

**AMENDMENT TO THE AMENDMENT IN THE
NATURE OF A SUBSTITUTE TO H.R. 3534
OFFERED BY MR. MELANCON OF LOUISIANA**

At the end of title V, add the following new section
(and conform the table of contents accordingly):

1 SEC. 504. GULF OF MEXICO RESTORATION ACCOUNT.

2 (a) ESTABLISHMENT OF SPECIAL ACCOUNT.—There
3 is established in the Treasury of the United States a sepa-
4 rate account to be known as the “Gulf of Mexico Restora-
5 tion Account”.

6 (b) FUNDING.—The Gulf of Mexico Restoration Ac-
7 count shall consist of such amounts as may be appro-
8 priated or credited to such Account by section 311A of
9 the Federal Water Pollution Control Act.

10 (c) EXPENDITURES.—Amounts in the Gulf of Mexico
11 Restoration Account shall be available to carry out
12 projects, programs, and activities ~~as directed by the Gulf~~
13 ~~of Mexico Restoration Task Force established in this title.~~

*authorized under
Sections 7006 and
7002 of the
Water Resources
Development Act
of 2007.*

14 (d) AMENDMENT TO THE FEDERAL WATER POLLU-
15 TION CONTROL ACT.—

16 (1) IN GENERAL.—Title III of the Federal
17 Water Pollution Control Act is amended by inserting
18 after section 311 the following:

1 **“SEC. 311A. ADDITIONAL PENALTIES FOR LARGE SPILLS IN**
2 **THE GULF OF MEXICO.**

3 “(a) **IN GENERAL.**—In the case of an offshore facility
4 from which more than 1,000,000 barrels of oil or a haz-
5 ardous substance is discharged into the Gulf of Mexico
6 in violation of section 311(b)(3), any person who is the
7 owner or operator of the facility shall be subject to a civil
8 penalty of \$5,000,000,000 for each 1,000,000 barrels dis-
9 charged.

10 “(b) **RELATIONSHIP TO OTHER PENALTIES.**—The
11 civil penalty under subsection (a) shall be in addition to
12 any other penalties to which the owner or operator of the
13 facility is subject, including those under section 311.”

14 (2) **EFFECTIVE DATE.**—The amendment made
15 by paragraph (1) takes effect on April 1, 2010.

