

## Just Compensation for Families of BP Oil Spill Victims:

### Holding BP/Big Oil Accountable

#### Key Points:

- Congressional Republicans support Wall Street banks, credit card companies, Big Oil, and insurance companies – the special interests that benefited from George Bush’s policies. Nearly a decade of former oil executives in the Administration working for Big Oil instead of the American people paved the way for the worst environmental disaster in American history and growing dependence on foreign oil. Why would we go back?
- The New Direction Congress is working to ensure that BP and other responsible parties -- and not taxpayers -- are held accountable to pay for the disaster cleanup and costs related to this spill. We are also launching a clean energy future to make America more secure, create millions of clean energy jobs here at home and address the climate crisis.
- Today, the House will consider the SPILL Act ([H.R. 5503](#)) under suspension of the rules. The bill reforms maritime liability laws -- Death on the High Seas Act (1920), Jones Act (1920), and Limitation on Liability Act (1851) -- to ensure that the families of those killed or injured in the BP Oil Spill and other such tragedies are justly compensated for their losses.
- Specifically, the SPILL Act updates these grossly inadequate and outdated laws in these ways:
  1. Permits recovery of non-economic damages, such as pain and suffering, loss of care, comfort and companionship – not just lost income and funeral expenses – for family members of those killed or injured under the Death on the High Seas Act and Jones Act.
  2. Repeals the Limitation on Liability Act of 1851, which limits liability to the post-accident value of the vessel and its cargo. Transocean, which owns the *Deepwater Horizon* platform, has sought to limit its liability to \$27 million under this outdated law.
  3. Prevents parties responsible for oil spills from using bankruptcy to leave victims without adequate legal recourse.
  4. Applies to cases arising on or after the date of the Deepwater Horizon explosion, as in past.
  5. Provisions addressing issues not as closely tied to these victims (regarding class action, secrecy agreements) were dropped to pave the way for swift passage.
- Families of those who died in the BP oil spill wrote, “On April 20, 2010, our lives were forever changed when we learned that the Deepwater Horizon oil rig exploded and killed 11 men. This disaster devastated 11 families, including ours. In our grief we learned that the current federal maritime laws governing who bears responsibility for the wrongful deaths of our loved ones are grossly inadequate and outdated. The SPILL Act addresses these inadequacies and provides equal justice for all victims of maritime catastrophes. The bill fixes a long-standing dichotomy under current laws that values the lives of those

who die at sea far less than those who die on land... No amount of money can compensate us for the loss of our loved ones, but your bill allows for the recovery of more nearly adequate damages when a wrongful death occurs on the high seas." [6/17/10]