

112TH CONGRESS  
1ST SESSION

# S. 1991

To establish the National Endowment for the Oceans, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

DECEMBER 14, 2011

Mr. WHITEHOUSE introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

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## A BILL

To establish the National Endowment for the Oceans, 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. NATIONAL ENDOWMENT FOR THE OCEANS.**

4       (a) COASTAL STATE AND COASTAL WATERS DE-  
5       FINED.—In this section the terms “coastal State” and  
6       “coastal waters” have the meanings given the terms  
7       “coastal state” and “coastal waters”, respectively, in sec-  
8       tion 304 of the Marine Resources and Engineering Devel-  
9       opment Act of 1966 (16 U.S.C. 1453).

10       (b) NATIONAL ENDOWMENT FOR THE OCEANS.—

11               (1) ESTABLISHMENT.—

1 (A) IN GENERAL.—There is established in  
2 the Treasury of the United States a trust fund  
3 to be known as the “National Endowment for  
4 the Oceans,” consisting of such amounts as  
5 may be appropriated or credited to the National  
6 Endowment for the Oceans.

7 (B) INVESTMENT.—Amounts in the Na-  
8 tional Endowment for the Oceans shall be in-  
9 vested in accordance with section 9602 of the  
10 Internal Revenue Code of 1986, and any inter-  
11 est on, and proceeds from, any such investment  
12 shall be available for expenditure in accordance  
13 with this subsection.

14 (2) TRUSTEE.—The trustee for the National  
15 Endowment for the Oceans shall be the Secretary of  
16 Commerce.

17 (3) ALLOCATION OF FUNDS.—

18 (A) IN GENERAL.—Each fiscal year, the  
19 Secretary shall allocate, at a minimum, an  
20 amount equal to the interest earned by the Na-  
21 tional Endowment for the Oceans in the pre-  
22 ceding fiscal year, and may distribute an  
23 amount equal to up to 10 percent of the total  
24 amounts in the National Endowment for the  
25 Oceans—

1 (i) to allocate funding to coastal  
2 States and affected Indian tribes;

3 (ii) to make grants to regional ocean  
4 and coastal planning bodies; and

5 (iii) to develop and implement a Na-  
6 tional Grant Program for Oceans and  
7 Coastal Waters.

8 (B) PROGRAM ADJUSTMENTS.—In each  
9 fiscal year when the amount described in sub-  
10 section (c) does not exceed \$100,000,000, the  
11 Secretary may elect to fund only the grant pro-  
12 gram established in subparagraph (A)(iii).

13 (4) ELIGIBLE ACTIVITIES.—Funds deposited in  
14 the National Endowment for the Oceans may be al-  
15 located by the Secretary only to fund grants for pro-  
16 grams and activities intended to restore, protect,  
17 maintain, or understand living marine resources and  
18 their habitats and resources in ocean and coastal  
19 waters, including baseline scientific research, ocean  
20 observing, and other programs and activities carried  
21 out in coordination with Federal and State depart-  
22 ments or agencies, that are consistent with Federal  
23 environmental laws and that avoid environmental  
24 degradation.

1           (5) APPLICATION.—To be eligible to receive a  
2 grant under paragraph (3)(A), an entity shall sub-  
3 mit to the Secretary an application therefor at such  
4 time, in such manner, and containing such informa-  
5 tion as the Secretary considers appropriate.

6           (6) FUNDING FOR COASTAL STATES.—The Sec-  
7 retary shall allocate funding among States as fol-  
8 lows:

9                   (A) 50 percent of the funds shall be allo-  
10 cated equally among coastal States.

11                   (B) 25 percent of the funds shall be allo-  
12 cated based on tidal shoreline miles.

13                   (C) 25 percent of the funds shall be allo-  
14 cated based on the coastal population density of  
15 a coastal State.

16                   (D) No State shall be allocated more than  
17 10 percent of the total amount of funds avail-  
18 able for allocation among coastal States for any  
19 fiscal year.

20                   (E) No territory shall be allocated more  
21 than 1 percent of the total amount of funds  
22 available for allocation among coastal States for  
23 any fiscal year.

24           (c) AUTHORIZATION OF INTEREST TRANSFERS.—  
25 Upon the establishment through legislation of a Gulf

1 Coast Restoration Trust Fund, of the total amount made  
2 available in any fiscal year in that Trust Fund, an amount  
3 equal to the interest earned by the Trust Fund and pro-  
4 ceeds from investments made by the Trust Fund in the  
5 preceding fiscal year, 50 percent shall be transferred to  
6 the National Endowment for Oceans established by section  
7 (b)(1)(A).

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