

114TH CONGRESS
2D SESSION

H. R. 1684

IN THE SENATE OF THE UNITED STATES

APRIL 27, 2016

Received; read twice and referred to the Committee on Environment and
Public Works

AN ACT

To amend the Oil Pollution Act of 1990 and the Federal Water Pollution Control Act to impose penalties and provide for the recovery of removal costs and damages in connection with certain discharges of oil from foreign offshore units, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Foreign Spill Protec-
3 tion Act of 2016”.

4 **SEC. 2. LIABILITY OF OWNERS AND OPERATORS OF FOR-**
5 **EIGN FACILITIES.**

6 (a) OIL POLLUTION CONTROL ACT AMENDMENTS.—
7 Section 1001 of the Oil Pollution Act of 1990 (33 U.S.C.
8 2701) is amended—

9 (1) in paragraph (26)(A)—

10 (A) in clause (ii), by striking “onshore or
11 offshore facility, any person” and inserting “on-
12 shore facility, offshore facility, or foreign off-
13 shore unit or other facility located seaward of
14 the exclusive economic zone, any person or enti-
15 ty”; and

16 (B) in clause (iii), by striking “offshore fa-
17 cility, the person who” and inserting “offshore
18 facility or foreign offshore unit or other facility
19 located seaward of the exclusive economic zone,
20 the person or entity that”; and

21 (2) in paragraph (32)—

22 (A) by redesignating subparagraphs (D)
23 through (F) as subparagraphs (E) through (G),
24 respectively;

25 (B) by inserting after subparagraph (C)
26 the following:

1 “(D) FOREIGN FACILITIES.—In the case of
2 a foreign offshore unit or other facility located
3 seaward of the exclusive economic zone, any
4 person or other entity owning or operating the
5 facility, and any leaseholder, permit holder, as-
6 signee, or holder of a right of use and easement
7 granted under applicable foreign law for the
8 area in which the facility is located.”; and

9 (C) in subparagraph (G), as so redesign-
10 nated, by striking “or offshore facility, the per-
11 sons who” and inserting “, offshore facility, or
12 foreign offshore unit or other facility located
13 seaward of the exclusive economic zone, the per-
14 sons or entities that”.

15 (b) FEDERAL WATER POLLUTION CONTROL ACT
16 AMENDMENTS.—Section 311(a) of the Federal Water Pol-
17 lution Control Act (33 U.S.C. 1321(a)(11)) is amended—

18 (1) by striking “and any facility” and inserting
19 “any facility”; and

20 (2) by inserting “, and, for the purposes of ap-
21 plying subsections (b), (c), (e), and (o), any foreign
22 offshore unit (as defined in section 1001 of the Oil
23 Pollution Act) or any other facility located seaward

1 of the exclusive economic zone” after “public ves-
2 sel”.

Passed the House of Representatives April 26, 2016.

Attest:

KAREN L. HAAS,
Clerk.