

# EXTENSIONS OF REMARKS

HONORING MAJOR GENERAL  
ROBERT D. REGO

**HON. DOUG LAMBORN**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 21, 2016*

Mr. LAMBORN. Mr. Speaker, I rise today to honor the service of Major General Robert D. Rego on the occasion of his retirement from the United States Air Force following a distinguished 31 year career. A devoted husband and family man, Major General Rego has been an outstanding servant to the United States of America.

The son of a World War II veteran, General Rego began his Air Force service in 1985 as a graduate of the ROTC program at UCLA. His first assignment landed him at Grand Forks AFB as an ICBM officer in the 321st Strategic Missile Wing. During his time at Grand Forks, General Rego ascended to the position of Flight Commander while he and his wife, Tricia, welcomed their first two sons, Jarred and Ethan.

Following his missile service, General Rego transferred into the space field with a posting as a Space Warning Officer at Cheyenne Mountain AFS in my district in Colorado Springs. During his nearly eight years at Cheyenne Mountain, General Rego welcomed his third and final son, Clayton, and he transitioned into the Reserves, working at local defense contractor Trident Data Systems. During these eight years, General Rego completed important assignments in the United Kingdom, Japan, and Italy.

Indeed, the mission in Italy and international events worked to return General Rego to full-time active duty service in 1999. Following a term at the Air Command and Staff College at Maxwell AFB, General Rego returned to Colorado Springs as the Chief of the Space Control Mission Team at Air Force Space Command Headquarters at Peterson AFB. During this assignment, General Rego was deployed forward as an Airborne Mission Commander during Operations Enduring Freedom and Iraqi Freedom. His outstanding efforts saved lives and earned him a Bronze Star.

Following a term at the prestigious Naval War College in Newport, Rhode Island, General Rego returned to Air Force Space Command for nearly 10 more years that saw him promoted to Brigadier General and Major General before a move to Barksdale AFB to serve as the Vice Commander for Global Strike Command. General Rego's final post has been serving as the Mobilization Assistant to the Commander of U.S. Strategic Command at Offutt AFB.

Throughout his extraordinary career, General Rego has been a consummate officer, always dedicating time to improving and mentoring his military peers and being willing to place the needs of his country over his own personal desires or comforts.

It is my privilege to honor this outstanding man who rose from very humble beginnings to

achieve greatness. The United States Air Force, and indeed, the whole nation, has been immeasurably improved by the life and service of Major General Robert D. Rego.

HONORING RECIPIENTS OF THE  
2016 THIRD DISTRICT EXCELLENCE IN ECONOMIC DEVELOPMENT AWARD

**HON. ADRIAN SMITH**

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 21, 2016*

Mr. SMITH of Nebraska. Mr. Speaker, today I honor eight individuals and businesses from Nebraska receiving the 2016 Third District Excellence in Economic Development Award.

Throughout the 75 counties of the Third District, entrepreneurs and innovators are working hard to grow opportunity in our state.

In May, I called for nominations for individuals, businesses, and organizations which have helped strengthen their communities. All of the nominees have shown they are striving to ensure a strong economic future for Nebraskans.

Aulick Industries in Scottsbluff, owned by the Aulick family for three generations, employs approximately 100 people in welding, fabrication, tire installation, laundry, auto body tech, decal design, and administration. The company is also involved in Scottsbluff Public Schools' Every Child, Every Day, Everywhere initiative with a goal of introducing students to opportunities in manufacturing and technology careers in the region.

Brent Comstock of Auburn has owned BCom Solutions since middle school. His technology business has grown to include computer repairs, IT management, software development, and web design. Brent headquartered BCom Solutions in a previously vacant storefront in Auburn and encourages his staff to give back to the community through nonprofit and community board involvement. He donates thousands of dollars in design and digital marketing services to nonprofits and offers free workshops and consultations for businesses. Brent also provides internships to Peru State College.

Bruning Grocery's commitment to hard work, small-town values, and providing exceptional service and quality products has made the store a cornerstone of Bruning, a community of approximately 280 people. Its competitive prices draw many customers from surrounding towns, encouraging more Nebraskans to shop local. Owned by the Phillippi family for more than 40 years, Bruning Grocery serves as a leading food supplier for local events and a major contributor to the vibrancy of Bruning's Main Street.

Chais Meyer of Kearney co-owns 24 Hour Tees, an innovative shirt shop known for its responsiveness to local customers while selling products across the country and around the world. Chais is an advocate for e-com-

merce as a way to grow rural economies. He is also a member of Kearney's Downtown Improvement Board to help advance the future of retail and the community.

Jody Augustyn is the owner of Shanti Yoga by Jody Augustyn, ERYT, based in Loup City and Kearney. In her five years in business, Jody has become known by many as a committed and passionate teacher. In addition to leading her own classes, she also certifies new instructors.

Landmark Snacks, founded in April 2016 by Nebraska natives Chad and Courtney Lottman, is a jerky and meat snacks production facility in Beatrice employing 50 people. In 1994, at the age of 19, the Lottmans started out as grocery store owners and have grown their business to also include C&C Processing in Diller. Landmark Snacks surpassed its three-year growth plan in a matter of months.

Pacha Soap, headquartered in Hastings, is owned by Hastings College graduates Andrew and Abi Vrbas. Founded in 2012, Pacha Soap employs 16 people in the Hastings area and sells handcrafted products throughout the country. For every bar of soap purchased, they give a bar to someone in need. The company also sets up small soap shops in developing nations to encourage entrepreneurship while supporting WASH (Water, Sanitation, and Hygiene) efforts through education and donation.

Sand Creek Post & Beam in Wayne is the leading manufacturer of custom-designed wood barn and barn home kits. This family-owned company employs about 50 Nebraskans and has served thousands of customers in 48 states, helping them design their dream barns. Sand Creek's production plant was destroyed by an EF4 tornado in October 2013, but owners Jule Goeller and Len Dickinson never wavered in their commitment to rebuild. The company operated out of temporary quarters until its grand reopening in summer 2014.

I am proud to recognize these award winners today, and I thank them for their many contributions to Nebraska.

IN RECOGNITION OF COMMAND  
SERGEANT MAJOR RUSSELL DE  
LEON

**HON. FILEMON VELA**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 21, 2016*

Mr. VELA. Mr. Speaker, I rise today to recognize Russell de Leon. After 30 years of proudly serving in the United States Army, de Leon will be retiring at the end of July as a Command Sergeant Major, the highest rank attainable for enlisted soldiers in the U.S. Army. CSM de Leon has been stationed around the nation and the globe, and served with great distinction in Operation Iraqi Freedom and in Operation Enduring Freedom.

Since graduating from San Benito High School in 1986, de Leon has made South

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

Texas proud. CSM de Leon's work on his final tour—where he was assigned to the Space and Missile Defense Command in Colorado—helped provide critical services to the President, the Department of Defense, and a host of government agencies.

De Leon has earned numerous military decorations, including the Legion of Merit Medal, the Defense Meritorious Service Medal, the Joint Service Commendation Medal, and countless other awards and recognitions. His work and record speak for themselves, and I extend to him my sincerest gratitude for his service.

Mr. Speaker, I thank you for the opportunity to honor CSM Russell de Leon for his three decades of military service to this nation. I join my colleagues in Congress in wishing him, his wife Eufemia, and their daughter Amanda, the best in the future.

**RECOGNIZING PHIL MEMBRERE  
FOR HIS DEDICATION TO HIS  
NEIGHBORS IN NEED AND THE  
FISH FOOD BANKS OF PIERCE  
COUNTY**

**HON. DEREK KILMER**

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 21, 2016*

Mr. KILMER. Mr. Speaker, I rise today to recognize Phil Membrere, who will "retire" this year after 14 years as a dedicated volunteer for the FISH Food Banks of Pierce County in Tacoma, WA. Phil is widely recognized at FISH Food Banks as one of the most committed volunteers that the organization has ever seen.

Phil Membrere began serving at FISH Food Banks in 2002 after a serious auto accident forced him to retire from his career as a union truck driver. He used his skills in logistics and transportation to assist FISH with the pick-up and processing of locally donated food and quickly became instrumental to the success of the daily operations.

After years of being counted on by FISH Administrative Staff, Phil spent the last few years helping to lead this organization on day-to-day operations and helping to streamline other administrative processes. His service has been especially impactful at the Southeast Tacoma FISH Food Bank, where he has helped facilitate numerous large donations from the Puyallup Tribe of Indians.

Mr. Speaker, for the past fourteen years, Phil Membrere has been a loyal, full-time volunteer at FISH Food Banks of Pierce County. He has treated his neighbors in need with the compassion, dignity, and respect that they deserve. Phil has taken pride in this role, reporting to his post five days a week and undoubtedly inspiring others to serve their community. The countless local families that he assisted are all stronger, healthier, and have a brighter future because of his service. The contributions of Phil and his fellow volunteers embody the values that make our community and our country a great place to live.

Mr. Speaker, I am pleased to join the leadership and staff at FISH Food Banks of Pierce County, Phil's friends and family, and the greater Tacoma-Pierce County Community in expressing my gratitude today in the United States Congress for Phil Membrere's 14 years

of volunteer service. As the proud Representative of Washington's 6th Congressional District in the House of Representatives, I offer my best wishes for a happy "second" retirement and wish Phil an early happy 70th birthday.

**REMEMBERING THE LIFE OF BILL  
HOLMES**

**HON. MARTHA MCSALLY**

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 21, 2016*

Ms. MCSALLY. Mr. Speaker, I rise today to remember the life of Bill Holmes, a man lovingly referred to as "Mr. Tucson" for his substantial contributions to the people of Southern Arizona.

Bill was born in Yuma, Arizona, where he attended Union High School. After graduation, he toured with the international music group, "Up with People," which aims to bridge cultural barriers and bring people together through music and service.

Through his talents and commitment to service, Bill touched countless lives in Tucson. At the time of his death, he was the managing partner and CEO of Agape Hospice and Palliative Care, helping provide comfort and care to those in their final hours. He previously served as managing partner for CPR2U LLC, a health care education company; senior consultant for Up With People; chief operating officer of the Tucson Metropolitan Chamber of Commerce; and community relations manager for Wells Fargo.

Bill gave back to our community in so many ways, evidenced by the many civic organizations to which he lent his time and energy. He was Chairman of the Board of the Tucson Hispanic Chamber of Commerce and was involved with the Saguaro Girl Scouts Council, Chicanos Por La Causa, El Rio Foundation, Catholic Community Services, Angel Charities, and Juvenile Diabetes Research Foundation.

Those who knew Bill or had the chance to meet him know he always had a smile on his face. He was a generous, caring, and vibrant leader of our community. His death will no doubt leave a void for many who loved and knew him, but his legacy will carry on, and his enormous impact on Tucson, the city he loved so dearly, will be felt long into the future.

**HONORING MATHILDE FREUND**

**HON. JERROLD NADLER**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 21, 2016*

Mr. NADLER. Mr. Speaker, I rise today to honor Mathilde Freund on her 100th birthday.

Mathilde Freund was born in Vienna, Austria in 1916. She married her husband in 1937. Within a few months, Hitler's army entered Vienna, Austria and by August of 1938, Mathilde, her husband, her parents, and all her able bodied relatives quickly fled to Paris, France where they again had to suddenly flee, this time to Lyon, France. Once there, the men in her family all volunteered to fight with the French army in Northern Africa. By 1943 they were back in Lyon, where her husband was eventually captured and deported to Bu-

chenwald where he died days before liberation. Her only brother, Alfred, was taken hostage on August 18, 1944 in Lyon, and then shot along with more than 100 other men at the Lyon Airport less than a week later.

In 1952, Mathilde came to New York with her mother and daughter where she settled on the Upper West Side. Embracing New York, and her new life in the United States, Mathilde earned several degrees and worked for many years as a medical social worker at the Beth Israel Cancer Detection Center and later at the French Hospital until it closed in 1977, when she retired. She lost her own daughter to breast cancer a little over 10 years ago, but is very blessed to have an extremely loving grandson and five great grandchildren.

Mathilde has never forgotten those difficult years between 1938 to 1945, somehow surviving in the forest and stables surrounding Lyon, and she is dedicated to telling her story to grade school and university students in New York City.

She continues to live life to the fullest as she takes classes at Fordham University, and she loves to go to the theater, museums and concerts.

Mathilde has been a vendor at the Upper West Side Green Flea (now known as Grand Bazaar NY) market since it was opened to non-PTA vendors more than 30 years ago. Grand Bazaar NY is run by the PTA of four on-site schools which benefit directly from the revenue. In recognition of her long running service, this Upper West Side market will name Sunday, July 31, 2016 in her honor.

Mathilde Freund will turn 100 years old on August 15, 2016, and I wish her a very happy birthday.

**HONORING MS. ROBIN GONZALES**

**HON. MIKE THOMPSON**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 21, 2016*

Mr. THOMPSON of California. Mr. Speaker, I rise today to recognize and honor Robin Gonzales, who is retiring after 34 years of service to her community with the Martinez Police Department and the Contra Costa County Sheriff's Office.

Ms. Gonzales began her career in law enforcement as a Cadet with the Martinez Police Department in 1982. She joined the Contra Costa Sheriff's Department as a Dispatcher the following year, before returning to the Martinez Police Department in 1985, where she continued working as a Dispatcher. Ms. Gonzales eventually became a Police Assistant specializing in Evidence and Training, and is known for her professionalism and commitment to serving our community.

Over the course of her career, Ms. Gonzales has maintained strong connections with law enforcement organizations. She has been a member of the International Association of Identification for 30 years, and previously served as the President of the Law Enforcement Association of Property Management. To advance her investigative work, Ms. Gonzales became the first certified Crime Scene Investigator in California. Even with her busy work schedule, Ms. Gonzales finds time to teach classes at Diablo Valley College to encourage girls to study physical sciences.

Mr. Speaker, Robin Gonzales has served her community with admirable professionalism and dedication for over three decades. It is fitting and proper that we honor her here today and extend our best wishes for an enjoyable retirement.

H.R. 5538, INTERIOR, ENVIRONMENT  
AND RELATED AGENCIES APPROPRIATIONS BILL

**HON. EARL BLUMENAUER**

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 21, 2016*

Mr. BLUMENAUER. Mr. Speaker, I emphatically voted “no” on House passage of the Interior, Environment and Related Agencies appropriations bill (H.R. 5538) last week, which was a parade of misguided provisions and poison pill policy riders that will roll back critical environmental protections and seriously harm our climate, our natural surroundings, and wildlife. We can do better than this shameful attempt at governing.

We should be supporting programs to clean our air and water, protect our precious natural resources, and help us transition to a clean energy future. Instead, this legislation moves us in the opposite direction.

The bill cuts the Environmental Protection Agency’s (EPA) operating budget and blocks spending on key programs and regulations at a time when we need greater—not fewer—resources to protect our health and guarantee clean air and clean water. This reality is particularly painful for communities like Flint, Michigan and my hometown of Portland, Oregon, where the EPA is assisting with recent air toxics and water-related crises, trying to stretch meager funding even as the stakes get higher. The legislation also continues the Republican charade of climate change denial, undermining the administration’s Clean Power Plan and the President’s bold commitments made to the international community at the Paris Climate Conference last year.

This bill underfunds key Department of Interior agencies tasked with protecting and conserving lands and wildlife, such as the U.S. Fish and Wildlife Service, National Park Service, and Bureau of Indian Affairs. It slashes the Land and Water Conservation Fund, which has been fundamental for protecting public land and recreation in Oregon and across the country. One of the bill’s more offensive provisions blocks Presidential declarations under the Antiquities Act, eliminating the potential of a national monument in southeastern Oregon’s magnificent Owyhee Canyonlands and other threatened areas of natural beauty throughout the United States. In short, the bill takes multiple steps backwards when we should be ramping up efforts to protect, conserve, and take better care of our natural world.

My Republican colleagues took this opportunity to score political points by tacking on damaging policy riders that have no place in the appropriations process. These riders block funding for implementation of common sense regulations like the Well Control Rule, the Obama Administration’s National Ocean Policy, the Bureau of Land Management’s hydraulic fracturing rule, to name a few. There are also riders that would stall progress we’ve

made in preventing drilling in the Arctic Ocean, prevent the Fish and Wildlife Service and the National Park Service from setting minimum standards for hunting on federal lands in Alaska, block federal protection of species like the iconic gray wolf and Preble’s Meadow jumping Mouse, roll back the Clean Air Act and stop additional action to prevent climate change, the greatest environmental challenge of our time. Even closer to home, one proposed amendment would have blocked the historic agreement between Oregon, California, PacifiCorp, and conservation organizations to remove four dams on the Klamath River, but luckily it was not successful.

This was a shameful showing by the House. While I joined my colleagues in efforts to block many of the most harmful provisions and policy riders, ultimately the Republican majority let big polluters and special interests rule the day, playing politics with what should have been an opportunity to sensibly fund important parts of the government. Our legacy should be one of conservation, careful investment in preservation of precious natural resources, and protection of human health and our fragile climate. This bill could not be more damaging to that legacy, and its passage demonstrates we must fight harder for the future our planet deserves.

TRIBUTE TO FLORIDA CHAPTER  
OF CHARACTER.ORG

**HON. DAVID W. JOLLY**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 21, 2016*

Mr. JOLLY. Mr. Speaker, I wish to recognize Florida Character.org for promoting morality in schools, families, communities and workplaces throughout our community.

Florida Character.org helps young people everywhere strive to be ethical and engaged citizens irrespective of their backgrounds. They are a nonprofit organization that works with districts, schools and other organizations to help foster a culture where young people thrive both academically and morally. They provide the necessary resources for educators, community activists, workplaces, and parents to create a productive environment.

Due to the extraordinary success of their model, Florida Character.org provides a tutorials to organizations across the world who wish to institute similar values in their communities. This template is named “The 11 Principles of Effective Character Education” which appropriately sums up their philosophy on character education. Character.org also helps people exchange ideas and resources through a network of organizations, schools, and individuals while discussing potentially beneficial approaches to further their work.

I would like to thank Character.org for being such an upstanding organization that works to encourage integral values such as honesty and respect, in parallel to an exemplary education. I thank Character.org for their passion and exceptional work, and ask that this body join me in recognizing them as well.

DEEPWATER HORIZON  
SETTLEMENT

**HON. JOHN FLEMING**

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 21, 2016*

Mr. FLEMING. Mr. Speaker, I rise to correct the record regarding statements made by Congresswoman MCCOLLUM (D-MN-4) during debate on the Smith (MO) Amendment Number 85 to H.R. 5538, the Department of Interior, Environment, and Related Agencies Appropriations Act, 2017.

Congresswoman MCCOLLUM claimed during amendment debate that the Smith Amendment would block \$500 million from the Deepwater Horizon settlement from being paid to Gulf States by the Office of Natural Resource Disaster Assessment at the Department of Interior.

Despite Congresswoman MCCOLLUM’s claims, the Smith Amendment does not have any legal effect on the Deepwater Horizon settlement.

The Smith Amendment prevents the Department of Interior from using funds to carry out this sentence of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA): “Sums recovered by the United States Government as trustee under this subsection shall be retained by the trustee, without further appropriation, for use only to restore, replace, or acquire the equivalent of such natural resources.”

However, the Deepwater Horizon spill fell entirely under the Oil Pollution Act, and was not prosecuted under CERCLA. No fines were assessed under CERCLA.

In addition, CERCLA contains an explicit exemption for petroleum products in Section 101(14). In fact, an environmental group that filed a lawsuit against BP under CERCLA and EPCRA lost their suit because of the petroleum exemptions in those laws.

Therefore, a legal analysis by the American Law Division of the Congressional Research Service confirmed that the Smith (MO) Amendment Number 85 would have had no legal effect on the NRDA process, the RESTORE Act funds, or any other payment from the Deepwater Horizon Settlement. The RESTORE Act already appropriates money from the settlement to the states.

To quote from the CRS memorandum: “This memorandum finds that the Amendment, if approved and then made part of enacted legislation, would not have created a legal barrier to DOI’s distribution of funds from the Deepwater Horizon settlement with the federal government and the Gulf States to address natural resources damages related to the incident.”

Instead, the Smith Amendment would have prevented executive branch agencies who collect fines under CERCLA from buying more federal land that is unrelated to the CERCLA violation without any Congressional oversight. The Amendment is designed to stop executive branch abuses and overreach, which has been a common theme for the Obama Administration.

CONGRESSIONAL RESEARCH SERVICE,  
Washington, DC, July 19, 2016.  
MEMORANDUM

From: Adam Vann, Legislative Attorney, 7-6978

Subject: Applicability of Failed Amend. 85 of H.R. 5538 to the Authority of the Department of the Interior to Distribute Deepwater Horizon Settlement Funds to Gulf States

You have asked us to analyze the impact that a proposed Amendment to H.R. 5538, the Department of the Interior, Environment, and Related Agencies Appropriations Act, 2017, would have on the legal authority of the Department of the Interior (DOI) to allocate funds to mitigate natural resources damages caused by the 2010 Deepwater Horizon incident. The proposed Amendment, listed as Amendment 85 in a Rules Committee Report on H.R. 5538, was not adopted. The Amendment would have provided that funds made available by H.R. 5538 could not be used to carry out a specific provision in Section 107(f)(1) of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA). This memorandum finds that the Amendment, if approved and then made part of enacted legislation, would not have created a legal barrier to DOI's distribution of funds from the Deepwater Horizon settlement with the federal government and the Gulf States to address natural resources damages related to the incident. However, CRS is not opining on whether the Amendment would have created practical administrative difficulties that might have impeded allocation of those funds.

#### BACKGROUND

The proposed Amendment 85 to H.R. 5538 read as follows:

None of the funds made available by this Act may be used to carry out the third sen-

tence of section 107(f)(1) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9607(f)(1)) (relating to use of recovered sums by the United States Government without further appropriation).

Section 107(f)(1) of CERCLA addresses liability for injury to, destruction of, or loss of natural resources caused by a release or threatened release of hazardous substances, and designates the United States government as a trustee empowered to receive compensation for such damages. The third sentence of Section 107(f)(1) provides that "[s]ums recovered by the United States Government as trustee under this subsection shall be retained by the trustee, without further appropriation, for use only to restore, replace, or acquire the equivalent of such natural resources." This grant of federal authority to act as trustee forms the legal foundation for DOI's Natural Resource Damage Assessment and Restoration program, which allows the agency to distribute funds to assess natural resources damages, and restore, replace or acquire the equivalent of the damaged resources.

A similar authority to collect and disburse funds to address natural resource damages is found at Section 1006 of the Oil Pollution Act (OPA). That section authorizes the United States government, as designated trustee, to "develop and implement a plan for the restoration, rehabilitation, replacement, or acquisition of the equivalent" of natural resources damages resulting from an oil spill. Section 1006(f) authorizes maintenance of a fund "for use only to reimburse or pay costs incurred by the trustee . . . with respect to the damaged natural resources." After the Deepwater Horizon oil spill in the Gulf of Mexico in 2010, the United States and the affected Gulf States entered into a Consent Decree with BP Exploration and Production,

Inc. (BP) outlining BP's liability to the United States for the incident under federal statute, including liability for natural resources damages under the relevant provisions of OPA. Pursuant to the Consent Decree, DOI was tasked with managing the designated funds for the "restoration, rehabilitation, replacement, or acquisition of the equivalent of injured or lost Natural Resources or natural resource services as provided in one or more restoration plans."

#### DISCUSSION

Staff at DOI previously stated that the passage and enactment of Amendment 85 as part of H.R. 5538 would have constrained DOI's ability to distribute funds for natural resources damages related to the Deepwater Horizon incident, as it is authorized to do by the Consent Decree. Upon review of the text of the Amendment as well as the relevant language in CERCLA, OPA and the Consent Decree, CRS cannot find any legal limitation in the Amendment that would have barred DOI from expenditure of funds for "restoration, rehabilitation, replacement, or acquisition of the equivalent of injured or lost Natural Resources" in the Gulf of Mexico related to the Deepwater Horizon incident pursuant to DOI's authority under OPA and the Consent Decree. However, CRS cannot opine as to whether administrative issues (e.g., commingling of CERCLA and OPA funds in one account) may have presented barriers to distribution of such funds if DOI had been barred from distributing CERCLA natural resource damage funds by the Amendment, as representatives of DOI have reportedly claimed. Analysis of accounting and related administrative concerns at DOI is outside the scope of this memorandum.