

106TH CONGRESS  
2D SESSION

# S. 2944

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.

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IN THE SENATE OF THE UNITED STATES

JULY 27, 2000

Mr. BREAUX introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

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## 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,*

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

5 (a) IN GENERAL.—Notwithstanding any other provi-  
6 sion or rule of law, section 4301(e) and 4302 of the Oil  
7 Pollution Act of 1990 (Public Law 101–380; 104 Stat.

1 537) and the amendments made by those sections provide  
2 the exclusive criminal penalties for any action or activity  
3 that may arise or occur in connection with a discharge  
4 of oil or a hazardous substance referred to in section  
5 311(b)(3) of the Federal Water Pollution Control Act (33  
6 U.S.C. 1321(b)(3)).

7 (b) RULE OF CONSTRUCTION.—Nothing in this sec-  
8 tion shall be construed to limit, or otherwise exempt any  
9 person from, liability for conspiracy to commit any offense  
10 against the United States, for fraud and false statements,  
11 or for the obstruction of justice.

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