AMENDMENT TO THE RULES COMMITTEE PRINT
OF H.R. 7
OFFERED BY MR. SCALISE OF LOUISIANA

At the end of the bill, add the following (and conform the table of contents accordingly):

TITLE XVIII—RESTORE ACT

SECTION 18001. SHORT TITLE.

This title may be cited as the “Resources and Ecosystems Sustainability, Tourist Opportunities, and Revived Economies of the Gulf Coast States Act of 2012”.

SECTION 18002. FINDINGS.

Congress finds that—

(1) as a result of decades of oil and gas development in the Gulf of Mexico, producing and non-producing States in the Gulf Coast region have borne substantial risks of environmental damage and economic harm, all of which culminated with the explosion on, and sinking of, the mobile offshore drilling unit Deepwater Horizon;

(2) the discharge of oil in the Gulf of Mexico that began following the explosion on, and sinking of, the mobile offshore drilling unit Deepwater Horizon has caused substantial environmental destruc-
tion and economic harm to the people and communities of the Gulf Coast region;

(3)(A) in the report entitled “America’s Gulf Coast—A Long Term Recovery Plan after the Deepwater Horizon Oil Spill”, the Secretary of the Navy stated, “Together, the Gulf’s tourism and commercial and recreational fishing industries contribute tens of billions of dollars to the [United States] economy. More than 90 percent of the [N]ation’s offshore crude oil and natural gas is produced in the Gulf, and the [F]ederal treasury receives roughly $4.5 billion dollars every year from offshore leases and royalties. And it is in the Gulf of Mexico that nearly one third of seafood production in the continental [United States] is harvested. America needs a healthy and resilient Gulf Coast, one that can support the diverse economies, communities, and cultures of the region.”;

(B) to address the needs of the Gulf Coast region, the Secretary of the Navy stated, “It is recommended that the President urge Congress to pass legislation that would dedicate a significant amount of any civil penalties recovered under the [Federal Water Pollution Control Act] from parties respon-
sible for the Deepwater Horizon oil spill to those directly impacted by that spill.”; and

(C) to mitigate local challenges and help restore the resiliency of communities adversely affected by the spill, the Secretary of the Navy stated that the legislation described in subparagraph (B) should “[b]uild economic development strategies around community needs, and take particular efforts to address the needs of disadvantaged, underserved, and resource constrained communities”;  

(4) in a final report to the President, the National Commission on the BP Deepwater Horizon Oil Spill and Offshore Drilling—

(A) stated, “Estimates of the cost of Gulf restoration, including but not limited to the Mississippi Delta, vary widely, but according to testimony before the Commission, full restoration of the Gulf will require $15 billion to $20 billion: a minimum of $500 million annually for 30 years.”; and

(B) like the Secretary of the Navy, recommended that, to meet the needs described in subparagraph (A), a substantial portion of applicable penalties under the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) be
dedicated to long-term restoration of the Gulf of Mexico;

(5) taking into account the risks borne by Gulf Coast States for decades of oil and gas development and the environmental degradation suffered by the Gulf Coast region, the amounts received by the United States as payment of administrative, civil, or criminal penalties in connection with the explosion on, and sinking of, the mobile offshore drilling unit *Deepwater Horizon* should be expended—

(A) to restore the natural resources, ecosystems, fisheries, marine and wildlife habitats, beaches, barrier islands, dunes, coastal wetlands, and economy of the Gulf Coast; and

(B) to address the associated economic harm suffered by the people and communities of the region;

(6) the projects and programs authorized by this title and the amendments made by this title should be carried out pursuant to contracts awarded in a manner that provides a preference to individuals and entities that reside in, are headquartered in, or are principally engaged in business in a Gulf Coast State; and
Federal, State, and local officials should seek—

(A) to leverage the financial resources made available under this title; and

(B) to the maximum extent practicable, to ensure that projects funded pursuant to this title complement efforts planned or in operation to revitalize the natural resources and economic health of the Gulf Coast region.

SEC. 18003. GULF COAST RESTORATION TRUST FUND.

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

(b) Transfers.—The Secretary of the Treasury shall deposit in the Trust Fund an amount equal to 80 percent of all administrative and civil penalties paid by responsible parties after the date of enactment of this title in connection with the explosion on, and sinking of, the mobile offshore drilling unit Deepwater Horizon pursuant to a court order, negotiated settlement, or other instrument in accordance with section 311 of the Federal Water Pollution Control Act (33 U.S.C. 1321).
(c) **Expenditures.**—Amounts in the Trust Fund, including interest earned on advances to the Trust Fund and proceeds from investment under subsection (d), shall be available, pursuant to a future Act of Congress enacted after the date of enactment of this Act—

1. for expenditure to restore the Gulf Coast region from the *Deepwater Horizon* oil spill for undertaking projects and programs in the Gulf Coast region that would restore and protect the natural resources, ecosystems, fisheries, marine and wildlife habitats, beaches, coastal wetlands, and economy of the Gulf Coast region; and

2. solely to Gulf Coast States and coastal political subdivisions to restore the ecosystems and economy of the Gulf Coast region.

(d) **Investment.**—Amounts in the Trust Fund shall be invested in accordance with section 9702 of title 31, United States Code, and any interest on, and proceeds from, any such investment shall be available for expenditure in accordance with this section.

(e) **Definitions.**—In this section:

1. **Coastal political subdivision.**—The term “coastal political subdivision” means any local political jurisdiction that is immediately below the State level of government, including a county, par-
ish, or borough, with a coastline that is contiguous
with any portion of the United States Gulf of Mex-
ic.

(2) DEEPWATER HORIZON OIL SPILL.—The
term “Deepwater Horizon oil spill” means the blow-
out and explosion of the mobile offshore drilling unit
Deepwater Horizon that occurred on April 20, 2010,
and resulting hydrocarbon releases into the environ-
ment.

(3) GULF COAST REGION.—The term “Gulf
Coast region” means—

(A) in the Gulf Coast States, the coastal
zones (as that term is defined in section 304 of
the Coastal Zone Management Act of 1972 (16
U.S.C. 1453)) that border the Gulf of Mexico;

(B) any adjacent land, water, and water-
sheds, that are within 25 miles of those coastal
zones of the Gulf Coast States; and

(C) all Federal waters in the Gulf of Mex-
ico.

(4) GULF COAST STATE.—The term “Gulf
Coast State” means any of the States of Alabama,
Florida, Louisiana, Mississippi, and Texas.