

113<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# S. 1951

To amend the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 to make responsible parties liable for certain costs relating to the release of pollutants or contaminants.

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## IN THE SENATE OF THE UNITED STATES

JANUARY 16, 2014

Mr. SCHATZ (for himself and Mr. ROCKEFELLER) introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

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## A BILL

To amend the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 to make responsible parties liable for certain costs relating to the release of pollutants or contaminants.

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. ENVIRONMENTAL LIABILITY.**

4       Section 107(a) of the Comprehensive Environmental  
5       Response, Compensation, and Liability Act of 1980 (42  
6       U.S.C. 9607(a)) is amended—

7               (1) by inserting “(or pollutant or contaminant  
8       if the President takes any response measure under

1 section 104(a) with respect to the pollutant or con-  
2 taminant)” after “hazardous substance” each place  
3 it appears;

4 (2) by inserting “(or pollutants or contaminants  
5 if the President takes any response measure under  
6 section 104(a) with respect to the pollutants or con-  
7 taminants)” after “hazardous substances” each  
8 place it appears; and

9 (3) in paragraph (4)—

10 (A) by striking subparagraph (C);

11 (B) by redesignating subparagraph (D) as  
12 subparagraph (C);

13 (C) in subparagraph (C) (as so redesign-  
14 ated) by striking the period at the end and in-  
15 serting “; and”; and

16 (D) by adding at the following:

17 “(D) except a person described in para-  
18 graphs (2) through this paragraph who engages  
19 in conduct prohibited under those paragraphs  
20 with respect to pollutants or contaminants,  
21 damages for injury to, destruction of, or loss of  
22 natural resources, including the reasonable  
23 costs of assessing the injury, destruction, or  
24 loss resulting from the release.”.