AMENDMENT TO RULES COMMITTEE PRINT 115–23

OFFERED BY MR. HUNTER OF CALIFORNIA

At the end of title XXXV add the following:

SEC. ___ . FOREIGN SPILL PROTECTION.

(a) Short Title.—This section may be cited as the “Foreign Spill Protection Act of 2017”.

(b) Liability of Owners and Operators of Foreign Facilities.—

(1) Oil Pollution Control Act Amendments.—

(A) Definitions.—Section 1001 of the Oil Pollution Act of 1990 (33 U.S.C. 2701) is amended—

(i) in paragraph (26)(A) —

(I) in clause (ii), by striking “onshore or offshore facility, any person” and inserting “onshore facility, offshore facility, or foreign offshore unit or other facility located seaward of the exclusive economic zone, any person or entity”; and
(II) in clause (iii), by striking “offshore facility, the person who” and inserting “offshore facility or foreign offshore unit or other facility located seaward of the exclusive economic zone, the person or entity that”; and

(ii) in paragraph (32)—

(I) by redesignating subparagraphs (D) through (F) as subparagraphs (E) through (G), respectively;

(II) by inserting after subparagraph (C) the following:

“(D) FOREIGN FACILITIES.—In the case of a foreign offshore unit or other facility located seaward of the exclusive economic zone, any person or other entity owning or operating the facility, and any leaseholder, permit holder, assignee, or holder of a right of use and easement granted under applicable foreign law for the area in which the facility is located.”; and

(III) in subparagraph (G), as so redesignated, by striking “or offshore facility, the persons who” and inserting “, offshore facility, or foreign off-
shore unit or other facility located seaward of the exclusive economic zone, the persons or entities that”.

(B) Actions on behalf of fund.—Section 1015(c) of the Oil Pollution Act of 1990 (33 U.S.C. 2715(c)) is amended, in the third sentence, by adding before the period at the end the following: “or other facility located seaward of the exclusive economic zone”.

(2) Federal water pollution control act amendments.—Section 311(a)(11) of the Federal Water Pollution Control Act (33 U.S.C. 1321(a)(11)) is amended—

(A) by striking “and any facility” and inserting “any facility”; and

(B) by inserting “, and, for the purposes of applying subsections (b), (c), (e), and (o), any foreign offshore unit (as defined in section 1001 of the Oil Pollution Act) or any other facility located seaward of the exclusive economic zone” after “public vessel”.

(c) Continuation pay.—For providing continuation pay under section 356 of title 37, United States Code, there is appropriated, out of any money in the Treasury not otherwise appropriated, to the “Retired Pay” account
under the heading “Department of Homeland Security–Coast Guard” in the applicable appropriations Acts for the Department of Homeland Security—

(1) $3,286,277 for fiscal year 2018; and

(2) $3,713,232 for fiscal year 2019.