

*Lisa Murkowski*  
S.L.C.

12:04 pm  
RD  
9-23-9  
BW

AMENDMENT NO. \_\_\_\_\_ Calendar No. \_\_\_\_\_

Purpose: To prohibit the use of funds that has the effect of making carbon dioxide a pollutant subject to regulation under the Clean Air Act for any source other than a mobile source.

IN THE SENATE OF THE UNITED STATES—111th Cong., 1st Sess.

**H. R. 2996**

**AMENDMENT N<sup>o</sup> 2530**

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To: H.R. 2996 year  
poses.

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Page(s)

GPO: 2008 45-603 (mac)

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by Ms. MURKOWSKI  
(for herself and Mr. THUNE)

Viz:

- 1 On page 192, between lines 6 and 7, insert the fol-
- 2 lowing:
- 3 GENERAL PROVISIONS, ENVIRONMENTAL PROTECTION
- 4 AGENCY
- 5 CARBON DIOXIDE
- 6 SEC. 201. (a) No action taken by the Environmental
- 7 Protection Agency using funds made available under this
- 8 Act shall have the effect of making carbon dioxide a pollut-

1 ant subject to regulation under the Clean Air Act (42  
2 U.S.C. 7401 et seq.) for any source other than a mobile  
3 source as described in section 202(a) of that Act (42  
4 U.S.C. 7521(a)).

5 (b) Nothing in this section prohibits the expenditure  
6 of funds by the Environmental Protection Agency—

7 (1) to undertake studies or conduct reasonable  
8 information-gathering that is preparatory to the reg-  
9 ulation of carbon dioxide under the Clean Air Act  
10 (42 U.S.C. 7401 et seq.);

11 (2) to implement the renewable fuels standard  
12 requirements of section 211(o) of that Act (42  
13 U.S.C. 7545(o));

14 (3) to continue to issue permits for the con-  
15 struction or modification of any sources other than  
16 a mobile source (as described in section 202(a) of  
17 that Act (42 U.S.C. 7521(a))) in areas for which the  
18 Administrator of the Environmental Protection  
19 Agency has jurisdiction, including certain portions of  
20 the outer Continental Shelf;

21 (4) to issue regulations governing the injection  
22 of carbon dioxide underground to enable the develop-  
23 ment of clean coal power generation facilities, in-  
24 cluding facilities eligible for funding under the Clean  
25 Coal Power Initiative of the Department of Energy

1 and the American Recovery and Reinvestment Act of  
2 2009 (Public Law 111-5);

3 (5) to issue and enforce regulations relating to  
4 the reporting of greenhouse gas emissions;

5 (6) to develop, or collaborate with other agen-  
6 cies on the development of, an innovative, voluntary  
7 carbon offset program or other approaches (includ-  
8 ing assistance measures to energy and trade inten-  
9 sive manufacturers) designed to lower the costs that  
10 may be associated with any global climate change  
11 mitigation measures established or approved by Con-  
12 gress;

13 (7) to permit energy infrastructure construction  
14 on or near Federal land; or

15 (8) to finalize and apply the proposed rule enti-  
16 tled "Proposed Endangerment and Cause or Con-  
17 tribute Findings for Greenhouse Gases Under Sec-  
18 tion 202(a) of the Clean Air Act" (74 Fed. Reg.  
19 18886 (April 24, 2009)), if the rule and the con-  
20 sequences of the rule are limited solely to section  
21 202(a) of that Act (42 U.S.C. 7521(a)).