

**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, as provided in ap-  
12 propriations Acts, to carry out projects, programs, and ac-  
13 tivities as recommended by the Gulf of Mexico Restoration  
14 Task Force established in this title.

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

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

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

6           “(a) IN GENERAL.—In the case of an offshore facility  
7           from which more than 1,000,000 barrels of oil or a haz-  
8           ardous substance is discharged into the Gulf of Mexico  
9           in violation of section 311(b)(3), any person who is the  
10          owner or operator of the facility shall be subject to a civil  
11          penalty of \$200,000,000 for each 1,000,000 barrels dis-  
12          charged.

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

17          (2) EFFECTIVE DATE.—The amendment made  
18          by paragraph (1) takes effect on April 1, 2010.

