

AMENDMENT TO H.R. 4909
(RULES COMM. PRINT 114-51)
OFFERED BY MR. PERLMUTTER OF COLORADO

Add at the end of subtitle D of title XXVIII the following:

1 **SEC. 28** ____. **MODIFICATION OF LAND CONVEYANCE, ROCKY**
2 **MOUNTAIN ARSENAL NATIONAL WILDLIFE**
3 **REFUGE.**

4 Section 5(d)(1) of the Rocky Mountain Arsenal Na-
5 tional Wildlife Refuge Act of 1992 (Public Law 102–402;
6 16 U.S.C. 668dd note) is amended by adding at the end
7 the following new subparagraph:

8 “(C)(i) Notwithstanding clause (i) of subpara-
9 graph (A), the restriction attached to any deed to
10 any real property designated for disposal under this
11 section that prohibits the use of the property for res-
12 idential or industrial purposes may be modified or
13 removed if it is determined, through a risk assess-
14 ment performed pursuant to the Comprehensive En-
15 vironmental Response, Compensation, and Liability
16 Act of 1980 (42 U.S.C. 9601 et seq.), that the prop-
17 erty is protective for the proposed use.

1 “(ii) The Secretary of the Army shall not be re-
2 sponsible or liable for any of the following:

3 “(I) The cost of any risk assessment de-
4 scribed in clause (i) or any actions taken in re-
5 sponse to such risk assessment.

6 “(II) Any damages attributable to the use
7 of property for residential or industrial pur-
8 poses as the result of the modification or re-
9 moval of a deed restriction pursuant to clause
10 (i), or the costs of any actions taken in re-
11 sponse to such damages.”.

