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## NEWS

### Congress targeting limit on oil rig damages

By **GERARD SHIELDS**

Advocate Washington bureau

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WASHINGTON — Members of Congress are zeroing in on maritime laws dating back 159 years in an effort to try to get more compensation for the survivors of those killed in the April 20 oil rig explosion.

Supporters of the measures winding their way through Congress call the laws of the sea outdated, and are making a push for sweeping changes not seen in close to a century.

One law dates back to 1851.

“This gives some ability that the survivors of people killed can lead a decent life,” Rep. Charlie Melancon, D-Napoleonville, said of the proposed changes. “That’s the reason to go in and make these changes.”

Melancon co-sponsored the legislation that would repeal the 1851 law, which limits the liability a company has to pay on a rig disaster.

Transocean Ltd., the owner of the Deepwater Horizon rig that exploded, angered victims and survivors of the disaster when it cited the Exoneration and Limitation of Liability Act in a court filing seeking to cap its financial responsibility at \$26.7 million.

Though the law does not affect pollution-related damages, it limits a company’s liability to the worth of the vessel, in Transocean’s case, what it was owed by the rig operator, BP.

Another law being targeted by some members of Congress is the Jones Act.

Created in 1920 to protect sailors and others who work on the water who are injured and killed on the job, the law only allows survivors of seamen killed to seek pecuniary damages such as loss of wages.



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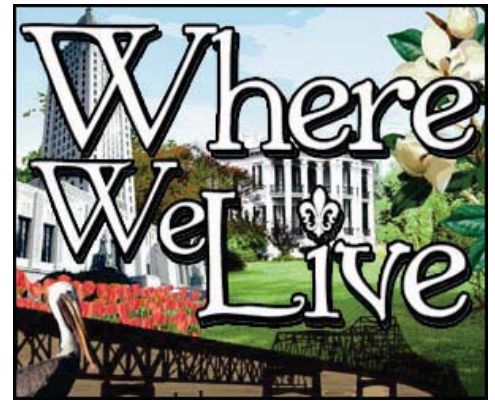
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Proponents of a change want the law to be amended to allow non pecuniary damages, such as loss of love and affection from their spouse, father or mother to be allowed.

The change would bring the law in line with every other state's current permitted damage recoveries in wrongful death cases

The matter is complicated by the international nature of Transocean, according to Steve Gordon, a maritime lawyer from the Houston firm of Gordon, Elias and Seely.

"I'm sure Congress never contemplated that the U.S. law would someday be used by a Swedish company on a vessel flagged in the Marshall Islands to limit its liability to 11 dead, over 100 injured and damages to four state coastlines," Gordon said.



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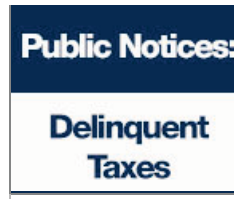
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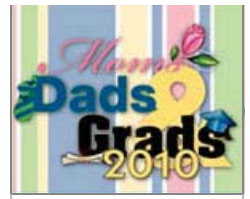
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