

Amendment #1*

**Amendment to H.R. 146
Offered by Mr. Bishop of Utah**

Page 1, line 4, insert “of” after “Band”.

Page 2, line 1, insert “managed by the Tennessee Valley Authority and located” after “Federal lands”.

Page 2, starting on line 3, strike “taken into” and insert “declared to be held in”.

Page 2, line 4, insert “use and” before “benefit”.

Page 3, line 10, strike “Secretary of the Interior” and insert “Tennessee Valley Authority”.

Page 3, starting on line 11, strike “Tennessee Valley Authority” and insert “Secretary of the Interior”.

Page 4, line 7, strike “hereby taken into” and insert “declared to be held in”.

Page 4, line 21, strike “Secretary of the Interior” and insert “Tennessee Valley Authority”.

Page 4, starting on line 22, strike “Tennessee Valley Authority” and insert “Secretary of the Interior”.

Page 4, starting line 23, strike “Subcommittee on Indian, Insular and Alaska Native Affairs” and insert “Committee on Natural Resources”.

Page 5, line 12, strike “Tribes” and insert “tribes”.

Page 5, line 25, insert “transferred to the Eastern Band of Cherokee Indians and other Cherokee tribes and those” after “those”.

Page 6, line 1, strike “that are repatriated” and insert “transferred”.

Page 6, line 3, strike “National” and insert “Native American”.

Page 6, line 4, insert “(25 U.S.C. 3001 et seq.)” after “Act”.

Page 10, starting on line 5, strike “Tennessee Valley Authority” and insert “United States”.

Page 10, after line 14, insert the following:

(j) CONTINUING RESPONSIBILITIES.

The Tennessee Valley Authority shall—

- (1) retain sole and exclusive Federal responsibility and liability to fund and implement any environmental remediation requirements that are required under applicable Federal or State law for any land or interest in land to be taken into trust under this

- Act, as well as the assessments under paragraph (2) to identify the type and quantity of any potential hazardous substances on the lands;
- (2) prior to the acquisition in trust, carry out an assessment and notify the Secretary of the Interior and the Eastern Band of Cherokee Indians whether any hazardous substances were stored on the lands and, if so, whether those substances—
 - (A) were stored for 1 year or more on the lands;
 - (B) were known to have been released on the lands; or
 - (C) were known to have been disposed of on the lands; and
 - (3) if the assessment under paragraph (2) shows that hazardous substances were stored, released, or disposed of on the lands, include in its notice under paragraph (2) to the Secretary of the Interior and the Eastern Band of Cherokee Indians—
 - (A) the type and quantity of such hazardous substances;
 - (B) the time at which such storage, release, or disposal took place on the lands; and
 - (C) a description of any remedial actions, if any, taken on the lands.