2012” for “with the eleventh year following October 19, 1996,” and redesignated subsec. (c) relating to section 2738 as (d).

2000—Subsec. (c). Pub. L. 106–554 inserted “of which up to \$3,000,000 may be used for the lease payment to the Alaska SeaLife Center under section 2738 (b)(2) of this title” after “\$5,000,000” in subsec. (c) relating to section 2738.

Pub. L. 106–246 added subsec. (c) relating to section 2738.

1996—Subsec. (a). Pub. L. 104–324, § 1102(b)(1)–(3), redesignated subsec. (b) as (a), substituted “2731, 2733,” for “2733” in heading, inserted “to carry out section 2731 of this title in the amount as determined in subsection (b) of this section, and” after “limitation,”, and struck out heading and text of former subsec. (a). Text read as follows: “Amounts in the Fund shall be available, subject to appropriations, and shall remain available until expended, to carry out section 2731 of this title as follows:

“(1) \$5,000,000 shall be available for the first fiscal year beginning after August 18, 1990.

“(2) \$2,000,000 shall be available for each of the 9 fiscal years following the fiscal year described in paragraph (1).”

Subsecs. (b), (c). Pub. L. 104–324, § 1102(b)(4), added subsecs. (b) and (c). Former subsec. (b) redesignated (a).