

AMENDMENTS ADOPTED TO THE  
INTERIOR/ENVIRONMENT  
APPROPRIATIONS BILL  
FOR FY 2012

Full Committee Markup  
House Appropriations Committee  
Tuesday, July 12, 2011

ADOPTED 1VV

House Appropriations Committee  
FY 2012 Interior, Environment and Related Agencies Bill  
Full Committee Markup  
July 12, 2011

Manager's Amendment offered by Mr. Simpson of Idaho

In the bill:

On page 10, line 1, strike "\$11,047,000" and all that follows through line 3 and insert "\$15,047,000, to be derived from the Land and Water Conservation Fund and to remain available until expended, of which, notwithstanding 16 U.S.C. 460l-9, not more than \$4,000,000 shall be for land conservation partnerships authorized by the Highlands Conservation Act of 2004, including not to exceed \$120,000 for administrative expenses."

On page 13, line 25, strike "\$2,243,252,000" and insert "\$2,239,252,000".

On page 14, line 2, strike "\$104,093,000" and insert "\$97,883,000".

On page 20, line 7, strike "division C of Public Law 109-432 (43 U.S.C. 1331)," and insert "(title I of division C of Public Law 109-432; 43 U.S.C. note),"

On page 30, line 17, strike "1995." and insert "1995, except that any school or school program that was closed and removed from the Bureau school system between 1951 and 1972, and its respective tribe's relationship with the Federal government was terminated, shall be reinstated to the Bureau system and supported at a level based on its grade structure and average

student enrollment for the 2009-2010, 2010-2011 and 2011-2012 school years.”.

On page 55, lines 7-16, indent the paragraphs.

On page 77, line 4, insert a period (“.”) after “1985” and delete the text following the period beginning with “and” ending with “suppression:” (line 7).

On page 79, line 13, strike “exhausted” and insert “obligated”.

On page 133, line 2, strike the period (“.”) before the quotation mark.

On page 135, line 9, strike “section” and insert “Act”.

On page 135, line 22, strike “section” and insert “Act”.

In the report:

On page 10, within the “Expired Authorizations” section which begins on the previous page, strike “desert southwest,” and insert “desert southwest or elsewhere in the west where wolves have naturally expanded beyond the Northern Rocky Mountain Distinct Population Segment boundary,”.

On page 27, within the “National Wildlife Refuge Fund” account, strike “\$19,980,000” and insert “\$16,869,000”, and strike “\$6,000,000” and insert “\$2,889,000”.

On page 30, under the “Operation of the National Park System, Additional Guidance, Civil War Sesquicentennial,” strike the existing language and insert the following: “Civil War

Sesquicentennial.—The Civil War Battlefields, sites and Monuments provide vital historic and educational opportunities for the millions of Americans that visit each year. The calendar years 2011 through 2015 mark the sesquicentennial of the Civil War beginning with the election of Abraham Lincoln and concluding with the end of the Civil War. The 150<sup>th</sup> anniversary presents a significant opportunity for Americans to recall and reflect upon the Civil War and its legacy in a spirit of reconciliation and reflection, through exploration, interpretation, and discussion. To ensure a suitable national observance of the Sesquicentennial that is comprehensive, the Committee directs the Director to encourage discussion of the historic, social, legal, racial, cultural and political forces that caused the American Civil War and influenced its course and outcomes at events organized and supported by the Park Service.”

On page 52, under “Working Capital Fund,” in the second sentence, strike “\$52,000,000” and insert “\$52,019,000”.

On page 103, within “National Gallery of Art, Repair, Restoration and Renovation of Buildings,” strike “design work in Work Area #9 of the National Gallery’s East Building” and insert a period (“.”) after the word “Plan.”

On page 121, within “Office of Surface Mining Reclamation and Enforcement, Regulation and Technology,” strike “Rescinds certain prior year amounts.”

On page 135, within the “Appropriations Not Authorized by Law” table, strike “National Wildlife Refuge Volunteer act of 2004”.

Make associated conforming changes to the report as necessary.

CALVERT

AGREED TO  
VV

AMENDMENT TO INTERIOR APPROPRIATIONS BILL

OFFERED BY MR. CALVERT OF CALIFORNIA

*Sparking Education Account*

At the end of the bill (before the ~~short title~~), add the following new section:

1        SEC. \_\_\_\_ . None of the funds made available by this  
2 Act may be used to modify, cancel, or suspend the reg-  
3 istration of a pesticide registered or reregistered under  
4 section 3 or 4 of the Federal Insecticide, Fungicide, and  
5 Rodenticide Act (7 U.S.C.136a, 136a-1) in response to  
6 a final biological opinion or other written statement issued  
7 under section 7(b) of the Endangered Species Act of 1973  
8 (16 U.S.C. 1536(b)).



Jackson  
ABUSED TO  
VV

**EN BLOC AMENDMENT TO H.R. \_\_\_\_\_**

**OFFERED BY MR. JACKSON OF ILLINOIS**

**Department of the Interior, Environment, and Related  
Agencies Appropriations Act, 2012**

Page 2, line 20 of the bill, strike the dollar amount  
and insert "\$918,227,000".

Page 3, line 17 of the bill, strike the first dollar  
amount and insert "\$918,227,000".

Page 13, line 25 of the bill, strike the first dollar  
amount and insert "\$2,244,152,000".

Page 20 of the report, in the section titled "Energy  
and Minerals" for oil and gas management, strike  
"\$5,452,000" and insert "\$4,452,000".

Page 30 of the report, in the section titled "Civil  
War Sesquicentennial", insert the following: "Realizing  
the importance of the 150th Anniversary of the Civil  
War, the Committee has provided an increase for Visitors  
Services in the National Park Service to be used at the  
discretion of the Director for Sesquicentennial related  
programs and events."

Page 30 of the report, increase the dollar amount by \$1,000,000 for Visitors Services at the Operation of the National Park Service.

Page 139 of the report, reduce the Energy and Minerals' Oil and Gas Account under the Bureau of Land Management by \$1,000,000.

Page 149 of the report, increase the dollar amount by \$1,000,000 for Visitors Services at the Operation of the National Park Service.



Emerson #2

EMERSON #2  
ACCEDED TO  
VV

**Amendment to Interior and Environment Appropriations Bill**

**Offered by Mrs. Emerson of Missouri**

**At the appropriate place in the Committee Report, insert the following:**

The Committee is aware that on March 3, 2010, the EPA promulgated final rules for Compression Ignition Reciprocating Engines (75 Fed. Reg. 9648 et. seq.) under the National Emission Standards for Hazardous Air Pollutants (EPA-HQ-OAR-2008-0708), requiring owners of compression engines (often diesel or diesel-natural gas fueled) to install catalytic converters on the engines to operate after May of 2013.

The Committee is concerned that such rule places a limitation on operation of emergency stationary engines to operate for no more than 15 hours per year as part of an emergency demand response program. The Committee is also concerned the rule clarified that no emergency engine was allowed to supply power to an electric grid and that no emergency engine was allowed to provide power as part of a financial arrangement. This aspect of the rule will make it difficult for municipalities to maintain emergency backup generating capacity.

The Committee is concerned that EPA failed to adequately address the economic impact such rule would have on small governmental jurisdictions that own or operate emergency engines subject to the rule. The Committee directs EPA to initiate an analysis within 60 days of enactment of this act and to report back to the Committee on the economic effect such rule would have on small government jurisdictions defined as a government of a city, county, town, school district or special district with a population of less than 50,000.



(2)

CULBERSON  
#2  
AGREED TO  
VV

**AMENDMENT TO INTERIOR AND ENVIRONMENT  
APPROPRIATIONS BILL  
OFFERED BY MR. CULBERSON OF TEXAS**

Page 59, after line 19, insert the following:

- 1 LOGGING AND REPORTING AGENCY ACTION REGARDING
- 2 OFFSHORE OIL AND GAS SUBMISSIONS
- 3 SEC. \_\_\_\_\_. The Secretary of the Interior shall—
- 4 (1) log and track the specific reasons for the
- 5 Bureau of Ocean Energy Management, Regulation
- 6 and Enforcement returning to an applicant, without
- 7 approval, any exploration plan, development and
- 8 production plan, development operations coordina-
- 9 tion document, or application for permit to drill sub-
- 10 mitted with respect to any oil and gas lease for the
- 11 Outer Continental Shelf; and
- 12 (2) provide quarterly reports to the Committee
- 13 on Appropriations and Committee on Natural Re-
- 14 sources of the House of Representatives and the
- 15 Committee on Appropriations and Committee on En-
- 16 ergy and Natural Resources of the Senate that in-
- 17 clude—
- 18 (A) the date of original submission of each
- 19 document referred to in paragraph (1) received

1 by the Bureau in the period covered by a re-  
2 port;

3 (B) for each such document—

4 (i) the date the document was re-  
5 turned to the applicant;

6 (ii) the date the document is treated  
7 by the Bureau as submitted; and

8 (iii) the date of final agency action  
9 the document.



KINGSTON  
AGLEOTVV

## AMENDMENT TO H.R. \_\_\_\_\_

## OFFERED BY MR. KINGSTON OF GEORGIA

At the appropriate place in the bill, insert the following:

## 1 LEASE AUTHORIZATION

2 SEC. \_\_\_\_\_. (a) IN GENERAL.—The Secretary of the  
3 Interior (referred to in this section as the “Secretary”)  
4 may lease to the Savannah Bar Pilots Association, or a  
5 successor organization, no more than 30,000 square feet  
6 of land and improvements within Fort Pulaski National  
7 Monument (referred to in this section as the “Monu-  
8 ment”) at the location on Cockspur Island that has been  
9 used continuously by the Savannah Bar Pilots Association  
10 since 1940.

## 11 (b) RENTAL FEE AND PROCEEDS.—

12 (1) RENTAL FEE.—For the lease authorized by  
13 this Act, the Secretary shall require a rental fee  
14 based on fair market value adjusted, as the Sec-  
15 retary deems appropriate, for amounts to be ex-  
16 pended by the lessee for property preservation,  
17 maintenance, or repair and related expenses.

18 (2) PROCEEDS.—Disposition of the proceeds  
19 from the rental fee required pursuant to paragraph

1 (1) shall be made in accordance with section 3(k)(5)  
2 of Public Law 91-383 (16 U.S.C. 1a-2(k)(5)).

3 (c) TERMS AND CONDITIONS.—A lease entered into  
4 under this section—

5 (1) shall be for a term of no more than 10  
6 years and, at the Secretary's discretion, for succes-  
7 sive terms of no more than 10 years at a time; and

8 (2) shall include any terms and conditions the  
9 Secretary determines to be necessary to protect the  
10 resources of the Monument and the public interest.

11 (d) EXEMPTION FROM APPLICABLE LAW.—Except  
12 as provided in section 2(b)(2) of this Act, the lease author-  
13 ized by this Act shall not be subject to section 3(k) of  
14 Public Law 91-383 (16 U.S.C. 1a-2(k)) or section 321  
15 of Act of June 30, 1932 (40 U.S.C. 1302).



# AMENDMENT OFFERED BY Mr DENT

~~Mr. Dent of Pennsylvania offers the following amendment:~~

DENT

AGREED  
TO  
VV

At the appropriate point in the report insert the following:

*Delaware Water Gap National Recreation Area and Middle Delaware National Scenic and Recreational River, Appalachian National Scenic Trail* – The committee is concerned about delays in completing an Environmental Impact Statement (EIS) announced by the National Park Service and the Department of the Interior regarding improvement of electric transmission lines partially lying within the boundaries of the Delaware Water Gap National Recreation Area. The timely completion of the EIS is of great importance to the reliability of the regional grid and is critical to the supply of electricity to 58 million consumers in 13 states and Washington, D.C. The Committee directs the National Park Service and the Department to adhere to its previously announced schedule and publish a final Record of Decision (ROD) in October of 2012 and report to the Committee on progress relating to the EIS within 90 days of the enactment of this Act.

CARTER #1

AGLEND  
V V

AMENDMENT TO INTERIOR AND ENVIRONMENT  
APPROPRIATIONS BILL

OFFERED BY MR. CARTER OF TEXAS

At the end title IV, insert the following:

- 1 SEC. \_\_\_\_ None of the funds made available by this
- 2 Act may be used to implement, administer, or enforce the
- 3 rule entitled "National Emission Standards for Hazardous
- 4 Air Pollutants From the Portland Cement Manufacturing
- 5 Industry and Standards of Performance for Portland Ce-
- 6 ment Plants" published by the Environmental Protection
- 7 Agency on September 9, 2010 (75 Fed. Reg. 54970 et
- 8 seq.).



#1 McCollum

Alexander  
VJ

**AMENDMENT TO THE DEPARTMENT OF INTERIOR  
AND ENVIRONMENT APPROPRIATIONS BILL  
OFFERED BY MS. MCCOLLUM OF MINNESOTA**

At the end of the bill (before any short title), insert  
the following:

1        SEC. \_\_\_\_ . None of the funds made available by this  
2 Act may be used to enter into a contract, memorandum  
3 of understanding, or cooperative agreement with, make a  
4 grant to, or provide a loan or loan guarantee to, any cor-  
5 poration that was convicted (or had an officer or agent  
6 of such corporation acting on behalf of the corporation  
7 convicted) of a felony criminal offense under any Federal  
8 law within the preceding 24 months.



Rehberg #2  
AG agreed to  
✓✓

**AMENDMENT TO INTERIOR AND ENVIRONMENT  
APPROPRIATIONS BILL  
OFFERED BY MR. REHBERG OF MONTANA**

At the end of title IV, insert the following:

1       SEC. \_\_\_\_\_. None of the funds made available by this  
2 Act may be used to implement or enforce regulations  
3 under subpart E of part 745 of title 40, Code of Federal  
4 Regulations (commonly known as the "Lead, Renovation,  
5 Repair, and Painting Rule"), or any subsequent amend-  
6 ments to such regulations, until the Administrator of the  
7 Environmental Protection Agency publicizes Environ-  
8 mental Protection Agency recognition of a commercially-  
9 available lead test kit that meets both criteria under sec-  
10 tion 745.88(c) of title 40, Code of Federal Regulations.





#2 McCollum

AG 12/20/10  
J V

**AMENDMENT TO INTERIOR AND ENVIRONMENT  
APPROPRIATIONS BILL**

**OFFERED BY MS. MCCOLLUM OF MINNESOTA**

<sup>insert</sup>  
Add at the end of title IV the following:

1 LIMITATION WITH RESPECT TO CERTAIN PERSONS WITH  
2 DELINQUENT TAX DEBTS  
3 SEC. \_\_\_\_ None of the funds made available by this  
4 Act may be used to enter into a contract, memorandum  
5 of understanding, or cooperative agreement with, make a  
6 grant to, or provide a loan or loan guarantee to, any cor-  
7 poration with an unpaid Federal tax liability that has been  
8 assessed, for which all judicial and administrative rem-  
9 edies have been exhausted or have lapsed, and that is not  
10 being paid in a timely manner pursuant to an agreement  
11 with the authority responsible for collecting the tax liabil-  
12 ity.



3) COLE  
AG 11/11/11  
V V

AMENDMENT TO H.R. \_\_\_\_

OFFERED BY MR. COLE OF OKLAHOMA

Department of the Interior, Environment, and Related  
Agencies Appropriations Act, 2012

Title IV

At the end of ~~the bill, before the short title~~, insert

the following:

1 SEC. \_\_\_\_ The Director of the Bureau of Indian Af-  
2 fairs shall reinstate the Demonstration Project that was  
3 in place from 2004 until 2008 for the Indian tribes within  
4 the California Tribal Trust Reform Consortium, the Salt  
5 River Pima-Maricopa Indian Community, the Confed-  
6 erated Salish and Kootenai Tribes of the Flathead Res-  
7 ervation, and the Chippewa Cree Tribe of the Rocky Boys  
8 Reservation; shall thereby ensure that the participating  
9 tribes shall be able to continue operations independent of  
10 the Department of the Interior's trust reform and reorga-  
11 nization; and shall not impose its trust management infra-  
12 structure upon or alter the existing trust resource man-  
13 agement systems of the above referenced tribes having a  
14 self-governance compact and operating in accordance with  
15 the Tribal Self-Governance Program set forth in title IV  
16 of Public Law 93-638 (25 U.S.C. 458aa-458hh): *Pro-*  
17 *vided*, That the California Trust Reform Consortium and

1 any other participating Indian tribe agree to carry out  
2 their responsibilities under the same written and imple-  
3 mented fiduciary standards as those being carried by the  
4 Secretary of the Interior, including complying with section  
5 102 of Public Law 103-412 (25 U.S.C. 4011): *Provided*  
6 *further*, That participating Indian tribes shall timely  
7 transfer funds and supply sufficient data to enable the  
8 Secretary of the Interior to comply with section 102 of  
9 Public Law 103-412 (25 U.S.C. 4011) for accounts that  
10 are maintained by the Department of the Interior when  
11 funds are being collected by the Indian tribes: *Provided*  
12 *further*, That such Indian tribes demonstrate to the satis-  
13 faction of the Secretary of the Interior that they have the  
14 capability to do so: *Provided further*, That the Secretary  
15 of the Interior shall provide funds to the Indian tribes in  
16 an amount equal to that required by section 403(g) of  
17 Public Law 93-638 (25 U.S.C. 458cc(g)(3)), including  
18 funds specifically or functionally related to the provision  
19 of trust services to the Indian tribes or their members.



#1 Amendment  
VU

**AMENDMENT TO H.R. \_\_\_\_\_**

**OFFERED BY MRS. LUMMIS OF WYOMING**

**Department of the Interior, environment, and related  
agencies appropriations, FY2012**

At the end of title IV, insert the following:

- 1 SEC. 4 \_\_\_\_\_. None of the funds made available in this
- 2 Act or any other Act may be used to implement, admin-
- 3 ister, or enforce Secretarial Order No. 3310 issued by the
- 4 Secretary of the Interior on December 22, 2010.



**AMENDMENT TO INTERIOR AND ENVIRONMENT  
APPROPRIATIONS BILL  
OFFERED BY MR. DIAZ-BALART OF FLORIDA**

D-B  
ACCEPTED  
26-19

At the end of title IV of the bill, add the following:

- 1 FLORIDA WATER QUALITY STANDARDS
- 2     Seq. \_\_\_\_ None of the funds made available by this
- 3 Act may be used to implement, administer, or enforce the
- 4 rule entitled "Water Quality Standards for the State of
- 5 Florida's Lakes and Flowing Waters" published in the
- 6 Federal Register by the Environmental Protection Agency
- 7 on December 6, 2010 (75 Fed. Reg. 75762 et seq.)



AUSTRIA  
AGLETT  
27-20

AMENDMENT TO H.R. \_\_\_\_  
INTERIOR AND ENVIRONMENT APPROPRIATIONS  
OFFERED BY MR. AUSTRIA

At the end of title IV, insert the following:

SEC. \_\_\_\_ None of the funds made available  
under this Act shall be used—

(1) to prepare, propose, promulgate, finalize,  
implement, or enforce any regulation pursuant  
to section 202 of the Clean Air Act (42 U.S.C. 7521)  
regarding the regulation of any greenhouse gas  
emissions from new motor vehicles or new motor  
vehicle engines that are manufactured after model  
year 2016 to address climate change; or

(2) to consider or grant a waiver under section  
209(b) of such Act (42 U.S.C. 7543(b)) so that a  
State or political subdivision thereof may adopt or  
attempt to enforce standards for the control of  
emissions of any greenhouse gas from new motor  
vehicles or new motor vehicle engines that are  
manufactured after model year 2016 to address  
climate change.

FLAKE

#1

Added to  
29-18

**AMENDMENT TO INTERIOR AND ENVIRONMENT  
APPROPRIATIONS BILL  
OFFERED BY MR. FLAKE OF ARIZONA**

At the end of title IV, insert the following:

- 1 SEC. \_\_\_\_.
- 2 None of the funds made available by this
- 3 Act may be used to modify the national primary ambient
- 4 air quality standard or the national secondary ambient air
- 5 quality standard applicable to coarse particulate matter
- 6 (generally referred to as "PM10") under section 109 of
- the Clean Air Act (42 U.S.C. 7409).



Rehberg

AGREED TO  
28-17

**AMENDMENT TO INTERIOR AND ENVIRONMENT  
APPROPRIATIONS BILL  
OFFERED BY MR. REHBERG OF MONTANA**

At the end of title IV, insert the following:

1        SEC. \_\_\_\_\_. None of the funds made available by  
2 this Act may be used to develop, propose, finalize, imple-  
3 ment, enforce, or administer any regulation that would es-  
4 tablish new financial responsibility requirements pursuant  
5 to section 108(b) of the Comprehensive Environmental  
6 Response, Compensation, and Liability Act of 1980 (42  
7 U.S.C. 9608(b)).

At the appropriate place in the Committee Report,  
insert the following:

“The Committee is concerned that the promulgation  
of new financial responsibility requirements pursuant to  
section 108(b) of the Comprehensive Environmental Re-  
sponse, Compensation, and Liability Act of 1980 (42  
U.S.C. 9608(b)) will impose a severe economic burden on  
industries of the United States. Such a result would di-  
rectly conflict with the President’s general principles of  
regulation as provided in Executive Order No. 13563 of  
January 18, 2011, which include ‘promoting economic



growth . . . and job creation'. The Committee directs the Administrator of the Environmental Protection Agency to complete a thorough analysis of the capacity of the financial and credit markets to provide the necessary instruments (surety bonds, letters of credit, insurance, and trusts) for meeting any new financial responsibility requirements pursuant to section 108(b) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9608(b)). Until the Administrator demonstrates that such an analysis has been completed, the Committee provides no funds for Environmental Protection Agency to develop, propose, finalize, implement, enforce, or administer any regulation that would establish any such new financial responsibility requirements. The Environmental Protection Agency should not, as a matter of policy and in this strained economy, impose a new regulatory program on industries of the United States if the financial and credit markets cannot serve the demand for additional financial assurance."



Emerson #1

agreed to  
✓✓

**AMENDMENT TO INTERIOR AND ENVIRONMENT  
APPROPRIATIONS BILL  
OFFERED BY MRS. EMERSON OF MISSOURI**

At the end of title IV, insert the following:

- 1        SEC. \_\_\_\_\_.
- 2        None of the funds made available in this Act may
- 3 be used to delineate new wetlands in any county included
- 4 in a major disaster declaration as a result of flooding in
- 5 the year 2011 for purposes of section 404 of the Federal
- 6 Water Pollution Control Act (33 U.S.C. 1344).



(7)

Caz

Alameda

VV

AMENDMENT TO H.R. \_\_\_\_\_, AS

REPORTED

OFFERED BY MR. COLE OF OKLAHOMA

Title IV

At the end of ~~the bill~~, before the short title, add the following:

1 SEC. \_\_\_\_\_. (a) Notwithstanding any other provi-  
2 sion of law and until October 1, 2013, the Indian Health  
3 Service may not disburse funds for the provision of health  
4 care services pursuant to Public Law 93-638 (25 U.S.C.  
5 450 et seq.) to any Alaska Native village or Alaska Native  
6 village corporation that is located within the area served  
7 by an Alaska Native regional health entity.

8 (b) Nothing in this section shall be construed to pro-  
9 hibit the disbursement of funds to any Alaska Native village  
10 or Alaska Native village corporation under any contract  
11 or compact entered into prior to May 1, 2006, or to pro-  
12 hibit the renewal of any such agreement.

13 (c) For the purpose of this section, Eastern Aleutian  
14 Tribes, Inc., the Council of Athabascan Tribal Govern-  
15 ments, and the Native Village of Eyak shall be treated  
16 as Alaska Native regional health entities to which funds  
17 may be disbursed under this section.



CULBERSON

RE MAP TO  
VV

①

**AMENDMENT TO INTERIOR APPROPRIATIONS BILL**  
**OFFERED BY MR. CULBERSON OF TEXAS**

At the end of title IV, add the following new section:

1 NOTIFICATION OF OWNERS OF ADJOINING LAND OF  
2 PROPOSED LAND EXCHANGES

3 SEC. \_\_\_\_ Section 206 of the Federal Land Policy  
4 and Management Act of 1976 (43 U.S.C. 1716) is amend-  
5 ed by adding at the end the following new subsection:

6 “(j) In the case of any exchange involving public land  
7 or National Forest System land to be carried out (whether  
8 directly or through a third-party) under this Act or other  
9 applicable law, the Secretary concerned shall provide writ-  
10 ten notice of the proposed land exchange to each owner  
11 of non-Federal land adjoining the parcel of public land or  
12 National Forest System land proposed for exchange and  
13 each owner of non-Federal land adjoining the non-Federal  
14 land proposed to be acquired in the exchange. The Sec-  
15 retary shall determine adjoining landowners using the  
16 most-recent available tax records. For purposes of pro-  
17 viding notification under this subsection, adjoining land  
18 means land sharing any length of border with the public  
19 land, National Forest System land, or non-Federal land

- 1 subject to the proposed exchange, including contact solely
- 2 at a boundary corner.”.



*La Tourette  
Agreed to ✓*

**AMENDMENT TO INTERIOR AND ENVIRONMENT**  
**APPROPRIATIONS BILL**  
**OFFERED BY MR. LATOURETTE OF OHIO**

Page 137, after line 21, insert the following:

1       BALLAST WATER MANAGEMENT REGULATIONS

2       SEC. 447. (a) PROHIBITION.—None of the funds  
3 made available by this Act for the Environmental Protec-  
4 tion Agency shall be provided to any State that—

5           (1) is adjacent to one or more of the Great  
6 Lakes; and

7           (2) has in effect a certification under section  
8 401 of the Federal Water Pollution Control Act (33  
9 U.S.C. 1341) or a State permit requirement that im-  
10 poses on vessels that discharge ballast water into,  
11 take in ballast water from, or transit that State's  
12 waters a performance standard for ballast water  
13 management systems, or a ballast water exchange  
14 standard, which the Commandant of the Coast  
15 Guard determines is more stringent than the fol-  
16 lowing standards:

17           (A) Coast Guard regulations that have  
18 been placed into effect after the date of enact-  
19 ment of this Act regarding standards for living

1 organisms in ships' ballast water discharged, in  
2 United States waters from vessels and regard-  
3 ing vessel open water ballast water exchange.

4 (B) Only to the extent that the regulations  
5 described in subparagraph (A) are not in effect,  
6 the standards for the control and management  
7 of ship's ballast water and sediment adopted by  
8 the International Maritime Organization as of  
9 the date of enactment of this Act.

10 (b) DEFINITIONS.—In this section:

11 (1) The term “Great Lakes” has the same  
12 meaning given that term in section 118(a) of the  
13 Federal Water Pollution Control Act (33 U.S.C.  
14 1268(a)).

15 (2) The term “is more stringent than” means  
16 one or more of the following:

17 (A) Includes a higher percentage efficiency  
18 of volumetric exchange of ballast water.

19 (B) Includes a higher relative volume of  
20 pumping throughput for ballast water exchange.

21 (C) Requires a greater distance from the  
22 nearest land or a greater depth of water for  
23 conducting ballast water exchange.

1 (D) Includes a ballast water management  
2 performance standard that requires a lower  
3 concentration of viable organisms.

4 (E) Includes a ballast water management  
5 performance standard that requires a smaller  
6 minimum dimension of viable organisms.

7 (F) Includes a ballast water management  
8 performance standard that includes additional  
9 indicator microbes.

10 (G) Includes an earlier deadline for meet-  
11 ing a ballast water management performance  
12 standard or a ballast water exchange standard.

13 (H) Precludes the use of one or more bal-  
14 last water treatment technologies approved  
15 through the applicable requirement described in  
16 subparagraphs (A) or (B) of subsection (a)(2).

17 (I) Requires the use of one or more ballast  
18 water treatment technologies not approved by  
19 the applicable requirement described in sub-  
20 paragraphs (A) or (B) of subsection (a)(2).





LT ①  
Alouette P  
VV

**AMENDMENT TO INTERIOR APPROPRIATIONS BILL**

**OFFERED BY MR. LATOURETTE OF OHIO**

*Spending Reduction Account*

At the end of the bill (before the ~~short title~~), add the  
following new section:

- 1        SEC. \_\_\_\_\_. None of the funds made available by this  
2 Act may be used by the Administrator of the Environ-  
3 mental Protection Agency to finalize the Proposed Guid-  
4 ance on False or Misleading Pesticide Product Brand  
5 Names, as contained in Draft Pesticide Registration No-  
6 tice 2010-X (Docket ID EPA-HQ-OPP-2010-0282).



Flake #2  
AG 11/11/11

**AMENDMENT TO INTERIOR APPROPRIATIONS BILL**  
**OFFERED BY MR. FLAKE OF ARIZONA**

At the appropriate place in the report, add the following: "The Forest Service is directed to work with the Committee on an informal report on the Arizona and New Mexico wildfires of 2011. The informal report should include information on the number of acres burned, severity of acres burned, habitat for endangered species burned, and wilderness and roadless areas burned. The report should also include the number of acres that, as a result of such fires, need rehabilitation and restoration (areas where forest cover could be re-established), to be determined without regard to the availability of funding for such purposes, excluding wilderness areas or other areas that lack reasonable access for rehabilitation and restoration efforts. The report should also include the plans and goals of the Forest Service for rehabilitation and restoration in the impacted area, including how those plans are informed by the available science on the topic, and the estimated cost of fully implementing such plans and goals. Finally, the report should include an update on areas actively managed to improve forest

health or habitat or to reduce fire risk or for other reasons and how those areas responded to fire.”.



Flake (#4)  
AG 1/3/10 AW

**AMENDMENT TO THE INTERIOR  
APPROPRIATIONS BILL  
OFFERED BY MR. FLAKE OF ARIZONA**

At the appropriate place in the Committee Report, insert the following:

The Committee notes that the *Report to the President by the National Commission on the BP Deepwater Horizon Oil Spill and Offshore Drilling* (the report) included among its recommendations to work with our Gulf neighbors toward agreeing on a "a common, rigorous set of standards, a system for regulatory oversight, and the same operator adherence to the effective safety culture called for in th[e] report, along with protocols to cooperate on containment and response strategies and preparedness in case of a spill." The Committee directs the Secretary of the Interior to report to the Committee on actions that are planned or have been taken to implement this recommendation.

①

COLE  
AMENDMENT

**AMENDMENT TO INTERIOR AND ENVIRONMENT  
APPROPRIATIONS BILL  
OFFERED BY MR. COLE OF OKLAHOMA**

At the end of title IV, insert the following:

- 1 SEC. \_\_\_\_\_. None of the funds made available by this
- 2 Act may be used to regulate ammonia or ammonium under
- 3 any national secondary ambient air quality standard for
- 4 oxides of nitrogen and oxides of sulfur promulgated pursu-
- 5 ant to section 109 of the Clean Air Act (42 U.S.C. 7409).



AGREED TO  
#2 25-20

**AMENDMENT TO H.R. \_\_\_\_\_**  
**INTERIOR AND ENVIRONMENT APPROPRIATIONS**  
**OFFERED BY MRS. LUMMIS OF WYOMING**

At the end of title IV, insert the following:

1        SEC. \_\_\_\_\_. (a) Not later than 12 months after the  
2 date of the enactment of this Act, the Administrator of  
3 the Environmental Protection Agency (in this section re-  
4 ferred to as the "Administrator") shall conduct a study,  
5 and submit a report to the Congress, on the cumulative  
6 impacts of the following rules, guidelines, and actions:

7            (1) The following published rules (including any  
8 successor or substantially similar rule):

9            (A) "Federal Implementation Plans To Re-  
10 duce Interstate Transport of Fine Particulate  
11 Matter and Ozone", published at 75 Fed. Reg.  
12 45210 (August 2, 2010).

13            (B) "National Ambient Air Quality Stand-  
14 ards for Ozone", published at 75 Fed. Reg.  
15 2938 (January 19, 2010).

16            (C) "National Emission Standards for  
17 Hazardous Air Pollutants for Major Sources:  
18 Industrial, Commercial, and Institutional Boil-

1           ers and Process Heaters", published at 76 Fed.  
2           Reg. 15608 (March 21, 2011).

3           (D) "National Emission Standards for  
4           Hazardous Air Pollutants for Area Sources: In-  
5           dustrial, Commercial, and Institutional Boil-  
6           ers", published at 76 Fed. Reg. 15554 (March  
7           21, 2011).

8           (E) "National Emission Standards for  
9           Hazardous Air Pollutants from Coal- and Oil-  
10          fired Electric Utility Steam Generating Units  
11          and Standards of Performance for Fossil-Fuel-  
12          Fired Electric Utility, Industrial-Commercial-  
13          Institutional, and Small Industrial-Commercial-  
14          Institutional Steam Generating Units", signed  
15          by Administrator Lisa P. Jackson on March 16,  
16          2011.

17          (F) "Hazardous and Solid Waste Manage-  
18          ment System; Identification and Listing of Spe-  
19          cial Wastes; Disposal of Coal Combustion Re-  
20          siduals From Electric Utilities", published at  
21          75 Fed. Reg. 35127 (June 21, 2010).

22          (G) "Primary National Ambient Air Qual-  
23          ity Standard for Sulfur Dioxide", published at  
24          75 Fed. Reg. 35520 (June 22, 2010).

1 (H) "Primary National Ambient Air Qual-  
2 ity Standards for Nitrogen Dioxide", published  
3 at 75 Fed. Reg. 6474 (February 9, 2010).

4 (2) The following additional rules or guidelines  
5 promulgated on or after January 1, 2009:

6 (A) Any rule or guideline promulgated  
7 under section 111(b) or 111(d) of the Clean Air  
8 Act (42 U.S.C. 7411(b), 7411(d)) to address  
9 climate change.

10 (B) Any rule or guideline promulgated by  
11 the Administrator of the Environmental Protec-  
12 tion Agency, a State, a local government, or a  
13 permitting agency under or as the result of sec-  
14 tion 169A or 169B of the Clean Air Act (42  
15 U.S.C. 7491, 7492).

16 (C) Any rule establishing or modifying a  
17 national ambient air quality standard under  
18 section 109 of the Clean Air Act (42 U.S.C.  
19 7409).

20 (3) Any action on or after January 1, 2009, by  
21 the Administrator of the Environmental Protection  
22 Agency, a State, a local government, or a permitting  
23 agency as a result of the application of part C of  
24 title I (relating to prevention of significant deteriora-  
25 tion of air quality) or title V (relating to permitting)



1 of the Clean Air Act (42 U.S.C. 7401 et seq.), if  
2 such application occurs with respect to an air pollut-  
3 ant that is identified as a greenhouse gas in  
4 “Endangerment and Cause or Contribute Findings  
5 for Greenhouse Gases Under Section 202(a) of the  
6 Clean Air Act”, published at 74 Fed. Reg. 66496  
7 (December 15, 2009).

8 (b) In conducting the study under subsection (a), the  
9 Administrator shall consider primary and secondary im-  
10 pacts on jobs, costs to ratepayers and consumers, impacts  
11 on electric reliability and resource adequacy, impacts to  
12 the global economic competitiveness of the United States,  
13 impacts on small business, any changes in the fuel mix  
14 used in the electric power sector and resulting impacts to  
15 the economies of communities and States where those  
16 fuels are produced, impacts to the public health and wel-  
17 fare resulting from increased electricity costs, and any  
18 other relevant costs.

19 (c) The Administrator shall not take final action with  
20 respect to the rule listed in subsection (a)(1)(E) (relating  
21 to national emission standards and standards of perform-  
22 ance for certain electric generating units) until a date (to  
23 be determined by the Administrator) that is at least 6  
24 months after the day on which the Administrator submits  
25 the report required by subsection (a).

1 (d) Notwithstanding the final action taken with re-  
2 spect to the rule listed in subsection (a)(1)(A) (relating  
3 to Federal implementation plans to reduce interstate  
4 transport of fine particulate matter and ozone) and final  
5 action (if any) taken with respect to the rule listed in sub-  
6 section (a)(1)(E) prior to the date of the enactment of  
7 this Act—

8 (1) such final action shall not be or become, as appli-  
9 cable, effective until a date (to be determined by the Ad-  
10 ministrator) that is at least 6 months after the day on  
11 which the Administrator submits the report required by  
12 subsection (a); and

13 (2) the date for compliance with any standard or re-  
14 quirement in either such finalized rule, and any date for  
15 further regulatory action triggered by either such finalized  
16 rule, shall be delayed by a period equal to the period—

17 (A) beginning on the date of the publication of  
18 the final action for the respective finalized rule; and

19 (B) ending on the date on which such final ac-  
20 tion becomes effective pursuant to paragraph (1).

21 (e) Notwithstanding any other provision of law, the  
22 Administrator shall continue to implement the Clean Air  
23 Interstate Rule and the rule establishing Federal Imple-  
24 mentation Plans for the Clean Air Interstate Rule as pro-  
25 mulgated and modified by the Administrator of the Envi-

1 ronmental Protection Agency (70 Fed. Reg. 25162 (May  
2 12, 2005), 71 Fed. Reg. 25288 (April 28, 2006), 71 Fed.  
3 Reg. 25328 (April 28, 2006), 72 Fed. Reg. 59190 (Oct.  
4 19, 2007), 72 Fed. Reg. 62338 (Nov. 2, 2007), 74 Fed.  
5 Reg. 56721 (Nov. 3, 2009)) until the date on which final  
6 action with respect to the rule listed in subsection  
7 (a)(1)(A) becomes effective pursuant to subsection (d)(1).



Flake #3  
Amended to W

**AMENDMENT TO INTERIOR APPROPRIATIONS BILL**  
**OFFERED BY MR. FLAKE OF ARIZONA**

~~(Extending FS and BLM Stewardship Contracting Authority  
With Offset From FS Capital Improvement and Maintenance)~~

Page 71, line 22, reduce the dollar amount by  
\$8,000,000.

In section 427, page 122, line 10, strike "2015" and  
insert "2023".

