

114TH CONGRESS
1ST SESSION

H. R. 3655

To amend the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 with respect to Federal Government liability and to require reimbursement to the Judgement Fund for certain claims, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 30, 2015

Mr. WESTMORELAND (for himself, Mr. BROOKS of Alabama, Mr. FRANKS of Arizona, Mr. ZINKE, Mr. SMITH of Missouri, Mr. JODY B. HICE of Georgia, Mr. LAMALFA, Mr. BABIN, and Mr. MOONEY of West Virginia) introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 with respect to Federal Government liability and to require reimbursement to the Judgement Fund for certain claims, 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 “EPA Pays Act”.

1 **SEC. 2. LIABILITY.**

2 (a) **ECONOMIC DAMAGES.**—Section 107(a) of the
3 Comprehensive Environmental Response, Compensation,
4 and Liability Act of 1980 (42 U.S.C. 9607(a)) is amend-
5 ed—

6 (1) in paragraph (4)—

7 (A) in subparagraph (C), by striking “;
8 and” and inserting a semicolon;

9 (B) in subparagraph (D), by striking the
10 period at the end and inserting “; and”; and

11 (C) by adding after subparagraph (D) the
12 following:

13 “(E) in the case of a person who is the
14 United States Government, any other economic
15 damages incurred by any person caused by the
16 United States Government.”; and

17 (2) in the matter following paragraph (4), by
18 striking “subparagraphs (A) through (D)” and in-
19 serting “subparagraphs (A) through (E)”.

20 (b) **LIABILITY OF UNITED STATES GOVERNMENT.**—
21 Section 107(d)(1) of the Comprehensive Environmental
22 Response, Compensation, and Liability Act of 1980 (42
23 U.S.C. 9607(d)(1)) is amended by inserting “other than
24 the United States Government” after “no person”.

1 **SEC. 3. REIMBURSEMENT TO JUDGMENT FUND.**

2 (a) IN GENERAL.—The Administrator of the Envi-
3 ronmental Protection Agency shall reimburse to the fund
4 described in section 1304 of title 31, United States Code,
5 from the unobligated balance of amounts available to the
6 Administrator in the “Environmental Programs and Man-
7 agement” account for the Information Exchange/Out-
8 reach, Enforcement, and Clean Air and Climate program
9 areas, an amount equal to the amount of each payment
10 made from such fund resulting from a claim under the
11 Comprehensive Environmental Response, Compensation,
12 and Liability Act of 1980 or chapter 171 of title 28,
13 United States Code.

14 (b) ORDER OF SOURCES.—In carrying out subpara-
15 graph (a), the Administrator shall first use amounts avail-
16 able for the Information Exchange/Outreach program
17 area. If sufficient amounts are not available for such pro-
18 gram area, the Administrator shall use amounts available
19 for the Enforcement program area. If sufficient amounts
20 are not available for either of the preceding program
21 areas, the Administrator shall use amounts available for
22 the Clean Air and Climate program area.

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