

**AMENDMENT TO H.R. 2231**

**OFFERED BY** Mr. Grijalva

Add at the end the following:

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

3     **SEC. \_\_01. SAFETY.**

4         (a) CIVIL PENALTIES.—

5             (1) IN GENERAL.—

6                     (A) PENALTY.—Except as provided in sub-  
7             paragraph (B), any person who fails to comply  
8             with any provision of law with respect to any  
9             action under any term of a lease, license, or  
10            permit issued pursuant to this Act or pursuant  
11            to any oil and gas leasing program issued under  
12            this Act, or any regulation or order issued  
13            under this Act or under such a program, shall  
14            be liable for a civil administrative penalty of not  
15            more than \$80,000 for each day of the continu-  
16            ance of such failure

17                    (B) THREAT OF HARM OR DAMAGE.—If a  
18             failure described in subparagraph (A) con-  
19             stitutes or constituted a threat of harm or dam-  
20             age to life, property, or the marine, coastal, or

1 human environment, a civil penalty of not more  
2 than \$150,000 shall be assessed for each day of  
3 the continuance of the failure.

4 (C) ASSESSMENT, COLLECTION, AND COM-  
5 PROMISE.—The Secretary of the Interior may  
6 assess, collect, and compromise any such pen-  
7 alty.

8 (D) INCREASE IN MAXIMUM AMOUNT.—  
9 The Secretary of the Interior may increase the  
10 maximum amount of any penalty established  
11 pursuant to this subsection.

12 (2) REVIEW OF MAXIMUM PENALTIES.—

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

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

1           (b) SAFETY REQUIREMENTS.—The Secretary of the  
2 Interior shall require that drilling operations conducted  
3 under each lease issued under this Act or under any oil  
4 and gas leasing program issued under this Act meet re-  
5 quirements for—

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

8           (2) performance of blowout preventers, includ-  
9 ing quantitative risk assessment standards, subsea  
10 testing, and secondary activation methods;

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

13           (4) mandatory safety and environmental man-  
14 agement systems by operators on the outer Conti-  
15 nental Shelf; and

16           (5) procedures and technologies to be used dur-  
17 ing drilling operations to minimize the risk of igni-  
18 tion and explosion of hydrocarbons.

19           (c) UNLIMITED LIABILITY.—There shall be unlimited  
20 liability for any damages related to an oil spill occurring  
21 as a result of activities under a lease issued under this  
22 Act or under an oil and gas leasing program issued under  
23 this Act.

