

1 **Subtitle F—Gulf Coast Restoration**

2 **SEC. 1601. SHORT TITLE.**

3 This subtitle may be cited as the “Resources and
4 Ecosystems Sustainability, Tourist Opportunities, and Re-
5 vived Economies of the Gulf Coast States Act of 2012”.

6 **SEC. 1602. GULF COAST RESTORATION TRUST FUND.**

7 (a) **ESTABLISHMENT.**—There is established in the
8 Treasury of the United States a trust fund to be known
9 as the “Gulf Coast Restoration Trust Fund” (referred to
10 in this section as the “Trust Fund”), consisting of such
11 amounts as are deposited in the Trust Fund under this
12 Act or any other provision of law.

13 (b) **TRANSFERS.**—The Secretary of the Treasury
14 shall deposit in the Trust Fund an amount equal to 80
15 percent of all administrative and civil penalties paid by
16 responsible parties after the date of enactment of this Act
17 in connection with the explosion on, and sinking of, the
18 mobile offshore drilling unit *Deepwater Horizon* pursuant
19 to a court order, negotiated settlement, or other instru-
20 ment in accordance with section 311 of the Federal Water
21 Pollution Control Act (33 U.S.C. 1321).

22 (c) **EXPENDITURES.**—Amounts in the Trust Fund,
23 including interest earned on advances to the Trust Fund

1 and proceeds from investment under subsection (d),
2 shall—

3 (1) be available for expenditure, without further
4 appropriation, solely for the purpose and eligible ac-
5 tivities of this subtitle and the amendments made by
6 this subtitle; and

7 (2) remain available until expended, without fis-
8 cal year limitation.

9 (d) INVESTMENT.—Amounts in the Trust Fund shall
10 be invested in accordance with section 9702 of title 31,
11 United States Code, and any interest on, and proceeds
12 from, any such investment shall be available for expendi-
13 ture in accordance with this subtitle and the amendments
14 made by this subtitle.

15 (e) ADMINISTRATION.—Not later than 180 days after
16 the date of enactment of this Act, after providing notice
17 and an opportunity for public comment, the Secretary of
18 the Treasury, in consultation with the Secretary of the In-
19 terior and the Secretary of Commerce, shall establish such
20 procedures as the Secretary determines to be necessary
21 to deposit amounts in, and expend amounts from, the
22 Trust Fund pursuant to this subtitle, including—

23 (1) procedures to assess whether the programs
24 and activities carried out under this subtitle and the
25 amendments made by this subtitle achieve compli-

1 (B) in paragraph (26)(D), by striking the
2 period at the end and inserting a semicolon;
3 and

4 (C) by adding at the end the following:

5 “(27) the term ‘best available science’ means
6 science that—

7 “(A) maximizes the quality, objectivity,
8 and integrity of information, including statis-
9 tical information;

10 “(B) uses peer-reviewed and publicly avail-
11 able data; and

12 “(C) clearly documents and communicates
13 risks and uncertainties in the scientific basis for
14 such projects;

15 “(28) the term ‘Chairperson’ means the Chair-
16 person of the Council;

17 “(29) the term ‘coastal political subdivision’
18 means any local political jurisdiction that is imme-
19 diately below the State level of government, includ-
20 ing a county, parish, or borough, with a coastline
21 that is contiguous with any portion of the United
22 States Gulf of Mexico;

23 “(30) the term ‘Comprehensive Plan’ means the
24 comprehensive plan developed by the Council pursu-
25 ant to subsection (t);

1 “(31) the term ‘Council’ means the Gulf Coast
2 Ecosystem Restoration Council established pursuant
3 to subsection (t);

4 “(32) the term ‘Deepwater Horizon oil spill’
5 means the blowout and explosion of the mobile off-
6 shore drilling unit *Deepwater Horizon* that occurred
7 on April 20, 2010, and resulting hydrocarbon re-
8 leases into the environment;

9 “(33) the term ‘Gulf Coast region’ means—

10 “(A) in the Gulf Coast States, the coastal
11 zones (as that term is defined in section 304 of
12 the Coastal Zone Management Act of 1972 (16
13 U.S.C. 1453)), except that, in this section, the
14 term ‘coastal zones’ includes land within the
15 coastal zones that is held in trust by, or the use
16 of which is by law subject solely to the discre-
17 tion of, the Federal Government or officers or
18 agents of the Federal Government)) that border
19 the Gulf of Mexico;

20 “(B) any adjacent land, water, and water-
21 sheds, that are within 25 miles of the coastal
22 zones described in subparagraph (A) of the Gulf
23 Coast States; and

24 “(C) all Federal waters in the Gulf of Mex-
25 ico;

1 “(34) the term ‘Gulf Coast State’ means any of
2 the States of Alabama, Florida, Louisiana, Mis-
3 sissippi, and Texas; and

4 “(35) the term ‘Trust Fund’ means the Gulf
5 Coast Restoration Trust Fund established pursuant
6 to section 1602 of the Resources and Ecosystems
7 Sustainability, Tourist Opportunities, and Revived
8 Economies of the Gulf Coast States Act of 2012.”;

9 (2) in subsection (s), by inserting “except as
10 provided in subsection (t)” before the period at the
11 end; and

12 (3) by adding at the end the following:

13 “(t) GULF COAST RESTORATION AND RECOVERY.—

14 “(1) STATE ALLOCATION AND EXPENDI-
15 TURES.—

16 “(A) IN GENERAL.—Of the total amounts
17 made available in any fiscal year from the
18 Trust Fund, 35 percent shall be available, in
19 accordance with the requirements of this sec-
20 tion, to the Gulf Coast States in equal shares
21 for expenditure for ecological and economic res-
22 toration of the Gulf Coast region in accordance
23 with this subsection.

24 “(B) USE OF FUNDS.—

1 resources, including port infrastruc-
2 ture.

3 “(VII) Coastal flood protection
4 and related infrastructure.

5 “(VIII) Planning assistance.

6 “(IX) Administrative costs of
7 complying with this subsection.

8 “(ii) ACTIVITIES TO PROMOTE TOUR-
9 ISM AND SEAFOOD IN THE GULF COAST
10 REGION.—Amounts provided to the Gulf
11 Coast States under this subsection may be
12 used to carry out 1 or more of the fol-
13 lowing activities:

14 “(I) Promotion of tourism in the
15 Gulf Coast Region, including rec-
16 reational fishing.

17 “(II) Promotion of the consump-
18 tion of seafood harvested from the
19 Gulf Coast Region.

20 “(iii) LIMITATION.—

21 “(I) IN GENERAL.—Of the
22 amounts received by a Gulf Coast
23 State under this subsection, not more
24 than 3 percent may be used for ad-

1 ministrative costs eligible under clause
2 (i)(IX).

3 “(II) CLAIMS FOR COMPENSA-
4 TION.—Activities funded under this
5 subsection may not be included in any
6 claim for compensation paid out by
7 the Oil Spill Liability Trust Fund
8 after the date of enactment of this
9 subsection.

10 “(C) COASTAL POLITICAL SUBDIVISIONS.—

11 “(i) DISTRIBUTION.—In the case of a
12 State where the coastal zone includes the
13 entire State—

14 “(I) 75 percent of funding shall
15 be provided directly to the 8 dis-
16 proportionately affected counties im-
17 pacted by the Deepwater Horizon oil
18 spill; and

19 “(II) 25 percent shall be provided
20 directly to nondisproportionately im-
21 pacted counties within the State.

22 “(ii) NONDISPROPORTIONATELY IM-
23 PACTED COUNTIES.—The total amounts
24 made available to coastal political subdivi-
25 sions in the State of Florida under clause

1 (i)(II) shall be distributed according to the
2 following weighted formula:

3 “(I) 34 percent based on the
4 weighted average of the population of
5 the county.

6 “(II) 33 percent based on the
7 weighted average of the county per
8 capita sales tax collections estimated
9 for fiscal year 2012.

10 “(III) 33 percent based on the
11 inverse proportion of the weighted av-
12 erage distance from the Deepwater
13 Horizon oil rig to each of the nearest
14 and farthest points of the shoreline.

15 “(D) LOUISIANA.—

16 “(i) IN GENERAL.—Of the total
17 amounts made available to the State of
18 Louisiana under this paragraph:

19 “(I) 70 percent shall be provided
20 directly to the State in accordance
21 with this subsection.

22 “(II) 30 percent shall be provided
23 directly to parishes in the coastal zone
24 (as defined in section 304 of the
25 Coastal Zone Management Act of

1 1972 (16 U.S.C. 1453)) of the State
2 of Louisiana according to the fol-
3 lowing weighted formula:

4 “(aa) 40 percent based on
5 the weighted average of miles of
6 the parish shoreline oiled.

7 “(bb) 40 percent based on
8 the weighted average of the pop-
9 ulation of the parish.

10 “(cc) 20 percent based on
11 the weighted average of the land
12 mass of the parish.

13 “(ii) CONDITIONS.—

14 “(I) LAND USE PLAN.—As a con-
15 dition of receiving amounts allocated
16 under this paragraph, the chief execu-
17 tive of the eligible parish shall certify
18 to the Governor of the State that the
19 parish has completed a comprehensive
20 land use plan.

21 “(II) OTHER CONDITIONS.—A
22 coastal political subdivision receiving
23 funding under this paragraph shall
24 meet all of the conditions in subpara-
25 graph (E).

1 “(E) CONDITIONS.—As a condition of re-
2 ceiving amounts from the Trust Fund, a Gulf
3 Coast State, including the entities described in
4 subparagraph (F), or a coastal political subdivi-
5 sion shall—

6 “(i) agree to meet such conditions, in-
7 cluding audit requirements, as the Sec-
8 retary of the Treasury determines nec-
9 essary to ensure that amounts disbursed
10 from the Trust Fund will be used in ac-
11 cordance with this subsection;

12 “(ii) certify in such form and in such
13 manner as the Secretary of the Treasury
14 determines necessary that the project or
15 program for which the Gulf Coast State or
16 coastal political subdivision is requesting
17 amounts—

18 “(I) is designed to restore and
19 protect the natural resources, eco-
20 systems, fisheries, marine and wildlife
21 habitats, beaches, coastal wetlands, or
22 economy of the Gulf Coast;

23 “(II) carries out 1 or more of the
24 activities described in clauses (i) and
25 (ii) of subparagraph (B);

1 “(III) was selected based on
2 meaningful input from the public, in-
3 cluding broad-based participation
4 from individuals, businesses, and non-
5 profit organizations; and

6 “(IV) in the case of a natural re-
7 source protection or restoration
8 project, is based on the best available
9 science;

10 “(iii) certify that the project or pro-
11 gram and the awarding of a contract for
12 the expenditure of amounts received under
13 this paragraph are consistent with the
14 standard procurement rules and regula-
15 tions governing a comparable project or
16 program in that State, including all appli-
17 cable competitive bidding and audit re-
18 quirements; and

19 “(iv) develop and submit a multiyear
20 implementation plan for the use of such
21 amounts, which may include milestones,
22 projected completion of each activity, and a
23 mechanism to evaluate the success of each
24 activity in helping to restore and protect

1 “(cc) The Chairman of the
2 Baldwin County Commission.

3 “(dd) The President of the
4 Mobile County Commission.

5 “(ee) The Mayor of the city
6 of Bayou La Batre.

7 “(ff) The Mayor of the town
8 of Dauphin Island.

9 “(gg) The Mayor of the city
10 of Fairhope.

11 “(hh) The Mayor of the city
12 of Gulf Shores.

13 “(ii) The Mayor of the city
14 of Mobile.

15 “(jj) The Mayor of the city
16 of Orange Beach.

17 “(II) VOTE.—Each member of
18 the Alabama Gulf Coast Recovery
19 Council shall be entitled to 1 vote.

20 “(III) MAJORITY VOTE.—All de-
21 cisions of the Alabama Gulf Coast Re-
22 covery Council shall be made by ma-
23 jority vote.

24 “(IV) LIMITATION ON ADMINIS-
25 TRATIVE EXPENSES.—Administrative

1 duties for the Alabama Gulf Coast
2 Recovery Council may only be per-
3 formed by public officials and employ-
4 ees that are subject to the ethics laws
5 of the State of Alabama.

6 “(ii) LOUISIANA.—In the State of
7 Louisiana, the Coastal Protection and Res-
8 toration Authority of Louisiana.

9 “(iii) MISSISSIPPI.—In the State of
10 Mississippi, the Mississippi Department of
11 Environmental Quality.

12 “(iv) TEXAS.—In the State of Texas,
13 the Office of the Governor or an appointee
14 of the Office of the Governor.

15 “(G) COMPLIANCE WITH ELIGIBLE ACTIVI-
16 TIES.—If the Secretary of the Treasury deter-
17 mines that an expenditure by a Gulf Coast
18 State or coastal political subdivision of amounts
19 made available under this subsection does not
20 meet one of the activities described in clauses
21 (i) and (ii) of subparagraph (B), the Secretary
22 shall make no additional amounts from the
23 Trust Fund available to that Gulf Coast State
24 or coastal political subdivision until such time

1 as an amount equal to the amount expended for
2 the unauthorized use—

3 “(i) has been deposited by the Gulf
4 Coast State or coastal political subdivision
5 in the Trust Fund; or

6 “(ii) has been authorized by the Sec-
7 retary of the Treasury for expenditure by
8 the Gulf Coast State or coastal political
9 subdivision for a project or program that
10 meets the requirements of this subsection.

11 “(H) COMPLIANCE WITH CONDITIONS.—If
12 the Secretary of the Treasury determines that
13 a Gulf Coast State or coastal political subdivi-
14 sion does not meet the requirements of this
15 paragraph, including the conditions of subpara-
16 graph (E), where applicable, the Secretary of
17 the Treasury shall make no amounts from the
18 Trust Fund available to that Gulf Coast State
19 or coastal political subdivision until all condi-
20 tions of this paragraph are met.

21 “(I) PUBLIC INPUT.—In meeting any con-
22 dition of this paragraph, a Gulf Coast State
23 may use an appropriate procedure for public
24 consultation in that Gulf Coast State, including
25 consulting with one or more established task

1 forces or other entities, to develop recommenda-
2 tions for proposed projects and programs that
3 would restore and protect the natural resources,
4 ecosystems, fisheries, marine and wildlife habi-
5 tats, beaches, coastal wetlands, and economy of
6 the Gulf Coast.

7 “(J) PREVIOUSLY APPROVED PROJECTS
8 AND PROGRAMS.—A Gulf Coast State or coastal
9 political subdivision shall be considered to have
10 met the conditions of subparagraph (E) for a
11 specific project or program if, before the date of
12 enactment of the Resources and Ecosystems
13 Sustainability, Tourist Opportunities, and Re-
14 vived Economies of the Gulf Coast States Act
15 of 2012—

16 “(i) the Gulf Coast State or coastal
17 political subdivision has established condi-
18 tions for carrying out projects and pro-
19 grams that are substantively the same as
20 the conditions described in subparagraph
21 (E); and

22 “(ii) the applicable project or program
23 carries out 1 or more of the activities de-
24 scribed in clauses (i) and (ii) of subpara-
25 graph (B).

1 “(K) LOCAL PREFERENCE.—In awarding
2 contracts to carry out a project or program
3 under this paragraph, a Gulf Coast State or
4 coastal political subdivision may give a pref-
5 erence to individuals and companies that reside
6 in, are headquartered in, or are principally en-
7 gaged in business in the State of project execu-
8 tion.

9 “(L) UNUSED FUNDS.—Funds allocated to
10 a State or coastal political subdivision under
11 this paragraph shall remain in the Trust Fund
12 until such time as the State or coastal political
13 subdivision develops and submits a plan identi-
14 fying uses for those funds in accordance with
15 subparagraph (E)(iv).

16 “(M) JUDICIAL REVIEW.—If the Secretary
17 of the Treasury determines that a Gulf Coast
18 State or coastal political subdivision does not
19 meet the requirements of this paragraph, in-
20 cluding the conditions of subparagraph (E), the
21 Gulf Coast State or coastal political subdivision
22 may obtain expedited judicial review within 90
23 days after that decision in a district court of
24 the United States, of appropriate jurisdiction

1 and venue, that is located within the State
2 seeking the review.

3 “(N) COST-SHARING.—

4 “(i) IN GENERAL.—A Gulf Coast
5 State or coastal political subdivision may
6 use, in whole or in part, amounts made
7 available under this paragraph to that Gulf
8 Coast State or coastal political subdivision
9 to satisfy the non-Federal share of the cost
10 of any project or program authorized by
11 Federal law that is an eligible activity de-
12 scribed in clauses (i) and (ii) of subpara-
13 graph (B).

14 “(ii) EFFECT ON OTHER FUNDS.—
15 The use of funds made available from the
16 Trust Fund to satisfy the non-Federal
17 share of the cost of a project or program
18 that meets the requirements of clause (i)
19 shall not affect the priority in which other
20 Federal funds are allocated or awarded.

21 “(2) COUNCIL ESTABLISHMENT AND ALLOCA-
22 TION.—

23 “(A) IN GENERAL.—Of the total amount
24 made available in any fiscal year from the
25 Trust Fund, 30 percent shall be disbursed to

1 the Council to carry out the Comprehensive
2 Plan.

3 “(B) COUNCIL EXPENDITURES.—

4 “(i) IN GENERAL.—In accordance
5 with this paragraph, the Council shall ex-
6 pend funds made available from the Trust
7 Fund to undertake projects and programs,
8 using the best available science, that would
9 restore and protect the natural resources,
10 ecosystems, fisheries, marine and wildlife
11 habitats, beaches, coastal wetlands, and
12 economy of the Gulf Coast.

13 “(ii) ALLOCATION AND EXPENDITURE
14 PROCEDURES.—The Secretary of the
15 Treasury shall develop such conditions, in-
16 cluding audit requirements, as the Sec-
17 retary of the Treasury determines nec-
18 essary to ensure that amounts disbursed
19 from the Trust Fund to the Council to im-
20 plement the Comprehensive Plan will be
21 used in accordance with this paragraph.

22 “(iii) ADMINISTRATIVE EXPENSES.—
23 Of the amounts received by the Council
24 under this paragraph, not more than 3

1 percent may be used for administrative ex-
2 penses, including staff.

3 “(C) GULF COAST ECOSYSTEM RESTORA-
4 TION COUNCIL.—

5 “(i) ESTABLISHMENT.—There is es-
6 tablished as an independent entity in the
7 Federal Government a council to be known
8 as the ‘Gulf Coast Ecosystem Restoration
9 Council’.

10 “(ii) MEMBERSHIP.—The Council
11 shall consist of the following members, or
12 in the case of a Federal agency, a designee
13 at the level of the Assistant Secretary or
14 the equivalent:

15 “(I) The Secretary of the Inte-
16 rior.

17 “(II) The Secretary of the Army.

18 “(III) The Secretary of Com-
19 merce.

20 “(IV) The Administrator of the
21 Environmental Protection Agency.

22 “(V) The Secretary of Agri-
23 culture.

1 “(VI) The head of the depart-
2 ment in which the Coast Guard is op-
3 erating.

4 “(VII) The Governor of the State
5 of Alabama.

6 “(VIII) The Governor of the
7 State of Florida.

8 “(IX) The Governor of the State
9 of Louisiana.

10 “(X) The Governor of the State
11 of Mississippi.

12 “(XI) The Governor of the State
13 of Texas.

14 “(iii) ALTERNATE.—A Governor ap-
15 pointed to the Council by the President
16 may designate an alternate to represent
17 the Governor on the Council and vote on
18 behalf of the Governor.

19 “(iv) CHAIRPERSON.—From among
20 the Federal agency members of the Coun-
21 cil, the representatives of States on the
22 Council shall select, and the President
23 shall appoint, 1 Federal member to serve
24 as Chairperson of the Council.

1 “(v) PRESIDENTIAL APPOINTMENT.—
2 All Council members shall be appointed by
3 the President.

4 “(vi) COUNCIL ACTIONS.—

5 “(I) IN GENERAL.—The following
6 actions by the Council shall require
7 the affirmative vote of the Chair-
8 person and a majority of the State
9 members to be effective:

10 “(aa) Approval of a Com-
11 prehensive Plan and future revi-
12 sions to a Comprehensive Plan.

13 “(bb) Approval of State
14 plans pursuant to paragraph
15 (3)(B)(iv).

16 “(cc) Approval of reports to
17 Congress pursuant to clause
18 (vii)(VII).

19 “(dd) Approval of transfers
20 pursuant to subparagraph
21 (E)(ii)(I).

22 “(ee) Other significant ac-
23 tions determined by the Council.

24 “(II) QUORUM.—A majority of
25 State members shall be required to be

1 present for the Council to take any
2 significant action.

3 “(III) AFFIRMATIVE VOTE RE-
4 QUIREMENT CONSIDERED MET.—For
5 approval of State plans pursuant to
6 paragraph (3)(B)(iv), the certification
7 by a State member of the Council that
8 the plan satisfies all requirements of
9 clauses (i) and (ii) of paragraph
10 (3)(B), when joined by an affirmative
11 vote of the Federal Chairperson of the
12 Council, shall be considered to satisfy
13 the requirements for affirmative votes
14 under subclause (I).

15 “(IV) PUBLIC TRANSPARENCY.—
16 Appropriate actions of the Council, in-
17 cluding significant actions and associ-
18 ated deliberations, shall be made
19 available to the public via electronic
20 means prior to any vote.

21 “(vii) DUTIES OF COUNCIL.—The
22 Council shall—

23 “(I) develop the Comprehensive
24 Plan and future revisions to the Com-
25 prehensive Plan;

1 “(II) identify as soon as prac-
2 ticable the projects that—

3 “(aa) have been authorized
4 prior to the date of enactment of
5 this subsection but not yet com-
6 menced; and

7 “(bb) if implemented quick-
8 ly, would restore and protect the
9 natural resources, ecosystems,
10 fisheries, marine and wildlife
11 habitats, beaches, barrier islands,
12 dunes, and coastal wetlands of
13 the Gulf Coast region;

14 “(III) establish such other 1 or
15 more advisory committees as may be
16 necessary to assist the Council, in-
17 cluding a scientific advisory committee
18 and a committee to advise the Council
19 on public policy issues;

20 “(IV) collect and consider sci-
21 entific and other research associated
22 with restoration of the Gulf Coast eco-
23 system, including research, observa-
24 tion, and monitoring carried out pur-
25 suant to sections 1604 and 1605 of

1 the Resources and Ecosystems Sus-
2 tainability, Tourist Opportunities, and
3 Revived Economies of the Gulf Coast
4 States Act of 2012;

5 “(V) develop standard terms to
6 include in contracts for projects and
7 programs awarded pursuant to the
8 Comprehensive Plan that provide a
9 preference to individuals and compa-
10 nies that reside in, are headquartered
11 in, or are principally engaged in busi-
12 ness in a Gulf Coast State;

13 “(VI) prepare an integrated fi-
14 nancial plan and recommendations for
15 coordinated budget requests for the
16 amounts proposed to be expended by
17 the Federal agencies represented on
18 the Council for projects and programs
19 in the Gulf Coast States; and

20 “(VII) submit to Congress an an-
21 nual report that—

22 “(aa) summarizes the poli-
23 cies, strategies, plans, and activi-
24 ties for addressing the restora-

1 tion and protection of the Gulf
2 Coast region;

3 “(bb) describes the projects
4 and programs being implemented
5 to restore and protect the Gulf
6 Coast region, including—

7 “(AA) a list of each
8 project and program;

9 “(BB) an identification
10 of the funding provided to
11 projects and programs iden-
12 tified in subitem (AA);

13 “(CC) an identification
14 of each recipient for funding
15 identified in subitem (BB);
16 and

17 “(DD) a description of
18 the length of time and fund-
19 ing needed to complete the
20 objectives of each project
21 and program identified in
22 subitem (AA);

23 “(cc) makes such rec-
24 ommendations to Congress for
25 modifications of existing laws as

1 the Council determines necessary
2 to implement the Comprehensive
3 Plan;

4 “(dd) reports on the
5 progress on implementation of
6 each project or program—

7 “(AA) after 3 years of
8 ongoing activity of the
9 project or program, if appli-
10 cable; and

11 “(BB) on completion of
12 the project or program;

13 “(ee) includes the informa-
14 tion required to be submitted
15 under section 1605(c)(4) of the
16 Resources and Ecosystems Sus-
17 tainability, Tourist Opportuni-
18 ties, and Revived Economies of
19 the Gulf Coast States Act of
20 2012; and

21 “(ff) submits the reports re-
22 quired under item (dd) to—

23 “(AA) the Committee
24 on Science, Space, and
25 Technology, the Committee

1 on Natural Resources, the
2 Committee on Transpor-
3 tation and Infrastructure,
4 and the Committee on Ap-
5 propriations of the House of
6 Representatives; and

7 “(BB) the Committee
8 on Environment and Public
9 Works, the Committee on
10 Commerce, Science, and
11 Transportation, the Com-
12 mittee on Energy and Nat-
13 ural Resources, and the
14 Committee on Appropria-
15 tions of the Senate.

16 “(viii) APPLICATION OF FEDERAL AD-
17 VISORY COMMITTEE ACT.—The Council, or
18 any other advisory committee established
19 under this subparagraph, shall not be con-
20 sidered an advisory committee under the
21 Federal Advisory Committee Act (5 U.S.C.
22 App.).

23 “(ix) SUNSET.—The authority for the
24 Council, and any other advisory committee
25 established under this subparagraph, shall

1 terminate on the date all funds in the
2 Trust Fund have been expended.

3 “(D) COMPREHENSIVE PLAN.—

4 “(i) PROPOSED PLAN.—

5 “(I) IN GENERAL.—Not later
6 than 180 days after the date of enact-
7 ment of the Resources and Eco-
8 systems Sustainability, Tourist Op-
9 portunities, and Revived Economies of
10 the Gulf Coast States Act of 2012,
11 the Chairperson, on behalf of the
12 Council and after appropriate public
13 input, review, and comment, shall
14 publish a proposed plan to restore and
15 protect the natural resources, eco-
16 systems, fisheries, marine and wildlife
17 habitats, beaches, and coastal wet-
18 lands of the Gulf Coast region.

19 “(II) INCLUSIONS.—The pro-
20 posed plan described in subclause (I)
21 shall include and incorporate the find-
22 ings and information prepared by the
23 President’s Gulf Coast Restoration
24 Task Force.

25 “(ii) PUBLICATION.—

1 “(I) INITIAL PLAN.—Not later
2 than 1 year after the date of enact-
3 ment of the Resources and Eco-
4 systems Sustainability, Tourist Op-
5 portunities, and Revived Economies of
6 the Gulf Coast States Act of 2012
7 and after notice and opportunity for
8 public comment, the Chairperson, on
9 behalf of the Council and after ap-
10 proval by the Council, shall publish in
11 the Federal Register the initial Com-
12 prehensive Plan to restore and protect
13 the natural resources, ecosystems,
14 fisheries, marine and wildlife habitats,
15 beaches, and coastal wetlands of the
16 Gulf Coast region.

17 “(II) COOPERATION WITH GULF
18 COAST RESTORATION TASK FORCE.—
19 The Council shall develop the initial
20 Comprehensive Plan in close coordina-
21 tion with the President’s Gulf Coast
22 Restoration Task Force.

23 “(III) CONSIDERATIONS.—In de-
24 veloping the initial Comprehensive
25 Plan and subsequent updates, the

1 Council shall consider all relevant
2 findings, reports, or research prepared
3 or funded under section 1604 or 1605
4 of the Resources and Ecosystems Sus-
5 tainability, Tourist Opportunities, and
6 Revived Economies of the Gulf Coast
7 States Act of 2012.

8 “(IV) CONTENTS.—The initial
9 Comprehensive Plan shall include—

10 “(aa) such provisions as are
11 necessary to fully incorporate in
12 the Comprehensive Plan the
13 strategy, projects, and programs
14 recommended by the President’s
15 Gulf Coast Restoration Task
16 Force;

17 “(bb) a list of any project or
18 program authorized prior to the
19 date of enactment of this sub-
20 section but not yet commenced,
21 the completion of which would
22 further the purposes and goals of
23 this subsection and of the Re-
24 sources and Ecosystems Sustain-
25 ability, Tourist Opportunities,

1 and Revived Economies of the
2 Gulf Coast States Act of 2012;

3 “(cc) a description of the
4 manner in which amounts from
5 the Trust Fund projected to be
6 made available to the Council for
7 the succeeding 10 years will be
8 allocated; and

9 “(dd) subject to available
10 funding in accordance with clause
11 (iii), a prioritized list of specific
12 projects and programs to be
13 funded and carried out during
14 the 3-year period immediately
15 following the date of publication
16 of the initial Comprehensive
17 Plan, including a table that illus-
18 trates the distribution of projects
19 and programs by the Gulf Coast
20 State.

21 “(V) PLAN UPDATES.—The
22 Council shall update—

23 “(aa) the Comprehensive
24 Plan every 5 years in a manner
25 comparable to the manner estab-

1 lished in this subparagraph for
2 each 5-year period for which
3 amounts are expected to be made
4 available to the Gulf Coast States
5 from the Trust Fund; and

6 “ (bb) the 3-year list of
7 projects and programs described
8 in subclause (IV)(dd) annually.

9 “(iii) RESTORATION PRIORITIES.—Ex-
10 cept for projects and programs described
11 in clause (ii)(IV)(bb), in selecting projects
12 and programs to include on the 3-year list
13 described in clause (ii)(IV)(dd), based on
14 the best available science, the Council shall
15 give highest priority to projects that ad-
16 dress 1 or more of the following criteria:

17 “(I) Projects that are projected
18 to make the greatest contribution to
19 restoring and protecting the natural
20 resources, ecosystems, fisheries, ma-
21 rine and wildlife habitats, beaches,
22 and coastal wetlands of the Gulf
23 Coast region, without regard to geo-
24 graphic location within the Gulf Coast
25 region.

1 “(II) Large-scale projects and
2 programs that are projected to sub-
3 stantially contribute to restoring and
4 protecting the natural resources, eco-
5 systems, fisheries, marine and wildlife
6 habitats, beaches, and coastal wet-
7 lands of the Gulf Coast ecosystem.

8 “(III) Projects contained in exist-
9 ing Gulf Coast State comprehensive
10 plans for the restoration and protec-
11 tion of natural resources, ecosystems,
12 fisheries, marine and wildlife habitats,
13 beaches, and coastal wetlands of the
14 Gulf Coast region.

15 “(IV) Projects that restore long-
16 term resiliency of the natural re-
17 sources, ecosystems, fisheries, marine
18 and wildlife habitats, beaches, and
19 coastal wetlands most impacted by the
20 Deepwater Horizon oil spill.

21 “(E) IMPLEMENTATION.—

22 “(i) IN GENERAL.—The Council, act-
23 ing through the Federal agencies rep-
24 resented on the Council and Gulf Coast
25 States, shall expend funds made available

1 from the Trust Fund to carry out projects
2 and programs adopted in the Comprehen-
3 sive Plan.

4 “(ii) ADMINISTRATIVE RESPONSIB-
5 ILITY.—

6 “(I) IN GENERAL.—Primary au-
7 thority and responsibility for each
8 project and program included in the
9 Comprehensive Plan shall be assigned
10 by the Council to a Gulf Coast State
11 represented on the Council or a Fed-
12 eral agency.

13 “(II) TRANSFER OF AMOUNTS.—
14 Amounts necessary to carry out each
15 project or program included in the
16 Comprehensive Plan shall be trans-
17 ferred by the Secretary of the Treas-
18 ury from the Trust Fund to that Fed-
19 eral agency or Gulf Coast State as the
20 project or program is implemented,
21 subject to such conditions as the Sec-
22 retary of the Treasury, in consultation
23 with the Secretary of the Interior and
24 the Secretary of Commerce, estab-
25 lished pursuant to section 1602 of the

1 Resources and Ecosystems Sustain-
2 ability, Tourist Opportunities, and Re-
3 vived Economies of the Gulf Coast
4 States Act of 2012.

5 “(III) LIMITATION ON TRANS-
6 FERS.—

7 “(aa) GRANTS TO NON-
8 GOVERNMENTAL ENTITIES.—In
9 the case of funds transferred to a
10 Federal or State agency under
11 subclause (II), the agency shall
12 not make 1 or more grants or co-
13 operative agreements to a non-
14 governmental entity if the total
15 amount provided to the entity
16 would equal or exceed 10 percent
17 of the total amount provided to
18 the agency for that particular
19 project or program, unless the 1
20 or more grants have been re-
21 ported in accordance with item
22 (bb).

23 “(bb) REPORTING OF
24 GRANTEES.—At least 30 days
25 prior to making a grant or enter-

1 ing into a cooperative agreement
2 described in item (aa), the name
3 of each grantee, including the
4 amount and purpose of each
5 grant or cooperative agreement,
6 shall be published in the Federal
7 Register and delivered to the con-
8 gressional committees listed in
9 subparagraph (C)(vii)(VII)(ff).

10 “(cc) ANNUAL REPORTING
11 OF GRANTEES.—Annually, the
12 name of each grantee, including
13 the amount and purposes of each
14 grant or cooperative agreement,
15 shall be published in the Federal
16 Register and delivered to Con-
17 gress as part of the report sub-
18 mitted pursuant to subparagraph
19 (C)(vii)(VII).

20 “(IV) PROJECT AND PROGRAM
21 LIMITATION.—The Council, a Federal
22 agency, or a State may not carry out
23 a project or program funded under
24 this paragraph outside of the Gulf
25 Coast region.

1 “(F) COORDINATION.—The Council and
2 the Federal members of the Council may de-
3 velop memoranda of understanding establishing
4 integrated funding and implementation plans
5 among the member agencies and authorities.

6 “(3) OIL SPILL RESTORATION IMPACT ALLOCA-
7 TION.—

8 “(A) IN GENERAL.—

9 “(i) DISBURSEMENT.—Of the total
10 amount made available from the Trust
11 Fund, 30 percent shall be disbursed pursu-
12 ant to the formula in clause (ii) to the Gulf
13 Coast States on the approval of the plan
14 described in subparagraph (B)(i).

15 “(ii) FORMULA.—Subject to subpara-
16 graph (B), for each Gulf Coast State, the
17 amount disbursed under this paragraph
18 shall be based on a formula established by
19 the Council by regulation that is based on
20 a weighted average of the following cri-
21 teria:

22 “(I) 40 percent based on the pro-
23 portionate number of miles of shore-
24 line in each Gulf Coast State that ex-
25 perienced oiling on or before April 10,

1 2011, compared to the total number
2 of miles of shoreline that experienced
3 oiling as a result of the Deepwater
4 Horizon oil spill.

5 “(II) 40 percent based on the in-
6 verse proportion of the average dis-
7 tance from the mobile offshore drilling
8 unit *Deepwater Horizon* at the time of
9 the explosion to the nearest and far-
10 thest point of the shoreline that expe-
11 rienced oiling of each Gulf Coast
12 State.

13 “(III) 20 percent based on the
14 average population in the 2010 decen-
15 nial census of coastal counties bor-
16 dering the Gulf of Mexico within each
17 Gulf Coast State.

18 “(iii) MINIMUM ALLOCATION.—The
19 amount disbursed to a Gulf Coast State
20 for each fiscal year under clause (ii) shall
21 be at least 5 percent of the total amounts
22 made available under this paragraph.

23 “(B) DISBURSEMENT OF FUNDS.—

24 “(i) IN GENERAL.—The Council shall
25 disburse amounts to the respective Gulf

1 Coast States in accordance with the for-
2 mula developed under subparagraph (A)
3 for projects, programs, and activities that
4 will improve the ecosystems or economy of
5 the Gulf Coast region, subject to the condi-
6 tion that each Gulf Coast State submits a
7 plan for the expenditure of amounts dis-
8 bursed under this paragraph that meets
9 the following criteria:

10 “(I) All projects, programs, and
11 activities included in the plan are eli-
12 gible activities pursuant to clauses (i)
13 and (ii) of paragraph (1)(B).

14 “(II) The projects, programs,
15 and activities included in the plan
16 contribute to the overall economic and
17 ecological recovery of the Gulf Coast.

18 “(III) The plan takes into con-
19 sideration the Comprehensive Plan
20 and is consistent with the goals and
21 objectives of the Plan, as described in
22 paragraph (2)(B)(i).

23 “(ii) FUNDING.—

24 “(I) IN GENERAL.—Except as
25 provided in subclause (II), the plan

1 described in clause (i) may use not
2 more than 25 percent of the funding
3 made available for infrastructure
4 projects eligible under subclauses (VI)
5 and (VII) of paragraph (1)(B)(i).

6 “(II) EXCEPTION.—The plan de-
7 scribed in clause (i) may propose to
8 use more than 25 percent of the fund-
9 ing made available for infrastructure
10 projects eligible under subclauses (VI)
11 and (VII) of paragraph (1)(B)(i) if
12 the plan certifies that—

13 “(aa) ecosystem restoration
14 needs in the State will be ad-
15 dressed by the projects in the
16 proposed plan; and

17 “(bb) additional investment
18 in infrastructure is required to
19 mitigate the impacts of the Deep-
20 water Horizon Oil Spill to the
21 ecosystem or economy.

22 “(iii) DEVELOPMENT.—The plan de-
23 scribed in clause (i) shall be developed
24 by—

1 “(I) in the State of Alabama, the
2 Alabama Gulf Coast Recovery Council
3 established under paragraph (1)(F)(i);

4 “(II) in the State of Florida, a
5 consortia of local political subdivisions
6 that includes at a minimum 1 rep-
7 resentative of each affected county;

8 “(III) in the State of Louisiana,
9 the Coastal Protection and Restora-
10 tion Authority of Louisiana;

11 “(IV) in the State of Mississippi,
12 the Office of the Governor or an ap-
13 pointee of the Office of the Governor;
14 and

15 “(V) in the State of Texas, the
16 Office of the Governor or an ap-
17 pointee of the Office of the Governor.

18 “(iv) APPROVAL.—Not later than 60
19 days after the date on which a plan is sub-
20 mitted under clause (i), the Council shall
21 approve or disapprove the plan based on
22 the conditions of clause (i).

23 “(C) DISAPPROVAL.—If the Council dis-
24 approves a plan pursuant to subparagraph
25 (B)(iv), the Council shall—

1 “(i) provide the reasons for dis-
2 approval in writing; and

3 “(ii) consult with the State to address
4 any identified deficiencies with the State
5 plan.

6 “(D) FAILURE TO SUBMIT ADEQUATE
7 PLAN.—If a State fails to submit an adequate
8 plan under this paragraph, any funds made
9 available under this paragraph shall remain in
10 the Trust Fund until such date as a plan is
11 submitted and approved pursuant to this para-
12 graph.

13 “(E) JUDICIAL REVIEW.—If the Council
14 fails to approve or take action within 60 days
15 on a plan, as described in subparagraph (B)(iv),
16 the State may obtain expedited judicial review
17 within 90 days of that decision in a district
18 court of the United States, of appropriate juris-
19 diction and venue, that is located within the
20 State seeking the review.

21 “(F) COST-SHARING.—

22 “(i) IN GENERAL.—A Gulf Coast
23 State or coastal political subdivision may
24 use, in whole or in part, amounts made
25 available to that Gulf Coast State or coast-

1 al political subdivision under this para-
2 graph to satisfy the non-Federal share of
3 any project or program that—

4 “(I) is authorized by other Fed-
5 eral law; and

6 “(II) is an eligible activity de-
7 scribed in clause (i) or (ii) of para-
8 graph (1)(B).

9 “(ii) EFFECT ON OTHER FUNDS.—
10 The use of funds made available from the
11 Trust Fund under this paragraph to sat-
12 isfy the non-Federal share of the cost of a
13 project or program described in clause (i)
14 shall not affect the priority in which other
15 Federal funds are allocated or awarded.

16 “(4) AUTHORIZATION OF INTEREST TRANS-
17 FERS.—Of the total amount made available for any
18 fiscal year from the Trust Fund that is equal to the
19 interest earned by the Trust Fund and proceeds
20 from investments made by the Trust Fund in the
21 preceding fiscal year—

22 “(A) 50 percent shall be divided equally
23 between—

24 “(i) the Gulf Coast Ecosystem Res-
25 toration Science, Observation, Monitoring,

1 and Technology program authorized in sec-
2 tion 1604 of the Resources and Eco-
3 systems Sustainability, Tourist Opportuni-
4 ties, and Revived Economies of the Gulf
5 Coast States Act of 2012; and

6 “(ii) the centers of excellence research
7 grants authorized in section 1605 of that
8 Act; and

9 “(B) 50 percent shall be made available to
10 the Gulf Coast Ecosystem Restoration Council
11 to carry out the Comprehensive Plan pursuant
12 to paragraph (2).”.

13 **SEC. 1604. GULF COAST ECOSYSTEM RESTORATION**
14 **SCIENCE, OBSERVATION, MONITORING, AND**
15 **TECHNOLOGY PROGRAM.**

16 (a) DEFINITIONS.—In this section:

17 (1) ADMINISTRATOR.—The term “Adminis-
18 trator” means the Administrator of the National
19 Oceanic and Atmospheric Administration.

20 (2) COMMISSION.—The term “Commission”
21 means the Gulf States Marine Fisheries Commis-
22 sion.

23 (3) DIRECTOR.—The term “Director” means
24 the Director of the United States Fish and Wildlife
25 Service.

1 (4) PROGRAM.—The term “program” means
2 the Gulf Coast Ecosystem Restoration Science, Ob-
3 servation, Monitoring, and Technology program es-
4 tablished under this section.

5 (b) ESTABLISHMENT OF PROGRAM.—

6 (1) IN GENERAL.—Not later than 180 days
7 after the date of enactment of this Act, the Adminis-
8 trator, in consultation with the Director, shall estab-
9 lish the Gulf Coast Ecosystem Restoration Science,
10 Observation, Monitoring, and Technology program
11 to carry out research, observation, and monitoring to
12 support, to the maximum extent practicable, the
13 long-term sustainability of the ecosystem, fish
14 stocks, fish habitat, and the recreational, commer-
15 cial, and charter fishing industry in the Gulf of Mex-
16 ico.

17 (2) EXPENDITURE OF FUNDS.—For each fiscal
18 year, amounts made available to carry out this sub-
19 section may be expended for, with respect to the
20 Gulf of Mexico—

21 (A) marine and estuarine research;

22 (B) marine and estuarine ecosystem moni-
23 toring and ocean observation;

24 (C) data collection and stock assessments;

25 (D) pilot programs for—

- 1 (i) fishery independent data; and
2 (ii) reduction of exploitation of spawn-
3 ing aggregations; and
4 (E) cooperative research.

5 (3) COOPERATION WITH THE COMMISSION.—

6 For each fiscal year, amounts made available to
7 carry out this subsection may be transferred to the
8 Commission to establish a fisheries monitoring and
9 research program, with respect to the Gulf of Mex-
10 ico.

11 (4) CONSULTATION.—The Administrator and
12 the Director shall consult with the Regional Gulf of
13 Mexico Fishery Management Council and the Com-
14 mission in carrying out the program.

15 (c) SPECIES INCLUDED.—The research, monitoring,
16 assessment, and programs eligible for amounts made
17 available under the program shall include all marine, estu-
18 arine, aquaculture, and fish species in State and Federal
19 waters of the Gulf of Mexico.

20 (d) RESEARCH PRIORITIES.—In distributing funding
21 under this subsection, priority shall be given to integrated,
22 long-term projects that—

- 23 (1) build on, or are coordinated with, related re-
24 search activities; and

1 (2) address current or anticipated marine eco-
2 system, fishery, or wildlife management information
3 needs.

4 (e) DUPLICATION.—In carrying out this section, the
5 Administrator, in consultation with the Director, shall
6 seek to avoid duplication of other research and monitoring
7 activities.

8 (f) COORDINATION WITH OTHER PROGRAMS.—The
9 Administrator, in consultation with the Director, shall de-
10 velop a plan for the coordination of projects and activities
11 between the program and other existing Federal and State
12 science and technology programs in the States of Ala-
13 bama, Florida, Louisiana, Mississippi, and Texas, as well
14 as between the centers of excellence.

15 (g) LIMITATION ON EXPENDITURES.—

16 (1) IN GENERAL.—Not more than 3 percent of
17 funds provided in subsection (h) shall be used for
18 administrative expenses.

19 (2) NOAA.—The funds provided in subsection
20 (h) may not be used—

21 (A) for any existing or planned research
22 led by the National Oceanic and Atmospheric
23 Administration, unless agreed to in writing by
24 the grant recipient;

1 (B) to implement existing regulations or
2 initiate new regulations promulgated or pro-
3 posed by the National Oceanic and Atmospheric
4 Administration; or

5 (C) to develop or approve a new limited ac-
6 cess privilege program (as that term is used in
7 section 303A of the Magnuson-Stevens Fishery
8 Conservation and Management Act (16 U.S.C.
9 1853a)) for any fishery under the jurisdiction
10 of the South Atlantic, Mid-Atlantic, New Eng-
11 land, or Gulf of Mexico Fishery Management
12 Councils.

13 (h) FUNDING.—Of the total amount made available
14 for each fiscal year for the Gulf Coast Restoration Trust
15 Fund established under section 1602, 2.5 percent shall be
16 available to carry out the program.

17 (i) SUNSET.—The program shall cease operations
18 when all funds in the Gulf Coast Restoration Trust Fund
19 established under section 1602 have been expended.

20 **SEC. 1605. CENTERS OF EXCELLENCE RESEARCH GRANTS.**

21 (a) IN GENERAL.—Of the total amount made avail-
22 able for each fiscal year from the Gulf Coast Restoration
23 Trust Fund established under section 1602, 2.5 percent
24 shall be made available to the Gulf Coast States (as de-
25 fined in section 311(a) of the Federal Water Pollution

1 Control Act (as added by section 1603 of the Resources
2 and Ecosystems Sustainability, Tourist Opportunities, and
3 Revived Economies of the Gulf Coast States Act of
4 2012)), in equal shares, exclusively for grants in accord-
5 ance with subsection (c) to establish centers of excellence
6 to conduct research only on the Gulf Coast Region (as de-
7 fined in section 311 of the Federal Water Pollution Con-
8 trol Act (33. U.S.C. 1321)).

9 (b) APPROVAL BY STATE ENTITY, TASK FORCE, OR
10 AGENCY.—The duties of a Gulf Coast State under this
11 section shall be carried out by the applicable Gulf Coast
12 State entities, task forces, or agencies listed in section
13 311(t)(1)(F) of the Federal Water Pollution Control Act
14 (as added by section 1603 of the Resources and Eco-
15 systems Sustainability, Tourist Opportunities, and Re-
16 vived Economies of the Gulf Coast States Act of 2012),
17 and for the State of Florida, a consortium of public and
18 private research institutions within the State, which shall
19 include the Florida Department of Environmental Protec-
20 tion and the Florida Fish and Wildlife Conservation Com-
21 mission, for that Gulf Coast State.

22 (c) GRANTS.—

23 (1) IN GENERAL.—A Gulf Coast State shall use
24 the amounts made available to carry out this section
25 to award competitive grants to nongovernmental en-

1 tities and consortia in the Gulf Coast region (includ-
2 ing public and private institutions of higher edu-
3 cation) for the establishment of centers of excellence
4 as described in subsection (d).

5 (2) APPLICATION.—To be eligible to receive a
6 grant under this subsection, an entity or consortium
7 described in paragraph (1) shall submit to a Gulf
8 Coast State an application at such time, in such
9 manner, and containing such information as the
10 Gulf Coast State determines to be appropriate.

11 (3) PRIORITY.—In awarding grants under this
12 subsection, a Gulf Coast State shall give priority to
13 entities and consortia that demonstrate the ability to
14 establish the broadest cross-section of participants
15 with interest and expertise in any discipline de-
16 scribed in subsection (d) on which the proposal of
17 the center of excellence will be focused.

18 (4) REPORTING.—

19 (A) IN GENERAL.—Each Gulf Coast State
20 shall provide annually to the Gulf Coast Eco-
21 system Restoration Council established under
22 section 311(t)(2)(C) of the Federal Water Pol-
23 lution Control Act (as added by section 1603 of
24 the Resources and Ecosystems Sustainability,
25 Tourist Opportunities, and Revived Economies

1 of the Gulf Coast States Act of 2012) informa-
2 tion regarding all grants, including the amount,
3 discipline or disciplines, and recipients of the
4 grants, and in the case of any grant awarded
5 to a consortium, the membership of the consor-
6 tium.

7 (B) INCLUSION.—The Gulf Coast Eco-
8 system Restoration Council shall include the in-
9 formation received under subparagraph (A) in
10 the annual report to Congress of the Council re-
11 quired under section 311(t)(2)(C)(vii)(VII) of
12 the Federal Water Pollution Control Act (as
13 added by section 1603 of the Resources and
14 Ecosystems Sustainability, Tourist Opportuni-
15 ties, and Revived Economies of the Gulf Coast
16 States Act of 2012).

17 (d) DISCIPLINES.—Each center of excellence shall
18 focus on science, technology, and monitoring in at least
19 1 of the following disciplines:

20 (1) Coastal and deltaic sustainability, restora-
21 tion and protection, including solutions and tech-
22 nology that allow citizens to live in a safe and sus-
23 tainable manner in a coastal delta in the Gulf Coast
24 Region.

1 (2) Coastal fisheries and wildlife ecosystem re-
2 search and monitoring in the Gulf Coast Region.

3 (3) Offshore energy development, including re-
4 search and technology to improve the sustainable
5 and safe development of energy resources in the Gulf
6 of Mexico.

7 (4) Sustainable and resilient growth, economic
8 and commercial development in the Gulf Coast Re-
9 gion.

10 (5) Comprehensive observation, monitoring, and
11 mapping of the Gulf of Mexico.

12 **SEC. 1606. EFFECT.**

13 (a) DEFINITION OF DEEPWATER HORIZON OIL
14 SPILL.—In this section, the term “Deepwater Horizon oil
15 spill” has the meaning given the term in section 311(a)
16 of the Federal Water Pollution Control Act (33 U.S.C.
17 1321(a)).

18 (b) EFFECT AND APPLICATION.—Nothing in this
19 subtitle or any amendment made by this subtitle—

20 (1) supersedes or otherwise affects any other
21 provision of Federal law, including, in particular,
22 laws providing recovery for injury to natural re-
23 sources under the Oil Pollution Act of 1990 (33
24 U.S.C. 2701 et seq.) and laws for the protection of
25 public health and the environment; or

1 (2) applies to any fine collected under section
2 311 of the Federal Water Pollution Control Act (33
3 U.S.C. 1321) for any incident other than the Deep-
4 water Horizon oil spill.

5 (c) USE OF FUNDS.—Funds made available under
6 this subtitle may be used only for eligible activities specifi-
7 cally authorized by this subtitle and the amendments made
8 by this subtitle.

9 **SEC. 1607. RESTORATION AND PROTECTION ACTIVITY LIM-**
10 **TATIONS.**

11 (a) WILLING SELLER.—Funds made available under
12 this subtitle may only be used to acquire land or interests
13 in land by purchase, exchange, or donation from a willing
14 seller.

15 (b) ACQUISITION OF FEDERAL LAND.—None of the
16 funds made available under this subtitle may be used to
17 acquire land in fee title by the Federal Government un-
18 less—

19 (1) the land is acquired by exchange or dona-
20 tion; or

21 (2) the acquisition is necessary for the restora-
22 tion and protection of the natural resources, eco-
23 systems, fisheries, marine and wildlife habitats,
24 beaches, and coastal wetlands of the Gulf Coast re-

1 gion and has the concurrence of the Governor of the
2 State in which the acquisition will take place.

3 **SEC. 1608. INSPECTOR GENERAL.**

4 The Office of the Inspector General of the Depart-
5 ment of the Treasury shall have authority to conduct, su-
6 pervise, and coordinate audits and investigations of
7 projects, programs, and activities funded under this sub-
8 title and the amendments made by this subtitle.