

112TH CONGRESS
1ST SESSION

H. R. 1393

To reform the Bureau of Ocean Energy Management, Regulation and Enforcement and offshore drilling for oil and gas, to repeal the limitation of liability of a responsible party for discharge of oil from an offshore facility, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 6, 2011

Mr. BUCHANAN introduced the following bill; which was referred to the Committee on Natural Resources, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To reform the Bureau of Ocean Energy Management, Regulation and Enforcement and offshore drilling for oil and gas, to repeal the limitation of liability of a responsible party for discharge of oil from an offshore facility, 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 “Oil Spill Prevention
5 Act of 2011”.

1 **SEC. 2. REFORM OF BUREAU OF OCEAN ENERGY MANAGE-**
2 **MENT, REGULATION AND ENFORCEMENT.**

3 (a) DRUG TESTING.—The Secretary of the Interior
4 shall issue regulations that require each employee of the
5 Bureau of Ocean Energy Management, Regulation and
6 Enforcement to be subjected to random testing for the use
7 of a controlled substance in violation of law or a United
8 States Government regulation not less than 2 times each
9 year.

10 (b) EMPLOYMENT RESTRICTION.—During the 2-year
11 period beginning on the date of departure of an individual
12 from employment by the Bureau of Ocean Energy Man-
13 agement, Regulation and Enforcement, the individual may
14 not be employed by any person conducting any activity
15 under a lease or permit issued by the Bureau of Ocean
16 Energy Management, Regulation and Enforcement or sub-
17 ject to regulation by the Bureau of Ocean Energy Manage-
18 ment, Regulation and Enforcement.

19 **SEC. 3. OVERSIGHT OF PERMITTING AND INSPECTIONS.**

20 (a) MONTHLY INSPECTION REQUIREMENTS.—

21 (1) IN GENERAL.—The Secretary of the Inte-
22 rior, acting through the Bureau of Ocean Energy
23 Management, Regulation and Enforcement, shall in-
24 spect each month each vessel and facility used for
25 drilling for oil and gas on the outer Continental
26 Shelf.

1 (2) RESCHEDULING OF MISSED INSPECTION.—

2 If for any reason the Secretary does not conduct a
3 monthly inspection under this subsection, the Sec-
4 retary shall conduct the inspection within 14 days
5 after the date on which it was scheduled to be con-
6 ducted.

7 (b) PROHIBITION ON CATEGORICAL EXEMPTIONS.—

8 The Secretary of the Interior may not exempt any cat-
9 egory of activity by a vessel or facility engaged in drilling
10 for oil or gas on the outer Continental Shelf in waters
11 deeper than 1,000 feet from any requirement or restriction
12 that applies with respect to that activity under Federal
13 law.

14 **SEC. 4. REPEAL OF LIMITATION OF LIABILITY OF RESPON-**
15 **SIBLE PARTY FOR DISCHARGE OF OIL FROM**
16 **AN OFFSHORE FACILITY.**

17 (a) REPEAL.—Section 1004(a) of the Oil Pollution
18 Act of 1990 (33 U.S.C. 2704(a)) is amended by—

19 (1) inserting “and” after the semicolon at the
20 end of paragraph (2);

21 (2) striking paragraph (3); and

22 (3) redesignating paragraph (4) as paragraph
23 (3).

1 (b) **EFFECTIVE DATE.**—The amendments made by
2 subsection (a) take effect on April 15, 2010.

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