

103D CONGRESS
1ST SESSION

S. 686

To establish a Gulf of Mexico Commission and a Gulf of Mexico Program Office within the Environmental Protection Agency, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MARCH 31 (legislative day, MARCH 3), 1993

Mr. KRUEGER (for himself, Mr. BREAUX, Mr. GRAHAM, and Mr. JOHNSTON) introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

A BILL

To establish a Gulf of Mexico Commission and a Gulf of Mexico Program Office within the Environmental Protection Agency, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Gulf of Mexico Act
5 of 1993”.

6 **SEC. 2. FINDINGS.**

7 (a) ECONOMIC IMPACT FINDINGS.—Congress makes
8 the following findings concerning economic activities in the
9 Gulf of Mexico region:

1 (1) The Gulf of Mexico supplies over 30 percent
2 of the domestic fish and seafood market, making it
3 one of the world's most significant fisheries.

4 (2) Forty-five percent of the domestic import
5 and export tonnage passes through ports located in
6 the Gulf of Mexico.

7 (3) Over 90 percent of United States and Mexi-
8 can oil production is derived from offshore oil wells
9 located in the Gulf of Mexico. Payments to the Unit-
10 ed States Treasury under Outer Continental Shelf
11 production leases have totaled more than
12 \$80,000,000,000 over the past 30 years, which is
13 only exceeded by Federal income tax revenue.

14 (4) Offshore oil and gas exploration in the Gulf
15 of Mexico utilizes a fleet of approximately 200 mo-
16 bile rigs that is supported by a multibillion dollar
17 marine service and supply industry.

18 (5) The rapidly growing beach resort and recre-
19 ation industry along the Gulf of Mexico coastlines
20 generates approximately \$10,000,000,000 per year
21 in revenues.

22 (6) Wetlands in the Gulf of Mexico region pro-
23 vide habitat for more than 75 percent of the migra-
24 tory waterfowl of North America and a breeding

1 ground for a wide variety of sport and commercial
2 fish and shellfish.

3 (b) FINDINGS RELATING TO ENVIRONMENTAL
4 THREATS.—Congress makes the following findings con-
5 cerning environmental threats to the ecological system of
6 the Gulf of Mexico:

7 (1) Excessively low levels of oxygen have caused
8 up to 3,000 square miles of bottom waters known as
9 the dead zone to be documented off the Louisiana
10 and Texas coasts. This phenomenon is caused by nu-
11 trient runoff and other forms of water pollution that
12 drain into the Gulf.

13 (2) Three-fourths of the North American land
14 mass drains into the Gulf. Urban and agricultural
15 runoff, including pesticides, animal waste, motor oil,
16 industrial and chemical waste, fertilizers, and solid
17 waste from this enormous area drain directly into
18 the Gulf of Mexico.

19 (3) Concerns about human health have resulted
20 in the permanent or conditional closure of 3,400,000
21 acres of shellfish-growing areas along the Gulf of
22 Mexico coast.

23 (4) The entire Gulf of Mexico region is experi-
24 encing a gradual and significant loss of inland and
25 coastal wetlands. In conjunction with coastal ero-

1 sion, the loss of inland and coastal wetlands reduces
2 hurricane protection and jeopardizes intercoastal
3 and intracoastal waterways.

4 (5) The continued rapid loss of wetland and
5 seagrass habitats in estuaries threatens the contin-
6 ued productivity of commercial fishery stocks be-
7 cause between 92 and 98 percent of the commercial
8 fish and shellfish of the Gulf of Mexico rely on the
9 estuarine habitats for at least a part of their life cy-
10 cles.

11 (6) The huge volume of marine debris that is
12 accumulating on the beaches of the Gulf of Mexico
13 is in a concentration of approximately 1 ton per mile
14 in many areas and is largely attributable to the lack
15 of adequate disposal practices and facilities on resale
16 and in ports throughout the Wider Caribbean Re-
17 gion.

18 (7) Spillage of crude oil and other petroleum
19 and chemical products transported on the waters of
20 the Gulf of Mexico continues to harm environmental
21 resources and resources related to tourism, and the
22 risk of a major calamity increases with the increase
23 of marine traffic.

1 (c) MANAGEMENT FINDINGS.—Congress makes the
2 following findings concerning the management of the Gulf
3 of Mexico:

4 (1) The Gulf States, by virtue of their proxim-
5 ity to the Gulf of Mexico and their knowledge of the
6 local conditions affecting the environmental integrity
7 of the Gulf of Mexico, must continue to play an es-
8 sential role in planning for the management, protec-
9 tion, and restoration of the natural resources of the
10 Gulf of Mexico.

11 (2) The existing efforts of citizens groups, local
12 agencies, State governments, institutions of higher
13 education, private industries, nonprofit research or-
14 ganizations, the Environmental Protection Agency
15 (including the Gulf of Mexico Program and the
16 International Division of the Environmental Protec-
17 tion Agency), the Department of Commerce (includ-
18 ing the National Oceanic and Atmospheric Adminis-
19 tration and the National Marine Fisheries Service),
20 the Department of Agriculture (including the Soil
21 Conservation Service), the Department of the Inte-
22 rior (including the Minerals Management Service,
23 the National Park Service, the Geological Survey,
24 and the Fish and Wildlife Service), the Department
25 of the Army (including the Corps of Engineers), the

1 Department of Transportation (including the Coast
2 Guard), and other Federal agencies should be uti-
3 lized to carry out this Act.

4 (3) Oceanic and atmospheric circulation pat-
5 terns around the Gulf of Mexico inherently render
6 the marine environment of the Gulf of Mexico an in-
7 tegral component of the environment of the Wider
8 Caribbean Region, and life cycles of marine species,
9 the quality of water and the cleanliness of beaches
10 in the Gulf are dependent on the Wider Caribbean
11 Region and its environment as a whole.

12 **SEC. 3. DEFINITIONS.**

13 As used in this Act:

14 (1) FEDERAL AGENCY.—The term “Federal
15 agency” means the Environmental Protection Agen-
16 cy (including the Gulf of Mexico Program and the
17 International Division of the Environmental Protec-
18 tion Agency), the Department of Commerce (includ-
19 ing the National Oceanic and Atmospheric Adminis-
20 tration and the National Marine Fisheries Service),
21 the Department of Agriculture (including the Soil
22 Conservation Service), the Department of the Inte-
23 rior (including the Minerals Management Service,
24 the National Park Service, the Geological Survey,
25 and the Fish and Wildlife Service) the Department

1 of the Army (including the Corps of Engineers), and
2 the Department of Transportation (including the
3 Coast Guard).

4 (2) COMMISSION.—The term “Commission”
5 means the Gulf of Mexico Commission established
6 under section 4.

7 (3) GULF STATES.—The term “Gulf States”
8 means Alabama, Florida, Louisiana, Mississippi, and
9 Texas.

10 (4) WIDER CARIBBEAN REGION.—The term
11 “Wider Caribbean Region” means the Caribbean
12 Sea, including the Gulf of Mexico, and areas of the
13 Atlantic Ocean adjacent to the Caribbean Sea, south
14 of 30 degrees north latitude and within 200 nautical
15 miles of the Atlantic coast of the States that are sig-
16 natories to the Convention for the Protection and
17 Development of the Marine Environment of the
18 Wider Caribbean Region, with Annex, done at
19 Cartagena on March 24, 1983 (TIAS 11085).

20 **SEC. 4. GULF OF MEXICO COMMISSION.**

21 (a) ESTABLISHMENT.—On receiving the written
22 agreement of the Governor of each Gulf State, the Presi-
23 dent shall establish a Gulf of Mexico Commission for the
24 purpose of promoting the environmental and economic in-
25 terests of the Gulf of Mexico by coordinating the variety

1 of public authorities and private organizations that are en-
2 gaged in evaluating and responding to problems relating
3 to the Gulf of Mexico.

4 (b) FIRST MEETING.—The Commission shall hold its
5 first meeting within 90 days after the President receives
6 the written agreement referred to in subsection (a).

7 (c) MEMBERSHIP.—

8 (1) IN GENERAL.—The Commission shall be
9 composed of—

10 (A) the Governor of each Gulf State, or a
11 representative of the Governor;

12 (B) the President of the Senate of each
13 Gulf State legislature (or the equivalent official
14 of the State), or a designee of the President of
15 the Senate of the State (or the equivalent offi-
16 cial of the State);

17 (C) the Speaker of the House of Rep-
18 resentatives of each Gulf State legislature (or
19 the equivalent official of the State), or a des-
20 ignee of the Speaker (or the equivalent official
21 of the State);

22 (D) two individuals from each Gulf State
23 who shall not be members, officers, or employ-
24 ees of either the executive or legislative branch

1 of that State and who shall be appointed by the
2 Governor of the State; and

3 (E) one official each from the Department
4 of Commerce, the Department of the Interior,
5 the Department of Agriculture, the Coast
6 Guard, the Environmental Protection Agency,
7 and the Army Corps of Engineers.

8 (2) TERM.—Each Commission member shall
9 serve for a term of 4 years, except that—

10 (A) a Commission member described in
11 subparagraph (A), (B), or (C) of paragraph (1)
12 shall not serve after the date of termination of
13 the executive or legislative term of office of the
14 member;

15 (B) a Commission member described in
16 paragraph (1)(D) shall not serve after the date
17 of termination of the term of office of the Gov-
18 ernor who appoints the member; and

19 (C) a Commission member described in
20 paragraph (1)(E) shall not serve after the date
21 of termination of the term of office of the Presi-
22 dent who appoints the member.

23 (3) REAPPOINTMENT.—Any member of the
24 Commission may be reappointed, if the member is

1 eligible for membership under paragraphs (1) and
2 (2).

3 (4) CHAIRPERSON AND VICE CHAIRPERSON.—

4 The Commission shall annually elect a Chairperson
5 and Vice Chairperson from among its members.

6 (d) FUNCTIONS.—

7 (1) RECOMMENDATIONS.—The Commission
8 shall make recommendations to the President, the
9 Gulf States, Congress, the heads of Federal agen-
10 cies, and other appropriate parties regarding—

11 (A) the orderly, sustainable, and com-
12 prehensive use and conservation of the re-
13 sources of the Gulf of Mexico;

14 (B) the balancing among agriculture, com-
15 mercial, environmental, industrial, transpor-
16 tation, and recreational interests in the use and
17 protection of the resources of the Gulf of Mex-
18 ico;

19 (C) necessary improvements in the man-
20 agement system of the Gulf of Mexico existing
21 on the date of enactment of this Act to maxi-
22 mize the public benefits of the resources of the
23 Gulf of Mexico;

24 (D) the appropriate role for the Federal
25 Government in the management and protection

1 of the national resources found in the Gulf of
2 Mexico;

3 (E) cooperation between the Gulf States,
4 the Federal Government, and the Government
5 of Mexico, as well as other governments and
6 intergovernmental bodies having interests in, or
7 jurisdiction sufficient to affect, conditions in the
8 Gulf of Mexico and its environs;

9 (F) cooperation among private groups and
10 organizations in the Gulf of Mexico region on
11 matters affecting the Gulf of Mexico;

12 (G) uniform laws, or other laws (including
13 ordinances or regulations) relating to the devel-
14 opment, use, and conservation of the resources
15 of the Gulf of Mexico by each of the respective
16 Gulf States, the Federal Government, and the
17 Government of Mexico, as well as other govern-
18 ments and intergovernmental bodies having in-
19 terests in, or jurisdiction sufficient to affect,
20 conditions in the Gulf of Mexico and its envi-
21 rons;

22 (H) agreements between the United States
23 and Mexico that would positively affect the devel-
24 opment, use, and conservation of the re-
25 sources of the Gulf of Mexico;

1 (I) mutual arrangements to be embodied in
2 concurrent or reciprocal legislation promulgated
3 by Congress and the legislature of the Govern-
4 ment of Mexico;

5 (J) improvements to the overall transpor-
6 tation infrastructure in the Gulf of Mexico and
7 its environs;

8 (K) means of improving and maintaining
9 the productivity of the various industries doing
10 business in the Gulf of Mexico; and

11 (L) the adequacy of current and projected
12 funding for the activities described in subpara-
13 graphs (A) through (K).

14 (2) REVIEW BY COMMISSION.—The Commission
15 shall review and comment on plans developed pursu-
16 ant to section 5(d).

17 (3) ASSISTANCE IN NEGOTIATIONS.—The Com-
18 mission may, at the request of the President, assist
19 in the negotiation and formulation of any treaty or
20 mutual agreement between the United States and
21 Mexico that relates to the Gulf of Mexico and its en-
22 viron.

23 (e) POWERS OF COMMISSION.—The Commission shall
24 have the power to—

1 (1) compile, analyze, and report on technical
2 and other data relating to the resources of the Gulf
3 of Mexico and its environs;

4 (2) conduct studies (directly or through con-
5 tracts, grants, or other indirect means) regarding
6 existing or potential problems within the Gulf of
7 Mexico and its environs;

8 (3) pursue and administer such grants and
9 other financial assistance as may be provided by
10 public and private sources to facilitate any purpose
11 of this Act;

12 (4) prepare, publish, and disseminate informa-
13 tion relating to the activities and recommendations
14 of the Commission; and

15 (5) make recommendations and take all actions
16 necessary and proper to execute the powers con-
17 ferred on the Commission by this Act, except that no
18 recommendation or action shall have the force of law
19 in, or be binding on, any Gulf State, the United
20 States Government, or the Government of Mexico.

21 (f) ADMINISTRATION.—

22 (1) AUTHORITY OF COMMISSION.—For the pur-
23 pose of carrying out this Act, the Commission
24 may—

1 (A) adopt bylaws governing the conduct of
2 the activities and meetings of the Commission;

3 (B) hold such hearings, sit and act at such
4 times and places, take such testimony, receive
5 such evidence, and publish and distribute such
6 reports as the Commission considers appro-
7 priate to carry out this Act;

8 (C) acquire, furnish, and equip such office
9 space as may be necessary;

10 (D) employ and compensate an executive
11 director and such other personnel as the Com-
12 mission determines appropriate, including con-
13 sultants, at rates not to exceed the daily equiva-
14 lent of the rate prescribed for level V of the Ex-
15 ecutive Schedule under section 5316 of title 5,
16 United States Code, and retain and compensate
17 by contract such professional or technical serv-
18 ice firms as the Commission determines appro-
19 priate;

20 (E) arrange for the services of personnel
21 from any Gulf State, the Federal Government,
22 the Government of Mexico, or any intergovern-
23 mental agency; and

24 (F) incur such necessary expenses and ex-
25 ercise such powers as are reasonably required to

1 perform the functions of the Commission under
2 this Act.

3 (2) ASSISTANCE.—At the request of the Com-
4 mission, the heads of Federal and State departments
5 and agencies may furnish information, personnel,
6 and other assistance in support of the functions of
7 the Commission.

8 (3) COMPENSATION.—Members of the Commis-
9 sion shall serve without compensation, but shall be
10 reimbursed for travel or transportation expenses
11 under subchapter I of chapter 57 of title 5, United
12 States Code, while away from their homes or regular
13 places of business in performance of services for the
14 Commission.

15 (4) FUNDS.—In addition to appropriations au-
16 thorized under this Act, the Commission may accept
17 and use appropriations, grants, and donations (in-
18 cluding in-kind gifts) from a Gulf State, the Federal
19 Government, the Government of Mexico, an individ-
20 ual, a private institution, or any other government
21 or intergovernmental body having interests in, or ju-
22 risdiction sufficient to affect, conditions in the Gulf
23 of Mexico and its environs.

24 (5) RECORDS.—The Commission shall keep ac-
25 curate records of all receipts and disbursements. The

1 accounts shall be audited at least annually in accord-
2 ance with generally accepted auditing standards by
3 independent certified or licensed public accountants.
4 A report of the audit shall be included in, and be-
5 come a part of, the annual report of the Commis-
6 sion, which shall be submitted to each Gulf State,
7 the President, and Congress.

8 (6) REVIEW.—The records of the Commission
9 referred to in paragraph (5) shall be open at all rea-
10 sonable times for inspection by representatives of the
11 jurisdictions and agencies that make appropriations,
12 donations, or grants to the Commission.

13 (7) TERMINATION.—The President shall termi-
14 nate the Commission after receipt of a written re-
15 quest signed by the Governor of each Gulf State.

16 **SEC. 5. ENVIRONMENTAL PROTECTION AGENCY PROGRAM.**

17 (a) GULF OF MEXICO NATIONAL PROGRAM OF-
18 FICE.—The Gulf of Mexico National Program Office (re-
19 ferred to in this section as the “Program Office”) is estab-
20 lished within the Environmental Protection Agency, to be
21 located in one of the Gulf States and headed by a Director
22 to be selected by the Administrator of the Environmental
23 Protection Agency from candidates nominated by the
24 Commission. The Director shall have expertise in technical

1 and management issues related to environmental quality
2 in the Gulf of Mexico.

3 (b) GULF OF MEXICO ENVIRONMENTAL MANAGE-
4 MENT.—

5 (1) FUNCTIONS OF PROGRAM OFFICE.—The Di-
6 rector of the Program Office shall—

7 (A) gather and create a database of re-
8 search on Gulf of Mexico environmental quality
9 issues for use by universities, governments, and
10 private institutions;

11 (B) establish a Gulf-wide network com-
12 prised of Federal, State, and local authorities
13 and private institutions to monitor environ-
14 mental quality in the Gulf of Mexico;

15 (C) develop and implement policies in con-
16 junction with Federal, State, and local authori-
17 ties and private institutions designed to improve
18 environmental quality in the Gulf;

19 (D) coordinate activities within the Envi-
20 ronmental Protection Agency, including those of
21 regional and headquarters offices with respon-
22 sibilities for the Gulf of Mexico, aimed at im-
23 proving environmental quality in the Gulf of
24 Mexico; and

1 (E) coordinate activities of the Environ-
2 mental Protection Agency with the actions of
3 the Commission, other Federal agencies, and
4 State and local authorities, to ensure their par-
5 ticipation in the development and implementa-
6 tion of policies to improve environmental quality
7 in the Gulf of Mexico.

8 (2) GULF OF MEXICO RESEARCH.—

9 (A) INVENTORY.—The Director of the Pro-
10 gram Office shall establish a Gulf of Mexico re-
11 search inventory and database to provide a
12 comprehensive source of environmental studies,
13 data, and other information related to environ-
14 mental quality in the Gulf of Mexico.

15 (B) UPDATES.—The Director of the Pro-
16 gram Office shall update the inventory every 5
17 years.

18 (C) MONITORING NETWORK.—

19 (i) ESTABLISHMENT.—The Adminis-
20 trator of the Environmental Protection
21 Agency shall establish a Gulf-wide monitor-
22 ing network not later than May 1, 1994, in
23 consultation with the Commission and
24 Federal, State, and local agencies, to de-
25 velop data that can be used to gauge the

1 effectiveness of Environmental Protection
2 Agency policies related to the Gulf.

3 (ii) COORDINATION.—The Adminis-
4 trator of the Environmental Protection
5 Agency shall review, and, to the extent fea-
6 sible, incorporate into the network mon-
7 itoring efforts in the Gulf at the Federal,
8 State, and local levels, existing on the date
9 of enactment of this Act.

10 (iii) PURPOSES.—The network shall
11 be structured to produce data to support
12 the development of the Gulf of Mexico
13 Management Plan and describe the envi-
14 ronmental quality of the Gulf of Mexico,
15 with particular attention given to areas of
16 concentrated industrial activity and other
17 sources of point and nonpoint source pollu-
18 tion.

19 (3) GULF OF MEXICO MANAGEMENT PLAN.—

20 (A) PUBLICATION OF THE PROPOSED
21 PLAN.—Not later than May 1, 1995, the Ad-
22 ministrator of the Environmental Protection
23 Agency, after consultation with the Commission
24 and representatives of other Federal, State, and
25 local agencies, shall publish for public comment

1 a proposed Gulf of Mexico Management Plan.

2 The Plan shall—

3 (i) summarize existing data describing
4 the environmental quality of the Gulf of
5 Mexico, including information pertaining to
6 the status of fisheries, shellfish growing
7 areas, wetlands, and beaches;

8 (ii) describe the monitoring network
9 and the Program Office Research Inven-
10 tory;

11 (iii) describe significant sources of
12 pollution and assess associated environ-
13 mental risks;

14 (iv) describe on-going and planned ac-
15 tivities intended to identify, evaluate, and
16 preserve wetlands and other critical habi-
17 tats;

18 (v) report on pollution prevention and
19 other abatement and remedial measures
20 underway on the date the report is pre-
21 pared;

22 (vi) recommend measures to be under-
23 taken by Federal, State, and local agencies
24 and private interests to ensure the protec-

1 tion and restoration of the Gulf of Mexico
2 ecosystem;

3 (vii) address the economic impact of
4 any additional measures on development in
5 the Gulf of Mexico region, particularly
6 measures affecting agriculture, fishing,
7 recreational activities, and oil and gas ac-
8 tivities; and

9 (viii) recommend the Federal, State,
10 and local agencies to be charged with im-
11 plementing the Plan.

12 (B) PUBLIC COMMENT AND PUBLICATION
13 OF FINAL PLAN.—The Administrator of the En-
14 vironmental Protection Agency shall provide a
15 period of 60 days for public comment. The Ad-
16 ministrator of the Environmental Protection
17 Agency shall publish the final Gulf of Mexico
18 Management Plan not later than 180 days after
19 the expiration of the public comment period.

20 (C) ANNUAL REPORT TO CONGRESS.—Be-
21 ginning with fiscal year 1995, within 90 days
22 after the end of each fiscal year, the Adminis-
23 trator of the Environmental Protection Agency,
24 after consultation with the Commission, and

1 Federal, State, and local agencies, shall submit
2 a comprehensive report to Congress that—

3 (i) updates the status of environ-
4 mental quality in the Gulf of Mexico;

5 (ii) describes any modifications in the
6 monitoring network of Research Inventory;

7 (iii) describes the achievements in the
8 preceding year in implementing measures
9 undertaken in the Gulf of Mexico Manage-
10 ment Plan;

11 (iv) describes the designation of any
12 critical habitats in the previous year; and

13 (v) describes the long-term prospects
14 for improving the environmental quality in
15 the Gulf.

16 (4) GRANT PROGRAM.—

17 (A) IN GENERAL.—The Administrator of
18 the Environmental Protection Agency may,
19 upon approval of an application submitted by a
20 Gulf State or a group of States, make a grant
21 to the State or group of States for the purpose
22 of furthering the development or implementa-
23 tion of the monitoring network or Plan.

24 (B) PURPOSES.—A State or group of
25 States receiving a grant under this paragraph

1 may provide funds to other State and local
2 agencies, universities, institutions, organiza-
3 tions, and individuals for the purpose of assist-
4 ing the State or States in developing or imple-
5 menting the monitoring network or Plan.

6 (C) SUBMISSION OF PROPOSAL.—A pro-
7 posal submitted under this paragraph shall de-
8 scribe in detail the activities the grant will fund
9 and, in the case of a grant to be used for imple-
10 mentation measures, the proposed abatement or
11 conservation action and the result the proposed
12 action is expected to achieve.

13 (D) FEDERAL SHARE.—

14 (i) IN GENERAL.—The Federal share
15 of a grant under this paragraph shall be
16 50 percent of the amount of the grant
17 award.

18 (ii) WAIVER.—The Administrator of
19 the Environmental Protection Agency may
20 waive the 50 percent limitation on the
21 Federal share if the Administrator of the
22 Environmental Protection Agency deter-
23 mines in a particular case that overriding
24 national, international, or regional inter-
25 ests justify a larger Federal share. The

1 Administrator of the Environmental Pro-
2 tection Agency shall report on the number
3 of waivers issued under this subparagraph
4 at the time the Administrator of the Envi-
5 ronmental Protection Agency submits a
6 budget proposal to the President for inclu-
7 sion in the annual budget of the United
8 States Government submitted by the Presi-
9 dent to Congress.

10 (E) ADMINISTRATIVE EXPENSES.—Not
11 more than 10 percent of the amount of any
12 grant awarded under this paragraph may be
13 used for administrative expenses.

14 (F) REPORTS.—As a condition to receiving
15 a grant under this paragraph, a State or group
16 of States must agree to submit to the Adminis-
17 trator of the Environmental Protection Agency
18 a report at the end of each fiscal year describ-
19 ing the progress the State has made in taking
20 the actions proposed in the grant application
21 and the amount of grant funds expended.

22 (G) LIABILITY.—Grants made under this
23 section may not be used for the purpose of re-
24 lieving from liability any person who may other-
25 wise be liable under Federal or State law for

1 damages, response costs, natural resource dam-
2 ages, restitution, equitable relief, or any other
3 relief.

4 (c) BUDGET ITEM.—The Administrator of the Envi-
5 ronmental Protection Agency shall, in the annual budget
6 submission of the Environmental Protection Agency to
7 Congress, include a funding request for the Program Of-
8 fice as a separate line item.

9 (d) MEMORANDA OF UNDERSTANDING WITH OTHER
10 FEDERAL AGENCIES.—

11 (1) AUTHORIZATION.—The Administrator of
12 the Environmental Protection Agency is authorized
13 to negotiate memoranda of understanding with other
14 Federal agencies with jurisdiction over the Gulf of
15 Mexico.

16 (2) PURPOSES.—A memorandum shall set out
17 the various responsibilities of each agency that is a
18 party to it. A memorandum shall clearly delineate
19 the jurisdiction and activities to be undertaken by
20 each party.

21 **SEC. 7. RELATIONSHIP TO EXISTING FEDERAL AND STATE**
22 **LAWS AND INTERNATIONAL TREATIES.**

23 (a) IN GENERAL.—Nothing in this Act shall be con-
24 strued to affect the jurisdiction, powers, or prerogatives

1 of any department, agency, officer, or program of the Fed-
2 eral Government, or of any State government or tribe.

3 (b) INTERNATIONAL BODIES.—Nothing in this Act
4 shall be construed to affect the jurisdiction, powers, or
5 prerogatives of any international body created by a treaty,
6 to which the United States is a party, with authority relat-
7 ing to the Gulf of Mexico.

8 (c) RELATIONSHIP TO INTERNATIONAL LAW AND
9 FOREIGN POLICY OF THE UNITED STATES.—Any action
10 taken pursuant to this Act shall be consistent with rel-
11 evant international law. Any action taken pursuant to this
12 Act that relates to the waters under the jurisdiction of
13 a foreign country shall be undertaken only in cooperation
14 with representatives of the affected foreign country.

15 **SEC. 8. STUDY OF INTERNATIONAL ISSUES.**

16 The Administrator of the Environmental Protection
17 Agency is authorized to conduct a study to assess the na-
18 ture and extent of environmental problems in the Gulf of
19 Mexico and Wider Caribbean Region, including areas be-
20 yond the Exclusive Economic Zone of the United States.

21 **SEC. 9. AUTHORIZATION OF APPROPRIATIONS.**

22 (a) AMOUNTS.—There are authorized to be appro-
23 priated such sums as are necessary to carry out this Act.

1 (b) AVAILABILITY OF FUNDS.—The amounts author-
2 ized to be appropriated under this section shall remain
3 available until expended.

4 (c) SUPPLEMENTAL FUNDS.—Funds made available
5 under subsection (a) shall be used to supplement and not
6 supplant any other funds made available to the Environ-
7 mental Protection Agency.

○