

**MOTION TO RECOMMIT H.R. 1613**  
**AVOIDING ANOTHER BP DISASTER**

\_\_\_\_\_ moves to recommit the bill H.R. 1613 to the Committee on Natural Resources with instructions to report the same back to the House forthwith with the following amendment:

Add at the end the following:

1     **TITLE \_\_\_\_\_—MISCELLANEOUS**  
2                                   **PROVISIONS**

3     **SEC. \_\_01. AVOIDING ANOTHER BP DISASTER.**

4         (a) **SAFETY REQUIREMENTS.**—In implementing a  
5 transboundary agreement implemented or approved under  
6 this Act, the Secretary of the Interior shall require that  
7 drilling operations conducted pursuant to such an agree-  
8 ment meet requirements for—

9             (1) third-party certification of safety systems  
10         related to well control, such as blowout preventers;

11            (2) performance of blowout preventers, includ-  
12         ing quantitative risk assessment standards, subsea  
13         testing, and secondary activation methods;

14            (3) independent third-party certification of well  
15         casing and cementing programs and procedures;

1           (4) mandatory safety and environmental man-  
2           agement systems by operators on the outer Conti-  
3           nental Shelf;

4           (5) procedures and technologies to be used dur-  
5           ing drilling operations to minimize the risk of igni-  
6           tion and explosion of hydrocarbons; and

7           (6) procedures and technologies to protect the  
8           health and safety of workers.

9           (b) INCREASED LIABILITY FOR SPILL CLEAN-UP.—  
10          As a condition of any lease issued pursuant to any such  
11          agreement, the Secretary may require increased liability  
12          for any damages related to an oil spill occurring as a result  
13          of activities under such a lease, for activities in water  
14          depths of 1000 feet or deeper.

15          (c) CIVIL PENALTIES TO ENSURE POLLUTERS  
16          PAY.—

17                 (1) IN GENERAL.—

18                         (A) PENALTY.—Except as provided in sub-  
19                         paragraph (B), any person who fails to comply  
20                         with any provision of law with respect to any  
21                         action under any term of such a lease or a li-  
22                         cense or permit issued under such a lease, or  
23                         any regulation or order issued under this Act,  
24                         shall be liable for a civil administrative penalty

1 of not more than \$80,000 for each day of the  
2 continuance of such failure

3 (B) THREAT OF HARM OR DAMAGE.—If a  
4 failure described in subparagraph (A) con-  
5 stitutes or constituted a threat of harm or dam-  
6 age to life, property, or the marine, coastal, or  
7 human environment, a civil penalty of not more  
8 than \$150,000 shall be assessed for each day of  
9 the continuance of the failure.

10 (C) ASSESSMENT AND COLLECTION.—The  
11 Secretary of the Interior may assess and collect  
12 any such penalty.

13 (D) INCREASE IN MAXIMUM AMOUNT.—  
14 The Secretary of the Interior may increase the  
15 maximum amount of any penalty established  
16 pursuant to this subsection.

17 (2) REVIEW OF MAXIMUM PENALTIES.—

18 (A) IN GENERAL.—Notwithstanding any  
19 other provision of this section, the Secretary of  
20 the Interior shall review the maximum amount  
21 of each penalty established pursuant to this  
22 subsection, including any amount increased  
23 under paragraph (1)(D), every 5 years and de-  
24 termine if such maximum amount is appro-  
25 priate.

1                   (B) NOTICE OF INCREASES.—The Sec-  
2                   retary shall submit to Congress notice of the  
3                   reasons for each increase by not later than 60  
4                   days after the increase takes effect.

