

Failed VV

**AMENDMENT TO THE AMENDMENT IN THE  
NATURE OF A SUBSTITUTE TO H.R. 3765.  
OFFERED BY Mr. Cohen**

Page 3, lines 17 and 18, strike “or to make substantial progress in removing the barrier”.

Page 4, line 7, strike the close quotation mark and the period that follows.

Page 4, after line 7, insert the following:

1           (D) LIQUIDATED DAMAGES.—In addition  
2           to any other remedies provided under this sec-  
3           tion, the court shall award liquidated damages  
4           of \$1000 a day for each day the owner or oper-  
5           ator fails to remove the barrier after the begin-  
6           ning of the 120 period described in subpara-  
7           graph (B)(ii)(II) .

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