

**AMENDMENT TO THE AMENDMENT IN THE  
NATURE OF A SUBSTITUTE TO H.R. 1644  
OFFERED BY MR. LOWENTHAL OF CALIFORNIA**

At the end of section 3 (page 7, before line 4) insert the following:

1           (c) LIMITATION.—This section, and the provisions of  
2 law enacted by the amendment made by this section, shall  
3 have no force or effect if the Secretary of the Interior  
4 finds, based on peer-reviewed scientific research, that new  
5 regulations relating to stream buffer zones or stream pro-  
6 tection are necessary to reduce the incidence or prevalence  
7 of lung cancer, heart or kidney disease, or birth defects  
8 in communities in the vicinity of mountaintop removal coal  
9 mining projects.

