

106TH CONGRESS
2^D SESSION

H. R. 5100

To clarify that certain penalties provided for in the Oil Pollution Act of 1990 are the exclusive criminal penalties for any action or activity that may arise or occur in connection with certain discharges of oil or a hazardous substance.

IN THE HOUSE OF REPRESENTATIVES

JULY 27, 2000

Mr. VITTER (for himself, Mr. COBLE, and Mr. CLEMENT) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure, and in addition to the Committee on the Judiciary, 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

A BILL

To clarify that certain penalties provided for in the Oil Pollution Act of 1990 are the exclusive criminal penalties for any action or activity that may arise or occur in connection with certain discharges of oil or a hazardous substance.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. AFFIRMATION OF PENALTIES UNDER OIL POL-**
2 **LUTION ACT OF 1990.**

3 (a) **IN GENERAL.**—Notwithstanding any other provi-
4 sion or rule of law, sections 4301(c) and 4302 of the Oil
5 Pollution Act of 1990 (Public Law 101–380; 104 Stat.
6 537) and the amendments made by those sections provide
7 the exclusive criminal penalties for any action or activity
8 that may arise or occur in connection with a discharge
9 of oil or a hazardous substance referred to in section
10 311(b)(3) of the Federal Water Pollution Control Act (33
11 U.S.C. 1321(b)(3)).

12 (b) **RULE OF CONSTRUCTION.**—Nothing in this sec-
13 tion shall be construed to limit, or otherwise exempt any
14 person from, liability for conspiracy to commit any offense
15 against the United States, for fraud and false statements,
16 or for the obstruction of justice.

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