

AMENDMENT**OFFERED BY MS. JACKSON LEE OF TEXAS**

At the end of title VIII, add the following:

1 **SEC. 811. LIABILITY UNDER OIL POLLUTION ACT OF 1990.**

2 (a) INCREASE IN LIABILITY LIMITATIONS UNDER
3 OIL POLLUTION ACT OF 1990.—Section 1004(a) of the
4 Oil Pollution Act of 1990 (33 U.S.C. 2704(a)) is amend-
5 ed—

6 (1) in paragraph (1)(A) by striking “\$3,000”
7 and inserting “\$6,000”;

8 (2) in paragraph (1)(B) by striking “\$1,900”
9 and inserting “\$3,800”;

10 (3) in paragraph (1)(C)(i)(I) by striking
11 “\$22,000,000” and inserting “\$44,000,000”;

12 (4) in paragraph (1)(C)(i)(II) by striking
13 “\$16,000,000” and inserting “\$32,000,000”;

14 (5) in paragraph (1)(C)(ii)(I) by striking
15 “\$6,000,000” and inserting “\$12,000,000”;

16 (6) in paragraph (1)(C)(ii)(II) by striking
17 “\$4,000,000” and inserting “\$8,000,000”;

18 (7) in paragraph (2) by striking “\$800,000”
19 and inserting “\$1,600,000”;

1 (8) in paragraph (3) by striking “\$75,000,000”
2 and inserting “\$300,000,000”; and

3 (9) in paragraph (4) by striking “\$75,000,000”
4 and inserting “\$150,000,000”.

5 (b) TIERED LIABILITY.—Section 1004 of the Oil Pol-
6 lution Act of 1990 (33 U.S.C. 2704) is amended by adding
7 at the end the following:

8 “(e) EXCESS LIABILITY.—

9 “(1) IN GENERAL.—The President shall pay to
10 any person to whom a responsible party is liable
11 under this Act the amount of any such liability that
12 is not recoverable from the responsible party because
13 of the application of the limitations under subsection
14 (a).

15 “(2) PAYMENT FROM TRUST FUND.—The
16 President shall pay the amount referred to in para-
17 graph (1)—

18 “(A) first from the Trust Fund, except
19 that the amount paid under this subparagraph
20 shall not exceed \$10,300,000,000 for any inci-
21 dent; and

22 “(B) after payment under subparagraph
23 (A), from amounts received by the United
24 States as a levy under paragraph (3).

1 “(3) IMPOSITION OF LEVY.—The President may
2 establish, assess, and collect from persons in the oil
3 industry a levy to recover the amount of liability to
4 be paid under paragraph (2)(B) for an incident.”.

5 (c) This section will not be retroactive.

6 **SEC. 812. AMENDMENTS RELATING TO OIL SPILL LIABILITY**

7 **TRUST FUND.**

8 (a) INCREASE IN SIZE OF THE OIL SPILL LIABILITY
9 TRUST FUND.—Paragraph (1) of section 4611(f) of the
10 Internal Revenue Code of 1986 is amended by striking
11 “\$2,000,000,000” and inserting “\$10,000,000,000”.

12 (b) INCREASE IN PER-INCIDENT CLEANUP CAP.—
13 Subparagraph (A) of section 9509(c)(2) of such Code is
14 amended—

15 (1) by striking “\$1,000,000,000” both places it
16 appears in the heading and text and inserting
17 “\$10,000,000,000”, and

18 (2) in clause (ii) by striking “\$500,000,000”
19 and inserting “\$5,000,000,000”.

20 (c) INCREASE IN TAX.—Subparagraph (B) of section
21 4611(c)(2) of such Code is amended—

22 (1) in clause (i) by striking “8 cents” and in-
23 serting “30 cents”, and

24 (2) in clause (ii) by striking “9 cents” and in-
25 serting “40 cents”.

1 (d) REPEAL OF SUNSET OF OIL SPILL LIABILITY
2 TRUST FUND FINANCING RATE.—Section 4611(f) of such
3 Code is amended—

4 (1) by striking paragraph (2), and

5 (2) by striking “(1) IN GENERAL.—Except”
6 and inserting “Except”.

7 (e) UPDATE EXPENDITURES FROM TRUST FUND.—

8 Subsection (f) of section 9509 of such Code is amended
9 by striking “the date of the enactment of this subsection”
10 and inserting “the date of the enactment of the Omnibus
11 Right to Equitable Means of Ensuring Damages for Inju-
12 ries are Efficiently Secured Act of 2010”.

13 (f) EFFECTIVE DATE.—The amendments made by
14 this section shall take effect on the date of the enactment
15 of this Act, and these amendments will not be retroactive.

