

**AMENDMENT TO THE RULES COMMITTEE PRINT  
FOR H.R. 2824  
OFFERED BY MR. CONNOLLY OF VIRGINIA**

Page 1, after line 4, insert the following (and redesignate section 2 as section 3):

**1 SEC. 2. FINDINGS.**

2 The Congress finds the following:

3 (1) On February 20, 2014, the United States  
4 District Court for the District Columbia vacated a  
5 rule regarding excess spoil, coal mine waste, and  
6 buffers for perennial and intermittent streams published by the Office of Surface Mining Reclamation  
7 and Enforcement on December 12, 2008 (73 Fed.  
8 Reg. 75813 et seq.).

9  
10 (2) The Office of Surface Mining Reclamation  
11 and Enforcement failed to consult with the United  
12 States Fish and Wildlife Service before issuing such  
13 rule.

Add at the end the following:

**14 SEC. 4. LIMITATION ON APPLICATION.**

15 If the final rule regarding excess spoil, coal mine  
16 waste, and buffers for perennial and intermittent streams

1 published by the Office of Surface Mining Reclamation  
2 and Enforcement on December 12, 2008 (73 Fed. Reg.  
3 75813 et seq.) ceases to have legal force or effect, then  
4 subsection (e) of section 503 of the Surface Mining Con-  
5 trol and Reclamation Act of 1977 (30 U.S.C. 1253), as  
6 added by section 3 of this Act, shall have no force or ef-  
7 fect.

