

115TH CONGRESS
1ST SESSION

H. R. 468

To amend the Oil Pollution Act of 1990 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.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 12, 2017

Mr. CURBELO of Florida (for himself, Mr. SOTO, Ms. PINGREE, Mr. LOWENTHAL, Mr. YOUNG of Alaska, Mr. HASTINGS, Ms. NORTON, Ms. WASSERMAN SCHULTZ, Mr. GAETZ, Mr. PAYNE, Mr. KATKO, Ms. ROSELEHTINEN, Mr. BLUMENAUER, and Mr. DIAZ-BALART) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

A BILL

To amend the Oil Pollution Act of 1990 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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Foreign Spill Protec-
5 tion Act of 2017”.

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

3 (a) OIL POLLUTION ACT OF 1990 AMENDMENTS.—

4 (1) DEFINITIONS.—Section 1001 of the Oil
5 Pollution Act of 1990 (33 U.S.C. 2701) is amend-
6 ed—

7 (A) in paragraph (26)(A)—

8 (i) in clause (ii), by striking “onshore
9 or offshore facility, any person” and in-
10 serting “onshore facility, offshore facility,
11 or foreign offshore unit or other facility lo-
12 cated seaward of the exclusive economic
13 zone, including a facility located in, on, or
14 under any land within a foreign country,
15 any person”; and

16 (ii) in clause (iii), by striking “off-
17 shore facility, the person who” and insert-
18 ing “offshore facility or foreign offshore
19 unit or other facility located seaward of the
20 exclusive economic zone, including a facil-
21 ity located in, on, or under any land within
22 a foreign country, the person or entity
23 that”;

24 (B) in paragraph (27), by inserting before
25 the semicolon at the end the following: “, in-

cluding any foreign individual and any foreign public or private entity”; and

(C) in paragraph (32)—

(i) by redesignating subparagraphs (D) through (F) as subparagraphs (E) through (G), respectively;

(ii) by inserting after subparagraph (C) the following:

“(D) FOREIGN FACILITIES.—In the case of a foreign offshore unit or other facility located seaward of the exclusive economic zone, including a facility located in, on, or under any land within a foreign country, any person owning or operating the facility, and any leaseholder, permit holder, assignee, or holder of a right of use and easement granted under applicable foreign law for the area in which the facility is located.”; and

(iii) in subparagraph (G) (as so redesignated), by striking “or offshore facility, the persons” and inserting “offshore facility, or foreign offshore unit or other facility located seaward of the exclusive economic zone, including a facility located in,

1 on, or under any land within a foreign
2 country, the persons or entities”.

3 (2) ACTIONS ON BEHALF OF FUND.—Section
4 1015(c) of the Oil Pollution Act of 1990 (33 U.S.C.
5 2715(c)) is amended, in the third sentence, by add-
6 ing before the period at the end the following: “, or
7 any other facility located seaward of the exclusive
8 economic zone, including a facility located in, on, or
9 under any land within a foreign country”.

10 (b) FEDERAL WATER POLLUTION CONTROL ACT
11 AMENDMENT.—Section 311(a)(6) of the Federal Water
12 Pollution Control Act (33 U.S.C. 1321(a)(6)) is amended
13 by striking “(B)” and all that follows through “and (C)”
14 and inserting the following “(B) in the case of a facility,
15 any person owning or operating the facility, and (C)”.

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