

111<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 5572

To reform the Minerals Management Service 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.

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## IN THE HOUSE OF REPRESENTATIVES

JUNE 22, 2010

Mr. BUCHANAN (for himself and Mr. CRENSHAW) 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

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## A BILL

To reform the Minerals Management Service 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 2010”.

1 **SEC. 2. REFORM OF MINERALS MANAGEMENT SERVICE.**

2 (a) COMPONENTS.—Notwithstanding Secretarial  
3 Order No. 3299, issued by the Secretary of the Interior  
4 on May 19, 2010, there shall be in the Department of  
5 the Interior the Minerals Management Service, which shall  
6 have—

7 (1) an Office of Leasing and Permitting, which  
8 shall perform such functions relating to leasing of  
9 areas of the outer Continental Shelf and the  
10 issuance of permits for activities under such leases,  
11 as were vested in the Minerals Management Service  
12 (or the Director thereof) on May 19, 2010;

13 (2) an Office of Inspection, which shall perform  
14 such functions relating to inspection of vessels and  
15 facilities used for such activities as were vested in  
16 the Minerals Management Service (or the Director  
17 thereof) on that date; and

18 (3) an Office of Revenue, which shall perform  
19 such functions relating to the collection of revenue  
20 from leases of the outer Continental Shelf as were  
21 vested in the Minerals Management Service (or the  
22 Director thereof) on that date.

23 (b) DRUG TESTING.—The Secretary of the Interior  
24 shall issue regulations that require each employee of the  
25 Minerals Management Service to be subjected to random  
26 testing for the use of a controlled substance in violation

1 of law or a United States Government regulation not less  
2 than 2 times each year.

3 (c) EMPLOYMENT RESTRICTION.—During the 2-year  
4 period beginning on the date of departure of an individual  
5 from employment by the Minerals Management Service,  
6 the individual may not be employed by any person con-  
7 ducting any activity under a lease or permit issued by the  
8 Minerals Management Service or subject to regulation by  
9 the Minerals Management Service.

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

11 (a) MONTHLY INSPECTION REQUIREMENTS.—

12 (1) IN GENERAL.—The Secretary of the Inte-  
13 rior, acting through the Minerals Management Serv-  
14 ice, shall inspect each month each vessel and facility  
15 used for drilling for oil and gas on the outer Conti-  
16 nental Shelf.

17 (2) RESCHEDULING OF MISSED INSPECTION.—

18 If for any reason the Secretary does not conduct a  
19 monthly inspection under this subsection, the Sec-  
20 retary shall conduct the inspection within 14 days  
21 after the date on which it was scheduled to be con-  
22 ducted.

23 (b) PROHIBITION ON CATEGORICAL EXEMPTIONS.—

24 The Secretary of the Interior may not exempt any cat-  
25 egory of activity by a vessel or facility engaged in drilling

1 for oil or gas on the outer Continental Shelf in waters  
2 deeper than 1,000 feet from any requirement or restriction  
3 that applies with respect to that activity under Federal  
4 law.

5 **SEC. 4. REPEAL OF LIMITATION OF LIABILITY OF RESPON-**  
6 **SIBLE PARTY FOR DISCHARGE OF OIL FROM**  
7 **AN OFFSHORE FACILITY.**

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

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

12 (2) striking paragraph (3); and

13 (3) redesignating paragraph (4) as paragraph  
14 (3).

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

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