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Deepwater Horizon Survivors' Fairness Act

Congress: 112 (2011–2013, Ended)

Chamber: Senate

Policy Area: Transportation and Public Works

Introduced: Jan 25, 2011

Current Status: By Senator Rockefeller from Committee on Commerce, Science, and Transportation filed written report.

Latest Action: By Senator Rockefeller from Committee on Commerce, Science, and Transportation filed written report.

Report No. 112-245. (Dec 5, 2012)

Official Text: <https://www.congress.gov/bill/112th-congress/senate-bill/183>

Sponsor

Name: Sen. Rockefeller, John D., IV [D-WV]

Party: Democratic • **State:** WV • **Chamber:** Senate

Cosponsors (3 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Schumer, Charles E. [D-NY]	D · NY		Jan 25, 2011
Sen. Whitehouse, Sheldon [D-RI]	D · RI		Jan 25, 2011
Sen. Landrieu, Mary L. [D-LA]	D · LA		Jan 27, 2011

Committee Activity

Committee	Chamber	Activity	Date
Commerce, Science, and Transportation Committee	Senate	Reported By	Nov 14, 2012

Subjects & Policy Tags

Policy Area:

Transportation and Public Works

Related Bills

No related bills are listed.

Deepwater Horizon Survivors' Fairness Act - (Sec. 2) Amends federal maritime law formerly known as the Shipowners' Liability Act of 1851 to exclude a claim for personal injury or wrongful death arising from the blowout and explosion of the mobile offshore drilling unit Deepwater Horizon that occurred on April 20, 2010 (the Deepwater Horizon incident), from provisions limiting a vessel owner's liability in specified instances to the value of the vessel and its pending freight.

(Sec. 3) Amends the Death on the High Seas Act to allow a civil action in law or in admiralty against the person or vessel responsible for a Deepwater Horizon incident death. (Current law allows only a civil action in admiralty when death is caused by a wrongful act, neglect, or default.) Authorizes any related recovery to include fair compensation for nonpecuniary loss (care, comfort, companionship, and society) plus a fair compensation for the decedent's pain and suffering. (Current law allows only fair compensation for pecuniary loss sustained by the individuals for whose benefit the action is brought.)

(Sec. 4) Amends the Jones Act to authorize any recovery in a civil action at law against the employer of a seaman who dies from the Deepwater Horizon incident to include fair compensation for nonpecuniary loss, plus a fair compensation for the decedent's pain and suffering. (Current law allows only certain wrongful death and survival claims as is available to railway employees.)

(Sec. 5) Applies this Act to: (1) causes of action and claims arising after April 19, 2010; and (2) actions commenced prior to, on, or after enactment of this Act that have not been finally adjudicated, including appellate review, as of such date.

Actions Timeline

- **Dec 5, 2012:** By Senator Rockefeller from Committee on Commerce, Science, and Transportation filed written report. Report No. 112-245.
- **Nov 14, 2012:** Committee on Commerce, Science, and Transportation. Reported by Senator Rockefeller with an amendment in the nature of a substitute. Without written report.
- **Nov 14, 2012:** Placed on Senate Legislative Calendar under General Orders. Calendar No. 544.
- **Jun 8, 2011:** Committee on Commerce, Science, and Transportation. Ordered to be reported with an amendment in the nature of a substitute favorably.
- **Jan 25, 2011:** Introduced in Senate
- **Jan 25, 2011:** Read twice and referred to the Committee on Commerce, Science, and Transportation.