

An amendment to H.R. Res. 431 offered by Mr. McGovern of Massachusetts

At the end of the resolution, add the following:

SEC. 2. Notwithstanding any other provision of this resolution, the amendment printed in section 3 shall be in order as though printed as the last amendment in the report of the Committee on Rules if offered by Representative Garamendi of California or a designee. That amendment shall be debatable for 10 minutes equally divided and controlled by the proponent and an opponent.

SEC. 3. The amendment referred to in section 2 is as follows:

Page 8, after line 5, insert the following subparagraph:

“(H)(i) Except as provided in clause (ii), the coal combustion residuals permit program shall require new structures, and changes and additions to existing structures, to be constructed and maintained with materials manufactured in the United States.

“(ii) The Administrator may waive the requirement of clause (i) if the Administrator determines that--

“(I) applying such requirement will be inconsistent with the public interest;

“(II) materials used to construct and maintain structures are not produced in the United States in sufficient and reasonably available quantities and of a satisfactory quality; or

“(III) such requirement will increase the cost of the construction of, or the change or addition to, the structure by more than 25 percent.

“(iii) If the Administrator determines that it is necessary to waive the requirement of clause (i) based on a determination under clause (ii), the Administrator shall publish in the Federal Register a detailed written justification as to why the requirement is being waived.

“(iv) This subparagraph shall be applied in a manner consistent with--

“(I) United States obligations under international agreements; and

“(II) applicable labor agreements.