

**Calendar No. 534**111<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION**S. 2830****[Report No. 111-264]**

To amend the Surface Mining Control and Reclamation Act of 1977 to clarify that uncertified States and Indian tribes have the authority to use certain payments for certain noncoal reclamation projects.

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**IN THE SENATE OF THE UNITED STATES**

DECEMBER 3, 2009

Mr. BINGAMAN (for himself, Mr. HATCH, Mr. BENNETT, Mr. UDALL of New Mexico, Mr. UDALL of Colorado, and Mr. BENNET) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

AUGUST 5, 2010

Reported by Mr. BINGAMAN, with an amendment

[Strike out all after the enacting clause and insert the part printed in *italic*]

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**A BILL**

To amend the Surface Mining Control and Reclamation Act of 1977 to clarify that uncertified States and Indian tribes have the authority to use certain payments for certain noncoal reclamation projects.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. ABANDONED MINE RECLAMATION.**

2 (a) **LIMITATION ON FUNDS.**—Section 409(b) of the  
3 Surface Mining Control and Reclamation Act of 1977 (30  
4 U.S.C. 1239(b)) is amended by inserting “or section  
5 411(h)(1)” after “section 402(g)”.

6 (b) **USE OF FUNDS.**—Section 411(h)(1)(D)(ii) of the  
7 Surface Mining Control and Reclamation Act of 1977 (30  
8 U.S.C. 1240a(h)(1)(D)(ii)) is amended by inserting “or  
9 409” after “section 403”.

10 **SECTION 1. ABANDONED MINE RECLAMATION.**

11 (a) *RECLAMATION FEE.*—Section 402(g)(6)(A) of the  
12 *Surface Mining Control and Reclamation Act of 1977* (30  
13 *U.S.C. 1232(g)(6)(A)*) is amended by inserting “and section  
14 411(h)(1)” after “paragraphs (1) and (5)”.

15 (b) *FILLING VOIDS AND SEALING TUNNELS.*—Section  
16 409(b) of the *Surface Mining Control and Reclamation Act*  
17 *of 1977* (30 *U.S.C. 1239(b)*) is amended by inserting “and  
18 *section 411(h)(1)*” after “*section 402(g)*”.

19 (c) *USE OF FUNDS.*—Section 411(h)(1)(D)(ii) of the  
20 *Surface Mining Control and Reclamation Act of 1977* (30  
21 *U.S.C. 1240a(h)(1)(D)(ii)*) is amended by striking “*section*  
22 *403*” and inserting “*section 402(g)(6), 403, or 409*”.



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