

118TH CONGRESS  
1ST SESSION

# H. R. 5373

To amend the Federal Water Pollution Control Act to increase the civil and criminal penalties for oil spills, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 8, 2023

Mr. LIEU (for himself, Ms. BROWNLEY, Mr. LEVIN, Ms. PORTER, Ms. BARRAGÁN, and Mr. CARBAJAL) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

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## A BILL

To amend the Federal Water Pollution Control Act to increase the civil and criminal penalties for oil spills, 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 “Increasing Penalties  
5 for Offshore Polluters Act”.

1 **SEC. 2. CIVIL AND CRIMINAL PENALTIES RELATING TO OIL**  
2 **SPILLS.**

3 (a) CIVIL PENALTIES.—Section 311(b)(7) of the  
4 Federal Water Pollution Control Act (33 U.S.C.  
5 1321(b)(7)) is amended—

6 (1) in subparagraph (A) by striking “an  
7 amount up to” each place it appears and inserting  
8 “an amount that is at least”; and

9 (2) in subparagraph (D) by striking “not more  
10 than” and inserting “at least”.

11 (b) CRIMINAL PENALTIES.—Section 309(e) of the  
12 Federal Water Pollution Control Act (33 U.S.C. 1319(e))  
13 is amended—

14 (1) in paragraph (1)—

15 (A) by striking “\$2,500” and inserting  
16 “\$5,000”;

17 (B) by striking “\$25,000” and inserting  
18 “\$50,000”;

19 (C) by striking “not more than 1 year”  
20 and inserting “not more than 2 years”; and

21 (D) by striking “punishment shall be by a  
22 fine of not more than \$50,000 per day of viola-  
23 tion, or by imprisonment of not more than 2  
24 years, or by both” and inserting “the maximum  
25 punishment shall be doubled with respect to  
26 both fine and imprisonment”;

1 (2) in paragraph (2)—

2 (A) by striking “not less than \$5,000” and  
3 inserting “not less than \$10,000”;

4 (B) by striking “\$50,000” and inserting  
5 “\$100,000”;

6 (C) by striking “not more than 3 years”  
7 and inserting “not more than 6 years”; and

8 (D) by striking “punishment shall be by a  
9 fine of not more than \$100,000 per day of vio-  
10 lation, or imprisonment of not more than 6  
11 years, or by both” and inserting “the maximum  
12 punishment shall be doubled with respect to  
13 both fine and imprisonment”; and

14 (3) in paragraph (3)(A)—

15 (A) by striking “\$250,000” and inserting  
16 “\$500,000”;

17 (B) by striking “not more than 15 years”  
18 and inserting “not more than 30 years”; and

19 (C) by striking “\$1,000,000” and inserting  
20 “\$2,000,000”.

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