

Union Calendar No. 480

118TH CONGRESS
2^D SESSION

H. R. 8997

[Report No. 118-580]

Making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2025, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 11, 2024

Mr. FLEISCHMANN, from the Committee on Appropriations reported the following bill; which was committed to the Committee of the Whole House on the State of the Union and ordered to be printed

A BILL

Making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2025, and for other purposes.

1 construction; for restudy of authorized projects; and for
2 miscellaneous investigations, and, when authorized by law,
3 surveys and detailed studies, and plans and specifications
4 of projects prior to construction, \$159,000,000, to remain
5 available until expended: *Provided*, That the Secretary
6 shall not deviate from the work plan, once the plan has
7 been submitted to the Committees on Appropriations of
8 both Houses of Congress.

9 CONSTRUCTION

10 For expenses necessary for the construction of river
11 and harbor, flood and storm damage reduction, shore pro-
12 tection, aquatic ecosystem restoration, and related
13 projects authorized by law; for conducting detailed studies,
14 and plans and specifications, of such projects (including
15 those involving participation by States, local governments,
16 or private groups) authorized or made eligible for selection
17 by law (but such detailed studies, and plans and specifica-
18 tions, shall not constitute a commitment of the Govern-
19 ment to construction); \$3,010,000,000, to remain avail-
20 able until expended; of which \$34,900,000, to be derived
21 from the Harbor Maintenance Trust Fund, shall be to
22 cover the Federal share of construction costs for facilities
23 under the Dredged Material Disposal Facilities program;
24 and of which such sums as are necessary to cover 35 per-
25 cent of the costs of construction, replacement, rehabilita-

1 tion, and expansion of inland waterways projects shall be
2 derived from the Inland Waterways Trust Fund, except
3 as otherwise specifically provided for in law: *Provided*,
4 That the Secretary shall not deviate from the work plan,
5 once the plan has been submitted to the Committees on
6 Appropriations of both Houses of Congress.

7 MISSISSIPPI RIVER AND TRIBUTARIES

8 For expenses necessary for flood damage reduction
9 projects and related efforts in the Mississippi River allu-
10 vial valley below Cape Girardeau, Missouri, as authorized
11 by law, \$370,000,000, to remain available until expended,
12 of which \$5,465,000, to be derived from the Harbor Main-
13 tenance Trust Fund, shall be to cover the Federal share
14 of eligible operation and maintenance costs for inland har-
15 bors: *Provided*, That the Secretary shall not deviate from
16 the work plan, once the plan has been submitted to the
17 Committees on Appropriations of both Houses of Con-
18 gress.

19 OPERATION AND MAINTENANCE

20 For expenses necessary for the operation, mainte-
21 nance, and care of existing river and harbor, flood and
22 storm damage reduction, aquatic ecosystem restoration,
23 and related projects authorized by law; providing security
24 for infrastructure owned or operated by the Corps, includ-
25 ing administrative buildings and laboratories; maintaining

1 harbor channels provided by a State, municipality, or
2 other public agency that serve essential navigation needs
3 of general commerce, where authorized by law; surveying
4 and charting northern and northwestern lakes and con-
5 necting waters; clearing and straightening channels; and
6 removing obstructions to navigation, \$5,714,000,000, to
7 remain available until expended, of which \$3,106,635,000,
8 to be derived from the Harbor Maintenance Trust Fund,
9 shall be to cover the Federal share of eligible operations
10 and maintenance costs for coastal harbors and channels,
11 and for inland harbors, of which \$60,000,000 shall be to
12 carry out subsection (c) of section 2106 of the Water Re-
13 sources Reform and Development Act of 2014 (33 U.S.C.
14 2238c(c)) and shall be designated as being for such pur-
15 pose pursuant to paragraph (2) of section 14003 of divi-
16 sion B of the Coronavirus Aid, Relief, and Economic Secu-
17 rity Act (Public Law 116–136); of which such sums as
18 become available from the special account for the Corps
19 of Engineers established by the Land and Water Con-
20 servation Fund Act of 1965 shall be derived from that
21 account for resource protection, research, interpretation,
22 and maintenance activities related to resource protection
23 in the areas at which outdoor recreation is available; of
24 which such sums as become available from fees collected
25 under section 217 of Public Law 104–303 shall be used

1 to cover the cost of operation and maintenance of the
2 dredged material disposal facilities for which such fees
3 have been collected: *Provided*, That 1 percent of the total
4 amount of funds provided for each of the programs,
5 projects, or activities funded under this heading shall not
6 be allocated to a field operating activity prior to the begin-
7 ning of the fourth quarter of the fiscal year and shall be
8 available for use by the Chief of Engineers to fund such
9 emergency activities as the Chief of Engineers determines
10 to be necessary and appropriate, and that the Chief of En-
11 gineers shall allocate during the fourth quarter any re-
12 maining funds which have not been used for emergency
13 activities proportionally in accordance with the amounts
14 provided for the programs, projects, or activities: *Provided*
15 *further*, That the Secretary shall not deviate from the work
16 plan, once the plan has been submitted to the Committees
17 on Appropriations of both Houses of Congress.

18 REGULATORY PROGRAM

19 For expenses necessary for administration of laws
20 pertaining to regulation of navigable waters and wetlands,
21 \$218,000,000, to remain available until September 30,
22 2026.

23 FORMERLY UTILIZED SITES REMEDIAL ACTION PROGRAM

24 For expenses necessary to clean up contamination
25 from sites in the United States resulting from work per-

1 formed as part of the Nation's early atomic energy pro-
2 gram, \$200,000,000, to remain available until expended.

3 FLOOD CONTROL AND COASTAL EMERGENCIES

4 For expenses necessary to prepare for flood, hurri-
5 cane, and other natural disasters and support emergency
6 operations, repairs, and other activities in response to
7 such disasters as authorized by law, \$45,000,000, to re-
8 main available until expended.

9 EXPENSES

10 For expenses necessary for the supervision and gen-
11 eral administration of the civil works program in the head-
12 quarters of the Corps of Engineers and the offices of the
13 Division Engineers; and for costs of management and op-
14 eration of the Humphreys Engineer Center Support Activ-
15 ity, the Institute for Water Resources, the United States
16 Army Engineer Research and Development Center, and
17 the United States Army Corps of Engineers Finance Cen-
18 ter allocable to the civil works program, \$231,000,000, to
19 remain available until September 30, 2026, of which not
20 to exceed \$5,000 may be used for official reception and
21 representation purposes and only during the current fiscal
22 year: *Provided*, That no part of any other appropriation
23 provided in this title shall be available to fund the civil
24 works activities of the Office of the Chief of Engineers
25 or the civil works executive direction and management ac-

1 tivities of the division offices: *Provided further*, That any
2 Flood Control and Coastal Emergencies appropriation
3 may be used to fund the supervision and general adminis-
4 tration of emergency operations, repairs, and other activi-
5 ties in response to any flood, hurricane, or other natural
6 disaster.

7 OFFICE OF THE ASSISTANT SECRETARY OF THE ARMY

8 FOR CIVIL WORKS

9 For the Office of the Assistant Secretary of the Army
10 for Civil Works as authorized by 10 U.S.C. 7016(b)(3),
11 \$5,000,000, to remain available until September 30, 2026:
12 *Provided*, That not more than 25 percent of such amount
13 may be obligated or expended until the Assistant Sec-
14 retary submits to the Committees on Appropriations of
15 both Houses of Congress the report required under section
16 101(d) of this Act and a work plan that allocates at least
17 95 percent of the additional funding provided under each
18 heading in the report accompanying this Act, to specific
19 programs, projects, or activities.

20 WATER INFRASTRUCTURE FINANCE AND INNOVATION

21 PROGRAM ACCOUNT

22 For administrative expenses to carry out the direct
23 and guaranteed loan programs, notwithstanding section
24 5033 of the Water Infrastructure Finance and Innovation

1 Act of 2014, \$5,000,000, to remain available until Sep-
2 tember 30, 2026.

3 In addition, fees authorized to be collected pursuant
4 to sections 5029 and 5030 of the Water Infrastructure
5 Finance and Innovation Act of 2014 shall be deposited
6 in this account, to remain available until expended.

7 GENERAL PROVISIONS—CORPS OF

8 ENGINEERS—CIVIL

9 (INCLUDING TRANSFER OF FUNDS)

10 SEC. 101. (a) None of the funds provided in title I
11 of this Act, or provided by previous appropriations Acts
12 to the agencies or entities funded in title I of this Act
13 that remain available for obligation or expenditure in fiscal
14 year 2025, shall be available for obligation or expenditure
15 through a reprogramming of funds that:

16 (1) creates or initiates a new program, project,
17 or activity;

18 (2) eliminates a program, project, or activity;

19 (3) increases funds or personnel for any pro-
20 gram, project, or activity for which funds have been
21 denied or restricted by this Act, unless prior ap-
22 proval is received from the Committees on Appro-
23 priations of both Houses of Congress;

24 (4) proposes to use funds directed for a specific
25 activity for a different purpose, unless prior approval

1 is received from the Committees on Appropriations
2 of both Houses of Congress;

3 (5) augments or reduces existing programs,
4 projects, or activities in excess of the amounts con-
5 tained in paragraphs (6) through (10), unless prior
6 approval is received from the Committees on Appro-
7 priations of both Houses of Congress;

8 (6) INVESTIGATIONS.—For a base level over
9 \$100,000, reprogramming of 25 percent of the base
10 amount up to a limit of \$150,000 per project, study,
11 or activity is allowed: *Provided*, That for a base level
12 less than \$100,000, the reprogramming limit is
13 \$25,000: *Provided further*, That up to \$25,000 may
14 be reprogrammed into any continuing study or activ-
15 ity that did not receive an appropriation for existing
16 obligations and concomitant administrative expenses;

17 (7) CONSTRUCTION.—For a base level over
18 \$2,000,000, reprogramming of 15 percent of the
19 base amount up to a limit of \$3,000,000 per project,
20 study or activity is allowed: *Provided*, That for a
21 base level less than \$2,000,000, the reprogramming
22 limit is \$300,000: *Provided further*, That up to
23 \$3,000,000 may be reprogrammed for settled con-
24 tractor claims, changed conditions, or real estate de-
25 ficiency judgments: *Provided further*, That up to

1 \$300,000 may be reprogrammed into any continuing
2 study or activity that did not receive an appropria-
3 tion for existing obligations and concomitant admin-
4 istrative expenses;

5 (8) OPERATION AND MAINTENANCE.—Unlim-
6 ited reprogramming authority is granted for the
7 Corps to be able to respond to emergencies: *Pro-*
8 *vided*, That the Chief of Engineers shall notify the
9 Committees on Appropriations of both Houses of
10 Congress of these emergency actions as soon there-
11 after as practicable: *Provided further*, That for a
12 base level over \$1,000,000, reprogramming of 15
13 percent of the base amount up to a limit of
14 \$5,000,000 per project, study, or activity is allowed:
15 *Provided further*, That for a base level less than
16 \$1,000,000, the reprogramming limit is \$150,000:
17 *Provided further*, That \$150,000 may be repro-
18 grammed into any continuing study or activity that
19 did not receive an appropriation;

20 (9) MISSISSIPPI RIVER AND TRIBUTARIES.—
21 The reprogramming guidelines in paragraphs (6),
22 (7), and (8) shall apply to the Investigations, Con-
23 struction, and Operation and Maintenance portions
24 of the Mississippi River and Tributaries Account, re-
25 spectively; and

1 (10) FORMERLY UTILIZED SITES REMEDIAL AC-
2 TION PROGRAM.—Reprogramming of up to 15 per-
3 cent of the base of the receiving project is permitted.

4 (b) DE MINIMUS REPROGRAMMINGS.—In no case
5 should a reprogramming for less than \$50,000 be sub-
6 mitted to the Committees on Appropriations of both
7 Houses of Congress.

8 (c) CONTINUING AUTHORITIES PROGRAM.—Sub-
9 section (a)(1) shall not apply to any project or activity
10 funded under the continuing authorities program.

11 (d) Not later than 60 days after the date of enact-
12 ment of this Act, the Secretary shall submit a report to
13 the Committees on Appropriations of both Houses of Con-
14 gress to establish the baseline for application of re-
15 programming and transfer authorities for the current fis-
16 cal year which shall include:

17 (1) A table for each appropriation with a sepa-
18 rate column to display the President’s budget re-
19 quest, adjustments made by Congress, adjustments
20 due to enacted rescissions, if applicable, and the fis-
21 cal year enacted level;

22 (2) A delineation in the table for each appro-
23 priation both by object class and program, project
24 and activity as detailed in the budget appendix for
25 the respective appropriations; and

1 (3) An identification of items of special congres-
2 sional interest.

3 SEC. 102. The Secretary shall allocate funds made
4 available in this Act solely in accordance with the provi-
5 sions of this Act and in the report accompanying this Act.

6 SEC. 103. None of the funds made available in this
7 title may be used to award or modify any contract that
8 commits funds beyond the amounts appropriated for that
9 program, project, or activity that remain unobligated, ex-
10 cept that such amounts may include any funds that have
11 been made available through reprogramming pursuant to
12 section 101.

13 SEC. 104. The Secretary of the Army may transfer
14 to the Fish and Wildlife Service, and the Fish and Wildlife
15 Service may accept and expend, up to \$8,733,000 of funds
16 provided in this title under the heading “Operation and
17 Maintenance” to mitigate for fisheries lost due to Corps
18 of Engineers projects.

19 SEC. 105. None of the funds in this Act shall be used
20 for an open lake placement alternative for dredged mate-
21 rial, after evaluating the least costly, environmentally ac-
22 ceptable manner for the disposal or management of
23 dredged material originating from Lake Erie or tributaries
24 thereto, unless it is approved under a State water quality
25 certification pursuant to section 401 of the Federal Water

1 Pollution Control Act (33 U.S.C. 1341): *Provided*, That
2 until an open lake placement alternative for dredged mate-
3 rial is approved under a State water quality certification,
4 the Corps of Engineers shall continue upland placement
5 of such dredged material consistent with the requirements
6 of section 101 of the Water Resources Development Act
7 of 1986 (33 U.S.C. 2211).

8 SEC. 106. None of the funds made available by this
9 Act may be used to carry out any water supply reallocation
10 study under the Wolf Creek Dam, Lake Cumberland, Ken-
11 tucky, project authorized under the Act of July 24, 1946
12 (60 Stat. 636, ch. 595).

13 SEC. 107. Additional funding provided in this Act
14 shall be allocated only to projects determined to be eligible
15 by the Chief of Engineers.

16 SEC. 108. Not later than 15 days after the date of
17 enactment of this Act, the Administrator of the Environ-
18 mental Protection Agency and the Assistant Secretary of
19 the Army for Civil Works shall provide to the appropriate
20 congressional committees any guidance documents relat-
21 ing to the implementation of the rule entitled “Revised
22 Definition of ‘Waters of the United States’; Conforming”
23 published by the Army Corps of Engineers and the Envi-
24 ronmental Protection Agency in the Federal Register on
25 September 8, 2023 (88 Fed. Reg. 61964).

1 SEC. 109. None of the funds made available by this
2 Act or any prior Act may be used to alter the eligibility
3 requirements for assistance under section 5 of the Act of
4 August 18, 1941 (33 U.S.C. 701n) in effect on November
5 14, 2022, without express authorization by Congress.

6 SEC. 110. As of the date of enactment of this Act
7 and each fiscal year thereafter, the Secretary of the Army
8 shall not promulgate or enforce any regulation that pro-
9 hibits an individual from possessing a firearm, including
10 an assembled or functional firearm, at a water resources
11 development project covered under section 327.0 of title
12 36, Code of Federal Regulations (as in effect on the date
13 of enactment of this Act) if:

14 (1) the individual is not otherwise prohibited by
15 law from possessing a firearm; and

16 (2) the possession of the firearm is in compli-
17 ance with the law of the State in which the water
18 resources development project is located.

19 SEC. 111. None of the funds made available by this
20 Act may be used to modify or amend the final rules enti-
21 tled, “Reissuance and Modification of Nationwide Per-
22 mits” (86 Fed. Reg. 2744) and “Reissuance and Modifica-
23 tion of Nationwide Permits” (86 Fed. Reg. 73522).

1 BUREAU OF RECLAMATION

2 The following appropriations shall be expended to
3 execute authorized functions of the Bureau of Reclama-
4 tion:

5 WATER AND RELATED RESOURCES
6 (INCLUDING TRANSFERS OF FUNDS)

7 For management, development, and restoration of
8 water and related natural resources and for related activi-
9 ties, including the operation, maintenance, and rehabilita-
10 tion of reclamation and other facilities, participation in
11 fulfilling related Federal responsibilities to Native Ameri-
12 cans, and related grants to, and cooperative and other
13 agreements with, State and local governments, federally
14 recognized Indian Tribes, and others, \$1,773,000,000, to
15 remain available until expended, of which \$23,620,000
16 shall be available for transfer to the Upper Colorado River
17 Basin Fund and \$7,584,000 shall be available for transfer
18 to the Lower Colorado River Basin Development Fund;
19 of which such amounts as may be necessary may be ad-
20 vanced to the Colorado River Dam Fund: *Provided*, That
21 \$100,000 shall be available for transfer into the Aging In-
22 frastructure Account established by section 9603(d)(1) of
23 the Omnibus Public Land Management Act of 2009, as
24 amended (43 U.S.C. 510b(d)(1)): *Provided further*, That
25 such transfers, except for the transfer authorized by the

1 preceding proviso, may be increased or decreased within
2 the overall appropriation under this heading: *Provided fur-*
3 *ther*, That of the total appropriated, the amount for pro-
4 gram activities that can be financed by the Reclamation
5 Fund, the Water Storage Enhancement Receipts account
6 established by section 4011(e) of Public Law 114–322, or
7 the Bureau of Reclamation special fee account established
8 by 16 U.S.C. 6806 shall be derived from that Fund or
9 account: *Provided further*, That funds contributed under
10 43 U.S.C. 395 are available until expended for the pur-
11 poses for which the funds were contributed: *Provided fur-*
12 *ther*, That funds advanced under 43 U.S.C. 397a shall be
13 credited to this account and are available until expended
14 for the same purposes as the sums appropriated under this
15 heading: *Provided further*, That of the amounts made
16 available under this heading, \$7,000,000 shall be depos-
17 ited in the San Gabriel Basin Restoration Fund estab-
18 lished by section 110 of title I of division B of appendix
19 D of Public Law 106–554: *Provided further*, That of the
20 amounts provided herein, funds may be used for high-pri-
21 ority projects which shall be carried out by the Youth Con-
22 servation Corps, as authorized by 16 U.S.C. 1706: *Pro-*
23 *vided further*, That within available funds, \$250,000 shall
24 be for grants and financial assistance for educational ac-
25 tivities: *Provided further*, That in accordance with section

1 4007 of Public Law 114–322 and as recommended by the
2 Secretary in a letter dated May 22, 2024, funding pro-
3 vided for such purpose in fiscal year 2024 shall be made
4 available to the Sites Reservoir Project: *Provided further*,
5 That in accordance with section 4009(c) of Public Law
6 114–322, and as recommended by the Secretary in a letter
7 dated May 22, 2024, funding provided for such purpose
8 in fiscal year 2023 and fiscal year 2024 shall be made
9 available to the El Paso Aquifer Storage and Recovery En-
10 hanced Arroyo Project, the Replenish Big Bear, and the
11 Purified Water Replenishment Project.

12 CENTRAL VALLEY PROJECT RESTORATION FUND

13 For carrying out the programs, projects, plans, habi-
14 tat restoration, improvement, and acquisition provisions of
15 the Central Valley Project Improvement Act, such sums
16 as may be collected in fiscal year 2025 in the Central Val-
17 ley Project Restoration Fund pursuant to sections
18 3407(d), 3404(c)(3), and 3405(f) of Public Law 102–575,
19 to remain available until expended: *Provided*, That the Bu-
20 reau of Reclamation is directed to assess and collect the
21 full amount of the additional mitigation and restoration
22 payments authorized by section 3407(d) of Public Law
23 102–575: *Provided further*, That none of the funds made
24 available under this heading may be used for the acquisi-
25 tion or leasing of water for in-stream purposes if the water

1 is already committed to in-stream purposes by a court
2 adopted decree or order.

3 CALIFORNIA BAY-DELTA RESTORATION

4 (INCLUDING TRANSFERS OF FUNDS)

5 For carrying out activities authorized by the Water
6 Supply, Reliability, and Environmental Improvement Act,
7 consistent with plans to be approved by the Secretary of
8 the Interior, \$33,000,000, to remain available until ex-
9 pended, of which such amounts as may be necessary to
10 carry out such activities may be transferred to appropriate
11 accounts of other participating Federal agencies to carry
12 out authorized purposes: *Provided*, That funds appro-
13 priated herein may be used for the Federal share of the
14 costs of CALFED Program management: *Provided fur-*
15 *ther*, That CALFED implementation shall be carried out
16 in a balanced manner with clear performance measures
17 demonstrating concurrent progress in achieving the goals
18 and objectives of the Program.

19 POLICY AND ADMINISTRATION

20 For expenses necessary for policy, administration,
21 and related functions in the Office of the Commissioner,
22 the Denver office, and offices in the six regions of the Bu-
23 reau of Reclamation, to remain available until September
24 30, 2026, \$66,794,000, to be derived from the Reclama-
25 tion Fund and be nonreimbursable as provided in 43

1 U.S.C. 377, of which not to exceed \$5,000 may be used
2 for official reception and representation expenses: *Pro-*
3 *vided*, That no part of any other appropriation in this Act
4 shall be available for activities or functions budgeted as
5 policy and administration expenses.

6 ADMINISTRATIVE PROVISION

7 Appropriations for the Bureau of Reclamation shall
8 be available for purchase and replacement of not to exceed
9 30 motor vehicles, which are for replacement only.

10 GENERAL PROVISIONS—DEPARTMENT OF THE
11 INTERIOR

12 SEC. 201. (a) None of the funds provided in title II
13 of this Act for Water and Related Resources, or provided
14 by previous or subsequent appropriations Acts to the agen-
15 cies or entities funded in title II of this Act for Water
16 and Related Resources that remain available for obligation
17 or expenditure in fiscal year 2025, shall be available for
18 obligation or expenditure through a reprogramming of
19 funds that—

20 (1) initiates or creates a new program, project,
21 or activity;

22 (2) eliminates a program, project, or activity;

23 (3) increases funds for any program, project, or
24 activity for which funds have been denied or re-
25 stricted by this Act, unless prior approval is received

1 from the Committees on Appropriations of both
2 Houses of Congress;

3 (4) restarts or resumes any program, project or
4 activity for which funds are not provided in this Act,
5 unless prior approval is received from the Commit-
6 tees on Appropriations of both Houses of Congress;

7 (5) transfers funds in excess of the following
8 limits, unless prior approval is received from the
9 Committees on Appropriations of both Houses of
10 Congress:

11 (A) 15 percent for any program, project or
12 activity for which \$2,000,000 or more is avail-
13 able at the beginning of the fiscal year; or

14 (B) \$400,000 for any program, project or
15 activity for which less than \$2,000,000 is avail-
16 able at the beginning of the fiscal year;

17 (6) transfers more than \$500,000 from either
18 the Facilities Operation, Maintenance, and Rehabili-
19 tation category or the Resources Management and
20 Development category to any program, project, or
21 activity in the other category, unless prior approval
22 is received from the Committees on Appropriations
23 of both Houses of Congress; or

24 (7) transfers, where necessary to discharge legal
25 obligations of the Bureau of Reclamation, more than

1 \$5,000,000 to provide adequate funds for settled
2 contractor claims, increased contractor earnings due
3 to accelerated rates of operations, and real estate de-
4 ficiency judgments, unless prior approval is received
5 from the Committees on Appropriations of both
6 Houses of Congress.

7 (b) Subsection (a)(5) shall not apply to any transfer
8 of funds within the Facilities Operation, Maintenance, and
9 Rehabilitation category.

10 (c) For purposes of this section, the term “transfer”
11 means any movement of funds into or out of a program,
12 project, or activity.

13 (d) Except as provided in subsections (a) and (b), the
14 amounts made available in this title under the heading
15 “Bureau of Reclamation—Water and Related Resources”
16 shall be expended for the programs, projects, and activities
17 specified in the “House Recommended” columns in the
18 “Water and Related Resources” table included under the
19 heading “Title II—Department of the Interior” in the re-
20 port accompanying this Act.

21 (e) The Bureau of Reclamation shall submit reports
22 on a quarterly basis to the Committees on Appropriations
23 of both Houses of Congress detailing all the funds repro-
24 grammed between programs, projects, activities, or cat-
25 egories of funding. The first quarterly report shall be sub-

1 mitted not later than 60 days after the date of enactment
2 of this Act.

3 SEC. 202. (a) None of the funds appropriated or oth-
4 erwise made available by this Act may be used to deter-
5 mine the final point of discharge for the interceptor drain
6 for the San Luis Unit until development by the Secretary
7 of the Interior and the State of California of a plan, which
8 shall conform to the water quality standards of the State
9 of California as approved by the Administrator of the En-
10 vironmental Protection Agency, to minimize any detri-
11 mental effect of the San Luis drainage waters.

12 (b) The costs of the Kesterson Reservoir Cleanup
13 Program and the costs of the San Joaquin Valley Drain-
14 age Program shall be classified by the Secretary of the
15 Interior as reimbursable or nonreimbursable and collected
16 until fully repaid pursuant to the “Cleanup Program—
17 Alternative Repayment Plan” and the “SJVDP—Alter-
18 native Repayment Plan” described in the report entitled
19 “Repayment Report, Kesterson Reservoir Cleanup Pro-
20 gram and San Joaquin Valley Drainage Program, Feb-
21 ruary 1995”, prepared by the Department of the Interior,
22 Bureau of Reclamation. Any future obligations of funds
23 by the United States relating to, or providing for, drainage
24 service or drainage studies for the San Luis Unit shall
25 be fully reimbursable by San Luis Unit beneficiaries of

1 such service or studies pursuant to Federal reclamation
2 law.

3 SEC. 203. (a) Title I of Public Law 108–361 (the
4 Calfed Bay-Delta Authorization Act), shall be applied by
5 substituting “2025” for “2022” each place it appears.

6 (b) Section 103(f)(4)(A) of Public Law 108–361 (the
7 Calfed Bay-Delta Authorization Act) is amended by strik-
8 ing “\$30,000,000” and inserting “\$40,000,000”.

9 SEC. 204. (a) Section 104(c) of the Reclamation
10 States Emergency Drought Relief Act of 1991, as amend-
11 ed (43 U.S.C. 2214(c)), shall be applied by substituting
12 “2025” for “2022”.

13 (b) Section 301 of the Reclamation States Emergency
14 Drought Relief Act of 1991 (43 U.S.C. 2241)—

15 (1) shall be applied by substituting “2025” for
16 “2022”; and

17 (2) is amended by striking “\$120,000,000” and
18 inserting “\$130,000,000”.

19 SEC. 205. None of the funds made available by this
20 Act or any other Act may be used to continue the reiniti-
21 ated consultation on the Long-Term Operation of the Cen-
22 tral Valley Project and State Water Project under section
23 7 of the Endangered Species Act of 1973 (16 U.S.C.
24 1536), consistent with the letter from the Bureau of Rec-
25 lamation dated September 30, 2021, requesting such re-

1 initiated consultation, until the Commissioner of the Bu-
2 reau of Reclamation requests and receives in writing from
3 the Director of the United States Fish and Wildlife Serv-
4 ice a comprehensive report explaining the purpose, meth-
5 odology, and anticipated outcomes of such reinitiated con-
6 sultation: *Provided*, That not later than 15 days after the
7 date on which the Director provides to the Commissioner
8 such report, the Commissioner shall submit to Congress
9 such report.

10 SEC. 206. (a) The Central Valley Project and Cali-
11 fornia State Water Project shall be operated in accordance
12 with the Preferred Alternative and FWS Biological Opin-
13 ion and NOAA Biological Opinion.

14 (b) For the purposes of this section—

15 (1) the term “Preferred Alternative” means the
16 Alternative 1 (Preferred Alternative), as described in
17 the Final Environmental Impact Statement on the
18 Reinitiation of Consultation on the Coordinated
19 Long-Term Operation of the Central Valley Project
20 and the State Water Project” issued by the Bureau
21 of Reclamation, and dated December 2019;

22 (2) the term “FWS Biological Opinion” means
23 the United States Fish and Wildlife Service “Bio-
24 logical Opinion for the Reinitiation of Consultation
25 on the Coordinated Operations of the Central Valley

1 Project and State Water Project” (Service File No.
2 08FBTD00–2019–F–0164) signed on October 21,
3 2019; and

4 (3) the term “NOAA Biological Opinion”
5 means the National Oceanic and Atmospheric Ad-
6 ministration Fisheries “Biological Opinion on the
7 Long-Term Operation of the Central Valley Project
8 and the State Water Project” (Consultation Track-
9 ing Number: WRCO–2016–00069) signed on Octo-
10 ber 21, 2019.

11 SEC. 207. Section 40902(a)(2) of the Infrastructure
12 Investment and Jobs Act (43 U.S.C. 3202(a)(2)) is
13 amended—

14 (1) in subparagraph (B)—

15 (A) in the matter preceding clause (i), by
16 striking “this Act, except for any project for
17 which—” and inserting “this Act; or”; and

18 (B) by striking clauses (i) and (ii); and

19 (2) in subparagraph (C), by striking “(except
20 that projects described in clauses (i) and (ii) of sub-
21 paragraph (B) shall not be eligible)”.

22 SEC. 208. The Water Infrastructure Improvements
23 for the Nation Act (Public Law 114–322) is amended in
24 section 4004(a)—

25

1 (1) in the matter preceding paragraph (1),
2 strike “public water agency that contracts” and
3 insert “contractor”;

4 (2) in paragraph (1), by inserting “or pro-
5 posed action” after “biological assessment”;

6 (3) in paragraph (2), by inserting “or pro-
7 posed action” after “biological assessment”;

8 (4) by redesignating paragraphs (3)
9 through (6) as paragraphs (4) through (7), re-
10 spectively;

11 (5) after paragraph (2), by inserting the
12 following new paragraph:

13 “(3) receive a copy of the draft proposed
14 action and have the opportunity to review that
15 document and provide comment to the action
16 agency, which comments shall be afforded due
17 consideration during development;” and

18 (6) in paragraph (7), as redesignated by
19 paragraph (4) of this section—

20 (A) in the matter preceding subpara-
21 graph (A), by inserting “action agency pro-
22 poses a proposed action or” before “the
23 consulting agency”;

1 (B) in subparagraph (A), by inserting
2 “proposed action or” before “alternative
3 will”; and

4 (C) in subparagraph (B), by striking
5 “alternative actions” and inserting “ac-
6 tions or alternatives”.

7 SEC. 209. (a) Title III of subtitle J of the Water In-
8 frastructure Improvements for the Nation Act (Public
9 Law 114–322) is amended—

10 (1) in section 4007(i), by striking “2021” and insert-
11 ing “2026”; and

12 (2) in section 4013—

13 (A) in paragraph (1), by deleting “section
14 4004, which shall expire 10 years after the date of
15 its enactment” and inserting “section 4004, which
16 shall expire on December 16, 2034”; and

17 (B) in paragraph (2), by inserting “on or before
18 December 16, 2026” after “4009(c)”.

19 (b) Section 1602(g)(1) of the Reclamation Waste-
20 water and Groundwater Study and Facilities Act (43
21 U.S.C. 390h) is amended by striking “\$50,000,000” and
22 inserting “\$167,500,000”.

23 (c) Section 4(a)(2)(F)(i) of the Water Desalination
24 Act of 1996 (42 U.S.C. 10301 note; Public Law 104–298)

1 is amended by striking “\$30,000,000” and inserting
2 “\$100,500,000”.

3 TITLE III

4 DEPARTMENT OF ENERGY

5 ENERGY PROGRAMS

6 ENERGY EFFICIENCY AND RENEWABLE ENERGY

7 For Department of Energy expenses including the
8 purchase, construction, and acquisition of plant and cap-
9 ital equipment, and other expenses necessary for energy
10 efficiency and renewable energy activities in carrying out
11 the purposes of the Department of Energy Organization
12 Act (42 U.S.C. 7101 et seq.), including the acquisition or
13 condemnation of any real property or any facility or for
14 plant or facility acquisition, construction, or expansion,
15 \$1,960,000,000, to remain available until expended: *Pro-*
16 *vided*, That of such amount, \$223,000,000 shall be avail-
17 able until September 30, 2026, for program direction.

18 CYBERSECURITY, ENERGY SECURITY, AND EMERGENCY

19 RESPONSE

20 For Department of Energy expenses including the
21 purchase, construction, and acquisition of plant and cap-
22 ital equipment, and other expenses necessary for energy
23 sector cybersecurity, energy security, and emergency re-
24 sponse activities in carrying out the purposes of the De-
25 partment of Energy Organization Act (42 U.S.C. 7101 et

1 seq.), including the acquisition or condemnation of any
2 real property or any facility or for plant or facility acquisi-
3 tion, construction, or expansion, \$200,000,000, to remain
4 available until expended: *Provided*, That of such amount,
5 \$28,000,000 shall be available until September 30, 2026,
6 for program direction.

7 ELECTRICITY

8 For Department of Energy expenses including the
9 purchase, construction, and acquisition of plant and cap-
10 ital equipment, and other expenses necessary for elec-
11 tricity activities in carrying out the purposes of the De-
12 partment of Energy Organization Act (42 U.S.C. 7101 et
13 seq.), including the acquisition or condemnation of any
14 real property or any facility or for plant or facility acquisi-
15 tion, construction, or expansion, \$250,000,000, to remain
16 available until expended: *Provided*, That of such amount,
17 \$19,700,000 shall be available until September 30, 2026,
18 for program direction: *Provided further*, That funds under
19 this heading allocated for the purposes of section 9 of the
20 Small Business Act, as amended (15 U.S.C. 638), includ-
21 ing for Small Business Innovation Research and Small
22 Business Technology Transfer activities, or for the pur-
23 poses of section 1001 of the Energy Policy Act of 2005,
24 as amended (42 U.S.C. 16391(a)), for Technology Com-
25 mercialization Fund activities, may be reprogrammed

1 without being subject to the restrictions in section 301 of
2 this Act.

3 GRID DEPLOYMENT

4 For Department of Energy expenses including the
5 purchase, construction, and acquisition of plant and cap-
6 ital equipment, and other expenses necessary for grid de-
7 ployment in carrying out the purposes of the Department
8 of Energy Organization Act (42 U.S.C. 7101 et seq.), in-
9 cluding the acquisition or condemnation of any real prop-
10 erty or any facility or for plant or facility acquisition, con-
11 struction, or expansion, \$60,000,000, to remain available
12 until expended: *Provided*, That of such amount,
13 \$6,000,000 shall be available until September 30, 2026,
14 for program direction.

15 NUCLEAR ENERGY

16 For Department of Energy expenses including the
17 purchase, construction, and acquisition of plant and cap-
18 ital equipment, and other expenses necessary for nuclear
19 energy activities in carrying out the purposes of the De-
20 partment of Energy Organization Act (42 U.S.C. 7101 et
21 seq.), including the acquisition or condemnation of any
22 real property or any facility or for plant or facility acqui-
23 sition, construction, or expansion, \$1,793,000,000, to re-
24 main available until expended: *Provided*, That of such
25 amount, \$97,000,000 shall be available until September

1 30, 2026, for program direction: *Provided further*, That
2 for the purpose of section 954(a)(6) of the Energy Policy
3 Act of 2005, as amended, the only amount available shall
4 be from the amount specified as including that purpose
5 in the “Bill” column in the “Department of Energy” table
6 included under the heading “Title III—Department of
7 Energy” in the report accompanying this Act.

8 FOSSIL ENERGY AND CARBON MANAGEMENT

9 For Department of Energy expenses necessary in car-
10 rying out fossil energy and carbon management research
11 and development activities, under the authority of the De-
12 partment of Energy Organization Act (42 U.S.C. 7101 et
13 seq.), including the acquisition of interest, including defea-
14 sible and equitable interests in any real property or any
15 facility or for plant or facility acquisition or expansion,
16 and for conducting inquiries, technological investigations,
17 and research concerning the extraction, processing, use,
18 and disposal of mineral substances without objectionable
19 social and environmental costs (30 U.S.C. 3, 1602, and
20 1603), \$875,000,000, to remain available until expended:
21 *Provided*, That of such amount \$70,000,000 shall be avail-
22 able until September 30, 2026, for program direction.

23 NAVAL PETROLEUM AND OIL SHALE RESERVES

24 For Department of Energy expenses necessary to
25 carry out naval petroleum and oil shale reserve activities,

1 \$13,010,000, to remain available until expended: *Pro-*
2 *vided*, That notwithstanding any other provision of law,
3 unobligated funds remaining from prior years shall be
4 available for all naval petroleum and oil shale reserve ac-
5 tivities.

6 STRATEGIC PETROLEUM RESERVE

7 For Department of Energy expenses necessary for
8 Strategic Petroleum Reserve facility development and op-
9 erations and program management activities pursuant to
10 the Energy Policy and Conservation Act (42 U.S.C. 6201
11 et seq.), \$295,148,000, to remain available until expended.

12 NORTHEAST HOME HEATING OIL RESERVE

13 For Department of Energy expenses necessary for
14 Northeast Home Heating Oil Reserve storage, operation,
15 and management activities pursuant to the Energy Policy
16 and Conservation Act (42 U.S.C. 6201 et seq.),
17 \$7,150,000, to remain available until expended.

18 ENERGY INFORMATION ADMINISTRATION

19 For Department of Energy expenses necessary in car-
20 rying out the activities of the Energy Information Admin-
21 istration, \$141,653,000, to remain available until ex-
22 pended.

23 NON-DEFENSE ENVIRONMENTAL CLEANUP

24 For Department of Energy expenses, including the
25 purchase, construction, and acquisition of plant and cap-

1 ital equipment and other expenses necessary for non-de-
2 fense environmental cleanup activities in carrying out the
3 purposes of the Department of Energy Organization Act
4 (42 U.S.C. 7101 et seq.), including the acquisition or con-
5 demnation of any real property or any facility or for plant
6 or facility acquisition, construction, or expansion,
7 \$324,000,000, to remain available until expended: *Pro-*
8 *vided*, That in addition, fees collected pursuant to sub-
9 section (b)(1) of section 5 of the Mercury Export Ban Act
10 of 2008 (42 U.S.C. 6939f(b)(1)) and deposited under this
11 heading in fiscal year 2025 pursuant to section 309 of
12 title III of division C of Public Law 116–94 are appro-
13 priated, to remain available until expended, for mercury
14 storage costs.

15 URANIUM ENRICHMENT DECONTAMINATION AND
16 DECOMMISSIONING FUND

17 For Department of Energy expenses necessary in car-
18 rying out uranium enrichment facility decontamination
19 and decommissioning, remedial actions, and other activi-
20 ties of title II of the Atomic Energy Act of 1954, and
21 title X, subtitle A, of the Energy Policy Act of 1992,
22 \$864,182,000, to be deposited into and subsequently de-
23 rived from the Uranium Enrichment Decontamination and
24 Decommissioning Fund, to remain available until ex-
25 pended, of which \$5,000,000 shall be available in accord-

1 ance with title X, subtitle A, of the Energy Policy Act
2 of 1992.

3 SCIENCE

4 For Department of Energy expenses including the
5 purchase, construction, and acquisition of plant and cap-
6 ital equipment, and other expenses necessary for science
7 activities in carrying out the purposes of the Department
8 of Energy Organization Act (42 U.S.C. 7101 et seq.), in-
9 cluding the acquisition or condemnation of any real prop-
10 erty or any facility or for plant or facility acquisition, con-
11 struction, or expansion, and purchase of not more than
12 35 passenger motor vehicles, \$8,390,000,000, to remain
13 available until expended: *Provided*, That of such amount,
14 \$238,000,000 shall be available until September 30, 2026,
15 for program direction.

16 NUCLEAR WASTE DISPOSAL

17 For Department of Energy expenses necessary for
18 nuclear waste disposal activities to carry out the purposes
19 of the Nuclear Waste Policy Act of 1982, Public Law 97-
20 425, as amended, \$12,040,000, to remain available until
21 expended, which shall be derived from the Nuclear Waste
22 Fund.

23 TECHNOLOGY TRANSITIONS

24 For Department of Energy expenses necessary for
25 carrying out the activities of technology transitions,

1 \$20,000,000, to remain available until expended: *Pro-*
2 *vided*, That of such amount, \$12,000,000 shall be avail-
3 able until September 30, 2026, for program direction.

4 CLEAN ENERGY DEMONSTRATIONS

5 For Department of Energy expenses necessary to
6 carry out program direction of the Office of Clean Energy
7 Demonstrations, \$27,500,000, to remain available until
8 September 30, 2026.

9 ADVANCED RESEARCH PROJECTS AGENCY—ENERGY

10 For Department of Energy expenses necessary in car-
11 rying out the activities authorized by section 5012 of the
12 America COMPETES Act (Public Law 110–69),
13 \$450,000,000, to remain available until expended: *Pro-*
14 *vided*, That of such amount, \$40,000,000 shall be avail-
15 able until September 30, 2026, for program direction.

16 TITLE 17 INNOVATIVE TECHNOLOGY LOAN GUARANTEE

17 PROGRAM

18 Such sums as are derived from amounts received
19 from borrowers pursuant to section 1702(b) of the Energy
20 Policy Act of 2005 under this heading in prior Acts, shall
21 be collected in accordance with section 502(7) of the Con-
22 gressional Budget Act of 1974: *Provided*, That for nec-
23 essary administrative expenses of the Title 17 Innovative
24 Technology Loan Guarantee Program, as authorized,
25 \$55,000,000 is appropriated, to remain available until

1 September 30, 2026: *Provided further*, That up to
2 \$55,000,000 of fees collected in fiscal year 2025 pursuant
3 to section 1702(h) of the Energy Policy Act of 2005 shall
4 be credited as offsetting collections under this heading and
5 used for necessary administrative expenses in this appro-
6 priation and shall remain available until September 30,
7 2026: *Provided further*, That to the extent that fees col-
8 lected in fiscal year 2025 exceed \$55,000,000, those ex-
9 cess amounts shall be credited as offsetting collections
10 under this heading and available in future fiscal years only
11 to the extent provided in advance in appropriations Acts:
12 *Provided further*, That the sum herein appropriated from
13 the general fund shall be reduced (1) as such fees are re-
14 ceived during fiscal year 2025 (estimated at
15 \$170,000,000) and (2) to the extent that any remaining
16 general fund appropriations can be derived from fees col-
17 lected in previous fiscal years that are not otherwise ap-
18 propriated, so as to result in a final fiscal year 2025 ap-
19 propriation from the general fund estimated at \$0: *Pro-*
20 *vided further*, That the Department of Energy shall not
21 subordinate any loan obligation to other financing in viola-
22 tion of section 1702 of the Energy Policy Act of 2005 or
23 subordinate any Guaranteed Obligation to any loan or
24 other debt obligations in violation of section 609.8 of title
25 10, Code of Federal Regulations.

1 hire of passenger motor vehicles and official reception and
2 representation expenses not to exceed \$30,000, plus such
3 additional amounts as necessary to cover increases in the
4 estimated amount of cost of work for others notwith-
5 standing the provisions of the Anti-Deficiency Act (31
6 U.S.C. 1511 et seq.): *Provided*, That such increases in cost
7 of work are offset by revenue increases of the same or
8 greater amount: *Provided further*, That moneys received
9 by the Department for miscellaneous revenues estimated
10 to total \$100,578,000 in fiscal year 2025 may be retained
11 and used for operating expenses within this account, as
12 authorized by section 201 of Public Law 95–238, notwith-
13 standing the provisions of 31 U.S.C. 3302: *Provided fur-*
14 *ther*, That the sum herein appropriated shall be reduced
15 as collections are received during the fiscal year so as to
16 result in a final fiscal year 2025 appropriation from the
17 general fund estimated at not more than \$286,500,000.

18 OFFICE OF THE INSPECTOR GENERAL

19 For expenses necessary for the Office of the Inspector
20 General in carrying out the provisions of the Inspector
21 General Act of 1978, \$100,000,000, to remain available
22 until September 30, 2026.

1 ATOMIC ENERGY DEFENSE ACTIVITIES

2 NATIONAL NUCLEAR SECURITY

3 ADMINISTRATION

4 WEAPONS ACTIVITIES

5 For Department of Energy expenses, including the
6 purchase, construction, and acquisition of plant and cap-
7 ital equipment and other incidental expenses necessary for
8 atomic energy defense weapons activities in carrying out
9 the purposes of the Department of Energy Organization
10 Act (42 U.S.C. 7101 et seq.), including the acquisition or
11 condemnation of any real property or any facility or for
12 plant or facility acquisition, construction, or expansion,
13 \$20,338,752,000, to remain available until expended: *Pro-*
14 *vided*, That of such amount, \$135,264,000 shall be avail-
15 able until September 30, 2026, for program direction.

16 DEFENSE NUCLEAR NONPROLIFERATION

17 For Department of Energy expenses, including the
18 purchase, construction, and acquisition of plant and cap-
19 ital equipment and other incidental expenses necessary for
20 defense nuclear nonproliferation activities, in carrying out
21 the purposes of the Department of Energy Organization
22 Act (42 U.S.C. 7101 et seq.), including the acquisition or
23 condemnation of any real property or any facility or for
24 plant or facility acquisition, construction, or expansion,
25 \$2,445,000,000, to remain available until expended.

1 ital equipment and other expenses necessary for atomic
2 energy defense environmental cleanup activities in car-
3 rying out the purposes of the Department of Energy Orga-
4 nization Act (42 U.S.C. 7101 et seq.), including the acqui-
5 sition or condemnation of any real property or any facility
6 or for plant or facility acquisition, construction, or expan-
7 sion, \$7,132,000,000, to remain available until expended:
8 *Provided*, That of such amount, \$326,893,000 shall be
9 available until September 30, 2026, for program direction.

10 OTHER DEFENSE ACTIVITIES

11 For Department of Energy expenses, including the
12 purchase, construction, and acquisition of plant and cap-
13 ital equipment and other expenses, necessary for atomic
14 energy defense, other defense activities, and classified ac-
15 tivities, in carrying out the purposes of the Department
16 of Energy Organization Act (42 U.S.C. 7101 et seq.), in-
17 cluding the acquisition or condemnation of any real prop-
18 erty or any facility or for plant or facility acquisition, con-
19 struction, or expansion, \$1,179,000,000, to remain avail-
20 able until expended: *Provided*, That of such amount,
21 \$387,781,000 shall be available until September 30, 2026,
22 for program direction.

1 POWER MARKETING ADMINISTRATIONS

2 BONNEVILLE POWER ADMINISTRATION FUND

3 Expenditures from the Bonneville Power Administra-
4 tion Fund, established pursuant to Public Law 93-454,
5 are approved for official reception and representation ex-
6 penses in an amount not to exceed \$5,000: *Provided*, That
7 during fiscal year 2025, no new direct loan obligations
8 may be made.

9 OPERATION AND MAINTENANCE, SOUTHEASTERN POWER
10 ADMINISTRATION

11 For expenses necessary for operation and mainte-
12 nance of power transmission facilities and for marketing
13 electric power and energy, including transmission wheeling
14 and ancillary services, pursuant to section 5 of the Flood
15 Control Act of 1944 (16 U.S.C. 825s), as applied to the
16 southeastern power area, \$9,127,000, including official re-
17 ception and representation expenses in an amount not to
18 exceed \$1,500, to remain available until expended: *Pro-*
19 *vided*, That notwithstanding 31 U.S.C. 3302 and section
20 5 of the Flood Control Act of 1944, up to \$9,127,000 col-
21 lected by the Southeastern Power Administration from the
22 sale of power and related services shall be credited to this
23 account as discretionary offsetting collections, to remain
24 available until expended for the sole purpose of funding
25 the annual expenses of the Southeastern Power Adminis-

1 tration: *Provided further*, That the sum herein appro-
2 priated for annual expenses shall be reduced as collections
3 are received during the fiscal year so as to result in a final
4 fiscal year 2025 appropriation estimated at not more than
5 \$0: *Provided further*, That notwithstanding 31 U.S.C.
6 3302, up to \$75,778,000 collected by the Southeastern
7 Power Administration pursuant to the Flood Control Act
8 of 1944 to recover purchase power and wheeling expenses
9 shall be credited to this account as offsetting collections,
10 to remain available until expended for the sole purpose
11 of making purchase power and wheeling expenditures:
12 *Provided further*, That for purposes of this appropriation,
13 annual expenses means expenditures that are generally re-
14 covered in the same year that they are incurred (excluding
15 purchase power and wheeling expenses).

16 OPERATION AND MAINTENANCE, SOUTHWESTERN
17 POWER ADMINISTRATION

18 For expenses necessary for operation and mainte-
19 nance of power transmission facilities and for marketing
20 electric power and energy, for construction and acquisition
21 of transmission lines, substations and appurtenant facili-
22 ties, and for administrative expenses, including official re-
23 ception and representation expenses in an amount not to
24 exceed \$1,500 in carrying out section 5 of the Flood Con-
25 trol Act of 1944 (16 U.S.C. 825s), as applied to the

1 Southwestern Power Administration, \$55,070,000, to re-
2 main available until expended: *Provided*, That notwith-
3 standing 31 U.S.C. 3302 and section 5 of the Flood Con-
4 trol Act of 1944 (16 U.S.C. 825s), up to \$43,630,000 col-
5 lected by the Southwestern Power Administration from
6 the sale of power and related services shall be credited to
7 this account as discretionary offsetting collections, to re-
8 main available until expended, for the sole purpose of
9 funding the annual expenses of the Southwestern Power
10 Administration: *Provided further*, That the sum herein ap-
11 propriated for annual expenses shall be reduced as collec-
12 tions are received during the fiscal year so as to result
13 in a final fiscal year 2025 appropriation estimated at not
14 more than \$11,440,000: *Provided further*, That notwith-
15 standing 31 U.S.C. 3302, up to \$80,000,000 collected by
16 the Southwestern Power Administration pursuant to the
17 Flood Control Act of 1944 to recover purchase power and
18 wheeling expenses shall be credited to this account as off-
19 setting collections, to remain available until expended for
20 the sole purpose of making purchase power and wheeling
21 expenditures: *Provided further*, That for purposes of this
22 appropriation, annual expenses means expenditures that
23 are generally recovered in the same year that they are in-
24 curred (excluding purchase power and wheeling expenses).

1 CONSTRUCTION, REHABILITATION, OPERATION AND
2 MAINTENANCE, WESTERN AREA POWER ADMINIS-
3 TRATION

4 (INCLUDING RESCISSION OF FUNDS)

5 For carrying out the functions authorized by title III,
6 section 302(a)(1)(E) of the Act of August 4, 1977 (42
7 U.S.C. 7152), and other related activities including con-
8 servation and renewable resources programs as author-
9 ized, \$340,983,000, including official reception and rep-
10 resentation expenses in an amount not to exceed \$1,500,
11 to remain available until expended, of which \$340,983,000
12 shall be derived from the Department of the Interior Rec-
13 lamation Fund: *Provided*, That notwithstanding 31 U.S.C.
14 3302, section 5 of the Flood Control Act of 1944 (16
15 U.S.C. 825s), and section 1 of the Interior Department
16 Appropriation Act, 1939 (43 U.S.C. 392a), up to
17 \$241,111,000 collected by the Western Area Power Ad-
18 ministration from the sale of power and related services
19 shall be credited to this account as discretionary offsetting
20 collections, to remain available until expended, for the sole
21 purpose of funding the annual expenses of the Western
22 Area Power Administration: *Provided further*, That the
23 sum herein appropriated for annual expenses shall be re-
24 duced as collections are received during the fiscal year so
25 as to result in a final fiscal year 2025 appropriation esti-

1 mated at not more than \$99,872,000, of which
2 \$99,872,000 is derived from the Reclamation Fund: *Pro-*
3 *vided further*, That notwithstanding 31 U.S.C. 3302, up
4 to \$525,000,000 collected by the Western Area Power Ad-
5 ministration pursuant to the Flood Control Act of 1944
6 and the Reclamation Project Act of 1939 to recover pur-
7 chase power and wheeling expenses shall be credited to
8 this account as offsetting collections, to remain available
9 until expended for the sole purpose of making purchase
10 power and wheeling expenditures: *Provided further*, That
11 for purposes of this appropriation, annual expenses means
12 expenditures that are generally recovered in the same year
13 that they are incurred (excluding purchase power and
14 wheeling expenses): *Provided further*, That the remaining
15 unobligated balances from amounts described in the fifth
16 proviso under this heading in Public Law 111–85 are
17 hereby permanently rescinded.

18 FALCON AND AMISTAD OPERATING AND MAINTENANCE

19 FUND

20 For operation, maintenance, and emergency costs for
21 the hydroelectric facilities at the Falcon and Amistad
22 Dams, \$6,525,000, to remain available until expended,
23 and to be derived from the Falcon and Amistad Operating
24 and Maintenance Fund of the Western Area Power Ad-
25 ministration, as provided in section 2 of the Act of June

1 18, 1954 (68 Stat. 255): *Provided*, That notwithstanding
2 the provisions of that Act and of 31 U.S.C. 3302, up to
3 \$6,297,000 collected by the Western Area Power Adminis-
4 tration from the sale of power and related services from
5 the Falcon and Amistad Dams shall be credited to this
6 account as discretionary offsetting collections, to remain
7 available until expended for the sole purpose of funding
8 the annual expenses of the hydroelectric facilities of these
9 Dams and associated Western Area Power Administration
10 activities: *Provided further*, That the sum herein appro-
11 priated for annual expenses shall be reduced as collections
12 are received during the fiscal year so as to result in a final
13 fiscal year 2025 appropriation estimated at not more than
14 \$228,000: *Provided further*, That for purposes of this ap-
15 propriation, annual expenses means expenditures that are
16 generally recovered in the same year that they are in-
17 curred: *Provided further*, That for fiscal year 2025, the
18 Administrator of the Western Area Power Administration
19 may accept up to \$1,685,000 in funds contributed by
20 United States power customers of the Falcon and Amistad
21 Dams for deposit into the Falcon and Amistad Operating
22 and Maintenance Fund, and such funds shall be available
23 for the purpose for which contributed in like manner as
24 if said sums had been specifically appropriated for such
25 purpose: *Provided further*, That any such funds shall be

1 available without further appropriation and without fiscal
2 year limitation for use by the Commissioner of the United
3 States Section of the International Boundary and Water
4 Commission for the sole purpose of operating, maintain-
5 ing, repairing, rehabilitating, replacing, or upgrading the
6 hydroelectric facilities at these Dams in accordance with
7 agreements reached between the Administrator, Commis-
8 sioner, and the power customers.

9 FEDERAL ENERGY REGULATORY COMMISSION

10 SALARIES AND EXPENSES

11 For expenses necessary for the Federal Energy Regu-
12 latory Commission to carry out the provisions of the De-
13 partment of Energy Organization Act (42 U.S.C. 7101 et
14 seq.), including services as authorized by 5 U.S.C. 3109,
15 official reception and representation expenses not to ex-
16 ceed \$3,000, and the hire of passenger motor vehicles,
17 \$532,000,000, to remain available until expended: *Pro-*
18 *vided*, That notwithstanding any other provision of law,
19 not to exceed \$532,000,000 of revenues from fees and an-
20 nual charges, and other services and collections in fiscal
21 year 2025 shall be retained and used for expenses nec-
22 essary in this account, and shall remain available until ex-
23 pended: *Provided further*, That the sum herein appro-
24 priated from the general fund shall be reduced as revenues
25 are received during fiscal year 2025 so as to result in a

1 (C) provide nonoperational funding through a
2 competition restricted only to Department of Energy
3 National Laboratories totaling \$1,000,000 or more;

4 (D) provide nonoperational funding directly to a
5 Department of Energy National Laboratory totaling
6 \$25,000,000 or more;

7 (E) issue a letter of intent to make an alloca-
8 tion, award, or Agreement in excess of the limits in
9 subparagraph (A), (B), (C), or (D); or

10 (F) announce publicly the intention to make an
11 allocation, award, or Agreement in excess of the lim-
12 its in subparagraph (A), (B), (C), or (D).

13 (2) The Secretary of Energy shall submit to the Com-
14 mittees on Appropriations of both Houses of Congress
15 within 15 days of the conclusion of each quarter a report
16 detailing each grant allocation or discretionary grant
17 award totaling less than \$1,000,000 provided during the
18 previous quarter.

19 (3) The notification required by paragraph (1) and
20 the report required by paragraph (2) shall include the re-
21 cipient of the award, the amount of the award, the fiscal
22 year for which the funds for the award were appropriated,
23 the account and program, project, or activity from which
24 the funds are being drawn, the title of the award, and

1 a brief description of the activity for which the award is
2 made.

3 (c) The Department of Energy may not, with respect
4 to any program, project, or activity that uses budget au-
5 thority made available in this title under the heading “De-
6 partment of Energy—Energy Programs”, enter into a
7 multiyear contract, award a multiyear grant, or enter into
8 a multiyear cooperative agreement unless—

9 (1) the contract, grant, or cooperative agree-
10 ment is funded for the full period of performance as
11 anticipated at the time of award; or

12 (2) the contract, grant, or cooperative agree-
13 ment includes a clause conditioning the Federal Gov-
14 ernment’s obligation on the availability of future
15 year budget authority and the Secretary notifies the
16 Committees on Appropriations of both Houses of
17 Congress at least 3 days in advance.

18 (d) Except as provided in subsections (e), (f), and (g),
19 the amounts made available by this title shall be expended
20 as authorized by law for the programs, projects, and ac-
21 tivities specified in the “Bill” column in the “Department
22 of Energy” table included under the heading “Title III—
23 Department of Energy” in the report accompanying this
24 Act.

1 (e) The amounts made available by this title may be
2 reprogrammed for any program, project, or activity, and
3 the Department shall notify, and obtain the prior approval
4 of, the Committees on Appropriations of both Houses of
5 Congress at least 30 days prior to the use of any proposed
6 reprogramming that would cause any program, project, or
7 activity funding level to increase or decrease by more than
8 \$5,000,000 or 10 percent, whichever is less, during the
9 time period covered by this Act.

10 (f) None of the funds provided in this title shall be
11 available for obligation or expenditure through a re-
12 programming of funds that—

13 (1) creates, initiates, or eliminates a program,
14 project, or activity;

15 (2) increases funds or personnel for any pro-
16 gram, project, or activity for which funds are denied
17 or restricted by this Act; or

18 (3) reduces funds that are directed to be used
19 for a specific program, project, or activity by this
20 Act.

21 (g)(1) The Secretary of Energy may waive any re-
22 quirement or restriction in this section that applies to the
23 use of funds made available for the Department of Energy
24 if compliance with such requirement or restriction would

1 pose a substantial risk to human health, the environment,
2 welfare, or national security.

3 (2) The Secretary of Energy shall notify the Commit-
4 tees on Appropriations of both Houses of Congress of any
5 waiver under paragraph (1) as soon as practicable, but
6 not later than 3 days after the date of the activity to which
7 a requirement or restriction would otherwise have applied.
8 Such notice shall include an explanation of the substantial
9 risk under paragraph (1) that permitted such waiver.

10 (h) The unexpended balances of prior appropriations
11 provided for activities in this Act may be available to the
12 same appropriation accounts for such activities established
13 pursuant to this title. Available balances may be merged
14 with funds in the applicable established accounts and
15 thereafter may be accounted for as one fund for the same
16 time period as originally enacted.

17 SEC. 302. Funds appropriated by this or any other
18 Act, or made available by the transfer of funds in this
19 Act, for intelligence activities are deemed to be specifically
20 authorized by the Congress for purposes of section 504
21 of the National Security Act of 1947 (50 U.S.C. 3094)
22 during fiscal year 2025 until the enactment of the Intel-
23 ligence Authorization Act for fiscal year 2025.

24 SEC. 303. None of the funds made available in this
25 title shall be used for the construction of facilities classi-

1 fied as high-hazard nuclear facilities under 10 CFR Part
2 830 unless independent oversight is conducted by the Of-
3 fice of Enterprise Assessments to ensure the project is in
4 compliance with nuclear safety requirements.

5 SEC. 304. None of the funds made available in this
6 title may be used to approve critical decision-2 or critical
7 decision-3 under Department of Energy Order 413.3B, or
8 any successive departmental guidance, for construction
9 projects where the total project cost exceeds
10 \$100,000,000, until a separate independent cost estimate
11 has been developed for the project for that critical deci-
12 sion.

13 SEC. 305. None of the funds made available in this
14 title may be used to support a grant allocation award, dis-
15 cretionary grant award, or cooperative agreement that ex-
16 ceeds \$100,000,000 in Federal funding unless the project
17 is carried out through internal independent project man-
18 agement procedures.

19 SEC. 306. No funds shall be transferred directly from
20 “Department of Energy—Power Marketing Administra-
21 tion—Colorado River Basins Power Marketing Fund,
22 Western Area Power Administration” to the general fund
23 of the Treasury in the current fiscal year.

24 SEC. 307. (a) The Secretary of Energy may not es-
25 tablish any new regional petroleum product reserve unless

1 funding for the proposed regional petroleum product re-
2 serve is explicitly requested in advance in an annual budg-
3 et submitted by the President pursuant to section 1105
4 of title 31, United States Code, and approved by the Con-
5 gress in an appropriations Act.

6 (b) The budget request or notification shall include—

7 (1) the justification for the new reserve;

8 (2) a cost estimate for the establishment, oper-
9 ation, and maintenance of the reserve, including
10 funding sources;

11 (3) a detailed plan for operation of the reserve,
12 including the conditions upon which the products
13 may be released;

14 (4) the location of the reserve; and

15 (5) the estimate of the total inventory of the re-
16 serve.

17 SEC. 308. None of the funds made available by this
18 Act may be used to draw down and sell petroleum prod-
19 ucts from the Strategic Petroleum Reserve (1) to any enti-
20 ty that is under the ownership, control, or influence of
21 the Chinese Communist Party; or (2) except on condition
22 that such petroleum products will not be exported to the
23 People's Republic of China.

24 SEC. 309. (a) None of the funds made available by
25 this Act may be used by the Secretary of Energy to award

1 any grant, contract, cooperative agreement, or loan of
2 \$10,000,000 or greater to an entity of concern as defined
3 in section 10114 of division B of Public Law 117–167.

4 (b) The Secretary shall implement the requirements
5 under subsection (a) using a risk-based approach and ana-
6 lytical tools to aggregate, link, analyze, and maintain in-
7 formation reported by an entity seeking or receiving such
8 funds made available by this Act.

9 (c) This section shall be applied in a manner con-
10 sistent with the obligations of the United States under ap-
11 plicable international agreements.

12 (d) The Secretary shall have the authority to require
13 the submission to the agency, by an entity seeking or re-
14 ceiving such funds made available by this Act, documenta-
15 tion necessary to implement the requirements under sub-
16 section (a).

17 (e) Chapter 35 of title 44, United States Code (com-
18 monly known as the “Paperwork Reduction Act”), shall
19 not apply to the implementation of the requirements under
20 this section.

21 (f) The Secretary and other Federal agencies shall
22 coordinate to share relevant information necessary to im-
23 plement the requirements under subsection (a).

24 SEC. 310. None of the funds appropriated or other-
25 wise made available by this Act may be used to admit any

1 non-United States citizen from Russia or China to any
2 nuclear weapons production facility, as such term is de-
3 fined in section 4002 of the Atomic Energy Defense Act
4 (50 U.S.C. 2501), other than areas accessible to the gen-
5 eral public, unless 30 days prior to facility admittance, the
6 Department of Energy provides notification to the Com-
7 mittees on Appropriations and Armed Services of both
8 Houses of Congress.

9 SEC. 311. (a) None of the funds made available by
10 this Act or otherwise made available for fiscal year 2025
11 for the Department of Energy may be obligated or ex-
12 pended to procure or purchase computers, printers, or
13 interoperable videoconferencing services needed for an of-
14 fice environment in which the manufacturer, bidder, or of-
15 feror, or any subsidiary or parent entity of the manufac-
16 turer, bidder, or offeror, of the equipment is an entity,
17 or parent company of an entity in which the People's Re-
18 public of China has any ownership stake.

19 (b) The prohibition in subsection (a) also applies in
20 cases in which the Secretary has contracted with a third
21 party for the procurement, purchase, or expenditure of
22 funds on any of the equipment and software described in
23 such subsection.

24 SEC. 312. None of the funds made available by this
25 Act may be used to further develop, finalize, administer,

1 implement, or enforce the proposed regulation by the De-
2 partment of Energy titled “Clean Energy for New Federal
3 Buildings and Major Renovations of Federal Buildings”
4 87 Fed. Reg. 78382 (December 21, 2022).

5 SEC. 313. None of the funds made available by this
6 Act may be used to provide a categorical exclusion from
7 the National Environmental Policy Act of 1969 (42 U.S.C.
8 4321 et seq.) for energy storage systems, as described in
9 the Department of Energy’s final rule, part 1021 of title
10 10, Code of Federal Regulations.

11 SEC. 314. None of the funds made available by this
12 Act may be expended to support the Department of En-
13 ergy Justice⁴⁰ initiative as defined by or required by Ex-
14 ecutive Order 14008 of January 27, 2021 (86 Fed. Reg.
15 7619; relating to tackling the climate crisis at home and
16 abroad).

17 SEC. 315. Section 3 of the Natural Gas Act (15
18 U.S.C. 717b) is amended—

19 (1) by striking subsections (a) through (c);

20 (2) by redesignating subsections (e) and (f) as
21 subsections (a) and (b), respectively;

22 (3) by redesignating subsection (d) as sub-
23 section (e), and moving such subsection after sub-
24 section (b), as so redesignated;

1 (4) in subsection (a), as so redesignated, by
2 amending paragraph (1) to read as follows: “(1) The
3 Federal Energy Regulatory Commission (in this sub-
4 section referred to as the ‘Commission’) shall have
5 the exclusive authority to approve or deny an appli-
6 cation for authorization for the siting, construction,
7 expansion, or operation of a facility to export nat-
8 ural gas from the United States to a foreign country
9 or import natural gas from a foreign country, in-
10 cluding an LNG terminal. In determining whether to
11 approve or deny an application under this para-
12 graph, the Commission shall deem the exportation or
13 importation of natural gas to be consistent with the
14 public interest. Except as specifically provided in
15 this Act, nothing in this Act is intended to affect
16 otherwise applicable law related to any Federal
17 agency’s authorities or responsibilities related to fa-
18 cilities to import or export natural gas, including
19 LNG terminals.”; and

20 (5) by adding at the end the following new sub-
21 section:

22 “(d)(1) Nothing in this Act limits the authority
23 of the President under the Constitution, the Inter-
24 national Emergency Economic Powers Act (50
25 U.S.C. 1701 et seq.), the National Emergencies Act

1 (50 U.S.C. 1601 et seq.), part B of title II of the
2 Energy Policy and Conservation Act (42 U.S.C.
3 6271 et seq.), the Trading With the Enemy Act (50
4 U.S.C. 4301 et seq.), or any other provision of law
5 that imposes sanctions on a foreign person or for-
6 eign government (including any provision of law that
7 prohibits or restricts United States persons from en-
8 gaging in a transaction with a sanctioned person or
9 government), including a country that is designated
10 as a state sponsor of terrorism, to prohibit imports
11 or exports.

12 “(2) In this subsection, the term ‘state sponsor
13 of terrorism’ means a country the government of
14 which the Secretary of State determines has repeat-
15 edly provided support for international terrorism
16 pursuant to—

17 “(A) section 1754(c)(1)(A) of the Export Con-
18 trol Reform Act of 2018 (50 U.S.C. 4318(c)(1)(A));

19 “(B) section 620A of the Foreign Assistance
20 Act of 1961 (22 U.S.C. 2371);

21 “(C) section 40 of the Arms Export Control Act
22 (22 U.S.C. 2780); or

23 “(D) any other provision of law.”.

24 SEC. 316. From the unobligated balances of amounts
25 made available under the heading “Department of En-

1 ergy—Energy Programs—Electricity” in title IV of divi-
2 sion N of Public Law 117–328 to carry out activities to
3 improve the resilience of the Puerto Rican electric grid,
4 thirty-five hundredths of one percent of the amounts made
5 available under such heading shall be transferred not later
6 than January 1, 2025, to the Office of the Inspector Gen-
7 eral of the Department of Energy to carry out the provi-
8 sions of the Inspector General Act of 1978, in addition
9 to amounts otherwise available for such purpose, to re-
10 main available until expended: *Provided*, That any
11 amounts so transferred that were previously designated by
12 the Congress as an emergency requirement pursuant to
13 the Balanced Budget and Emergency Deficit Control Act
14 of 1985 or a concurrent resolution on the budget are des-
15 ignated by the Congress as an emergency requirement
16 pursuant to section 251(b)(2)(A)(i) of the Balanced Budg-
17 et and Emergency Deficit Control Act of 1985 and shall
18 be available only if the President designates such amount
19 as an emergency requirement pursuant to section
20 251(b)(2)(A)(i).

21 SEC. 317. (a) Of the unobligated balances from
22 amounts previously made available to the Department of
23 Energy, the following funds shall be transferred from the
24 following programs in the specified amounts to “Depart-
25 ment of Energy—Energy Programs—Nuclear Energy”,

1 and, in addition to amounts otherwise made available,
2 shall be available for the not more than two competitive
3 awards for Generation 3+ small modular reactor deploy-
4 ment projects described in section 311(a)(1)(A) of division
5 D of the Consolidated Appropriations Act, 2024 (Public
6 Law 118–42) and the two awards for demonstration
7 projects made prior to the date of enactment of this Act
8 under the Advanced Reactor Demonstration Program, as
9 authorized under section 959A of the Energy Policy Act
10 of 2005 (42 U.S.C. 16279a)—

11 (1) \$980,000,000, to remain available until
12 expended, from the unobligated balances under
13 the heading “Department of Energy—Energy
14 Programs—Nuclear Energy” in division J of
15 the Infrastructure Investment and Jobs Act
16 (Public Law 117–58), of which \$120,000,000
17 shall be available in fiscal year 2025 and
18 \$860,000,000 shall be available in fiscal year
19 2026;

20 (2) \$1,500,000,000, to remain available
21 until expended, from the unobligated balances
22 under the heading “Department of Energy—
23 Energy Programs—Carbon Dioxide Transpor-
24 tation Infrastructure Finance and Innovation
25 Program Account” in division J of the Infra-

1 structure Investment and Jobs Act (Public Law
2 117–58);

3 (3) \$1,500,000,000, to remain available
4 until September 30, 2026, from the unobligated
5 balances under section 50141 of Public Law
6 117–169; and

7 (4) \$5,000,000,000, to remain available
8 until September 30, 2026, from the unobligated
9 balances under section 50144 of Public Law
10 117–169:

11 *Provided*, That amounts transferred pursuant to
12 paragraphs (1) and (2) shall continue to be treated as
13 amounts specified in section 103(b) of division A of Public
14 Law 118–5.

15 (b) Public Law 117–169 is amended—

16 (1) in section 50141(a) by amending the
17 dollar amount to read as “\$25,000,000,000”;
18 and

19 (2) in section 50144(b) by amending the
20 dollar amount to read as “\$5,000,000,000”.

21 TITLE IV

22 INDEPENDENT AGENCIES

23 APPALACHIAN REGIONAL COMMISSION

24 For expenses necessary to carry out the programs au-
25 thorized by the Appalachian Regional Development Act of

1 1965, as amended, and for expenses necessary for the
2 Federal Co-Chairman and the Alternate on the Appa-
3 lachian Regional Commission, for payment of the Federal
4 share of the administrative expenses of the Commission,
5 including services as authorized by 5 U.S.C. 3109, and
6 hire of passenger motor vehicles, \$200,000,000, to remain
7 available until expended.

8 DEFENSE NUCLEAR FACILITIES SAFETY BOARD

9 SALARIES AND EXPENSES

10 For expenses necessary for the Defense Nuclear Fa-
11 cilities Safety Board in carrying out activities authorized
12 by the Atomic Energy Act of 1954, as amended by Public
13 Law 100–456, section 1441, \$45,000,000, to remain
14 available until September 30, 2026, of which not to exceed
15 \$1,000 shall be available for official reception and rep-
16 resentation expenses.

17 DELTA REGIONAL AUTHORITY

18 SALARIES AND EXPENSES

19 For expenses necessary for the Delta Regional Au-
20 thority and to carry out its activities, as authorized by
21 the Delta Regional Authority Act of 2000, notwith-
22 standing sections 382F(d), 382M, and 382N of said Act,
23 \$32,100,000, to remain available until expended.

DENALI COMMISSION

1
2 For expenses necessary for the Denali Commission
3 including the purchase, construction, and acquisition of
4 plant and capital equipment as necessary and other ex-
5 penses, \$17,000,000, to remain available until expended,
6 notwithstanding the limitations contained in section
7 306(g) of the Denali Commission Act of 1998: *Provided*,
8 That funds shall be available for construction projects for
9 which the Denali Commission is the sole or primary fund-
10 ing source in an amount not to exceed 80 percent of total
11 project cost for distressed communities, as defined by sec-
12 tion 307 of the Denali Commission Act of 1998 (division
13 C, title III, Public Law 105–277), as amended by section
14 701 of appendix D, title VII, Public Law 106–113 (113
15 Stat. 1501A–280), and for Indian Tribes, as defined by
16 section 5304(e) of title 25, United States Code, and in
17 an amount not to exceed 50 percent for non-distressed
18 communities: *Provided further*, That notwithstanding any
19 other provision of law regarding payment of a non-Federal
20 share in connection with a grant-in-aid program, amounts
21 under this heading shall be available for the payment of
22 such a non-Federal share for any project for which the
23 Denali Commission is not the sole or primary funding
24 source, provided that such project is consistent with the
25 purposes of the Commission.

1 NORTHERN BORDER REGIONAL COMMISSION

2 For expenses necessary for the Northern Border Re-
3 gional Commission in carrying out activities authorized by
4 subtitle V of title 40, United States Code, \$41,000,000,
5 to remain available until expended: *Provided*, That such
6 amounts shall be available for administrative expenses,
7 notwithstanding section 15751(b) of title 40, United
8 States Code.

9 SOUTHEAST CRESCENT REGIONAL COMMISSION

10 For expenses necessary for the Southeast Crescent
11 Regional Commission in carrying out activities authorized
12 by subtitle V of title 40, United States Code, \$20,000,000,
13 to remain available until expended.

14 SOUTHWEST BORDER REGIONAL COMMISSION

15 For expenses necessary for the Southwest Border Re-
16 gional Commission in carrying out activities authorized by
17 subtitle V of title 40, United States Code, \$5,000,000, to
18 remain available until expended.

19 GREAT LAKES AUTHORITY

20 For expenses necessary for the Great Lakes Author-
21 ity in carrying out activities authorized by subtitle V of
22 title 40, United States Code, \$5,000,000, to remain avail-
23 able until expended.

1 NUCLEAR REGULATORY COMMISSION
2 SALARIES AND EXPENSES

3 For expenses necessary for the Commission in car-
4 rying out the purposes of the Energy Reorganization Act
5 of 1974 and the Atomic Energy Act of 1954,
6 \$955,368,200, including official representation expenses
7 not to exceed \$30,000, to remain available until expended:
8 *Provided*, That of the amount appropriated herein, not
9 more than \$11,435,000 may be made available for sala-
10 ries, travel, and other support costs for the Office of the
11 Commission, to remain available until September 30,
12 2026: *Provided further*, That revenues from licensing fees,
13 inspection services, and other services and collections esti-
14 mated at \$807,672,200 in fiscal year 2025 shall be re-
15 tained and used for necessary salaries and expenses in this
16 account, notwithstanding 31 U.S.C. 3302, and shall re-
17 main available until expended: *Provided further*, That the
18 sum herein appropriated shall be reduced by the amount
19 of revenues received during fiscal year 2025 so as to result
20 in a final fiscal year 2025 appropriation estimated at not
21 more than \$147,696,000.

22 OFFICE OF INSPECTOR GENERAL

23 For expenses necessary for the Office of Inspector
24 General in carrying out the provisions of the Inspector
25 General Act of 1978, \$19,578,000, to remain available

1 until September 30, 2026: *Provided*, That revenues from
2 licensing fees, inspection services, and other services and
3 collections estimated at \$16,274,000 in fiscal year 2025
4 shall be retained and be available until September 30,
5 2026, for necessary salaries and expenses in this account,
6 notwithstanding section 3302 of title 31, United States
7 Code: *Provided further*, That the sum herein appropriated
8 shall be reduced by the amount of revenues received dur-
9 ing fiscal year 2025 so as to result in a final fiscal year
10 2025 appropriation estimated at not more than
11 \$3,304,000: *Provided further*, That of the amounts appro-
12 priated under this heading, \$1,505,000 shall be for In-
13 spector General services for the Defense Nuclear Facilities
14 Safety Board.

15 NUCLEAR WASTE TECHNICAL REVIEW BOARD

16 SALARIES AND EXPENSES

17 For expenses necessary for the Nuclear Waste Tech-
18 nical Review Board, as authorized by Public Law 100-
19 203, section 5051, \$4,100,000, to be derived from the Nu-
20 clear Waste Fund, to remain available until September 30,
21 2026.

22 GENERAL PROVISIONS—INDEPENDENT

23 AGENCIES

24 SEC. 401. The Nuclear Regulatory Commission shall
25 comply with the July 5, 2011, version of Chapter VI of

1 its Internal Commission Procedures when responding to
2 Congressional requests for information, consistent with
3 Department of Justice guidance for all Federal agencies.

4 SEC. 402. (a) The amounts made available by this
5 title for the Nuclear Regulatory Commission may be re-
6 programmed for any program, project, or activity, and the
7 Commission shall notify the Committees on Appropria-
8 tions of both Houses of Congress at least 30 days prior
9 to the use of any proposed reprogramming that would
10 cause any program funding level to increase or decrease
11 by more than \$500,000 or 10 percent, whichever is less,
12 during the time period covered by this Act.

13 (b)(1) The Nuclear Regulatory Commission may
14 waive the notification requirement in subsection (a) if
15 compliance with such requirement would pose a substan-
16 tial risk to human health, the environment, welfare, or na-
17 tional security.

18 (2) The Nuclear Regulatory Commission shall notify
19 the Committees on Appropriations of both Houses of Con-
20 gress of any waiver under paragraph (1) as soon as prac-
21 ticable, but not later than 3 days after the date of the
22 activity to which a requirement or restriction would other-
23 wise have applied. Such notice shall include an explanation
24 of the substantial risk under paragraph (1) that permitted
25 such waiver and shall provide a detailed report to the

1 Committees of such waiver and changes to funding levels
2 to programs, projects, or activities.

3 (c) Except as provided in subsections (a), (b), and
4 (d), the amounts made available by this title for “Nuclear
5 Regulatory Commission—Salaries and Expenses” shall be
6 expended as directed in the report accompanying this Act.

7 (d) None of the funds provided for the Nuclear Regu-
8 latory Commission shall be available for obligation or ex-
9 penditure through a reprogramming of funds that in-
10 creases funds or personnel for any program, project, or
11 activity for which funds are denied or restricted by this
12 Act.

13 (e) The Commission shall provide a monthly report
14 to the Committees on Appropriations of both Houses of
15 Congress, which includes the following for each program,
16 project, or activity, including any prior year appropria-
17 tions—

- 18 (1) total budget authority;
19 (2) total unobligated balances; and
20 (3) total unliquidated obligations.

TITLE V

GENERAL PROVISIONS

(INCLUDING TRANSFER OF FUNDS)

1 SEC. 501. None of the funds appropriated by this Act
2 may be used in any way, directly or indirectly, to influence
3 congressional action on any legislation or appropriation
4 matters pending before Congress, other than to commu-
5 nicate to Members of Congress as described in 18 U.S.C.
6 1913.

7 SEC. 502. (a) None of the funds made available in
8 title III of this Act may be transferred to any department,
9 agency, or instrumentality of the United States Govern-
10 ment, except pursuant to a transfer made by or transfer
11 authority provided in this Act or any other appropriations
12 Act for any fiscal year, transfer authority referenced in
13 the report accompanying this Act, or any authority where-
14 by a department, agency, or instrumentality of the United
15 States Government may provide goods or services to an-
16 other department, agency, or instrumentality.

17 (b) None of the funds made available for any depart-
18 ment, agency, or instrumentality of the United States
19 Government may be transferred to accounts funded in title
20 III of this Act, except pursuant to a transfer made by or
21 transfer authority provided in this Act or any other appro-
22 priations Act for any fiscal year, transfer authority ref-

1 erenced in the report accompanying this Act, or any au-
2 thority whereby a department, agency, or instrumentality
3 of the United States Government may provide goods or
4 services to another department, agency, or instrumen-
5 tality.

6 (c) The head of any relevant department or agency
7 funded in this Act utilizing any transfer authority shall
8 submit to the Committees on Appropriations of both
9 Houses of Congress a semiannual report detailing the
10 transfer authorities, except for any authority whereby a
11 department, agency, or instrumentality of the United
12 States Government may provide goods or services to an-
13 other department, agency, or instrumentality, used in the
14 previous 6 months and in the year-to-date. This report
15 shall include the amounts transferred and the purposes
16 for which they were transferred, and shall not replace or
17 modify existing notification requirements for each author-
18 ity.

19 SEC. 503. (a) None of the funds made available in
20 this Act may be used to maintain or establish a computer
21 network unless such network blocks the viewing,
22 downloading, and exchanging of pornography.

23 (b) Nothing in subsection (a) shall limit the use of
24 funds necessary for any Federal, State, Tribal, or local
25 law enforcement agency or any other entity carrying out

1 criminal investigations, prosecution, or adjudication activi-
2 ties.

3 SEC. 504. (a) No federal monies shall be expended
4 in furtherance of any agreement among private entities
5 for consolidated interim storage of spent nuclear fuel that
6 is not specifically authorized under federal law until such
7 time that host state and local governments and any af-
8 fected Indian tribes have formalized their consent.

9 (b) Provided that the prohibition provided for in this
10 section shall not apply to facilities presently storing com-
11 mercial spent nuclear fuel, pursuant to a license issued
12 by the Nuclear Regulatory Commission, as of the date of
13 enactment of this Act.

14 (c) For purposes of this section, “spent nuclear fuel”
15 shall have the same meaning as provided in section 2 of
16 the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10101).

17 SEC. 505. None of the funds made available by this
18 Act may be used to carry out any program, project, or
19 activity that promotes or advances Critical Race Theory
20 or any concept associated with Critical Race Theory.

21 SEC. 506. None of the funds appropriated or other-
22 wise made available by this Act may be made available
23 to implement, administer, apply, enforce, or carry out the
24 Equity Action Plan of the Department of Energy, or Exec-
25 utive Order 13985 of January 20, 2021 (86 Fed. Reg.

1 7009, relating to advancing racial equity and support for
2 underserved communities through the Federal Govern-
3 ment), Executive Order 14035 of June 25, 2021 (86 Fed.
4 Reg. 34593, relating to diversity, equity, inclusion, and
5 accessibility in the Federal workforce), or Executive Order
6 14091 of February 16, 2023 (88 Fed. Reg. 10825, relat-
7 ing to further advancing racial equity and support for un-
8 derserved communities through the Federal Government).

9 SEC. 507. (a) IN GENERAL.—Notwithstanding sec-
10 tion 7 of title 1, United States Code, section 1738C of
11 title 28, United States Code, or any other provision of law,
12 none of the funds provided by this Act, or previous appro-
13 priations Acts, shall be used in whole or in part to take
14 any discriminatory action against a person, wholly or par-
15 tially, on the basis that such person speaks, or acts, in
16 accordance with a sincerely held religious belief, or moral
17 conviction, that marriage is, or should be recognized as,
18 a union of one man and one woman.

19 (b) DISCRIMINATORY ACTION DEFINED.— As used
20 in subsection (a), a discriminatory action means any ac-
21 tion taken by the Federal Government to—

22 (1) alter in any way the Federal tax treat-
23 ment of, or cause any tax, penalty, or payment
24 to be assessed against, or deny, delay, or revoke
25 an exemption from taxation under section

1 501(a) of the Internal Revenue Code of 1986
2 of, any person referred to in subsection (a);

3 (2) disallow a deduction for Federal tax
4 purposes of any charitable contribution made to
5 or by such person;

6 (3) withhold, reduce the amount or fund-
7 ing for, exclude, terminate, or otherwise make
8 unavailable or deny, any Federal grant, con-
9 tract, subcontract, cooperative agreement, guar-
10 antee, loan, scholarship, license, certification,
11 accreditation, employment, or other similar po-
12 sition or status from or to such person;

13 (4) withhold, reduce, exclude, terminate, or
14 otherwise make unavailable or deny, any entitle-
15 ment or benefit under a Federal benefit pro-
16 gram, including admission to, equal treatment
17 in, or eligibility for a degree from an edu-
18 cational program, from or to such person; or

19 (5) withhold, reduce, exclude, terminate, or
20 otherwise make unavailable or deny access or
21 an entitlement to Federal property, facilities,
22 educational institutions, speech fora (including
23 traditional, limited, and nonpublic fora), or
24 charitable fundraising campaigns from or to
25 such person.

1 (c) ACCREDITATION; LICENSURE; CERTIFICATION.—
2 The Federal Government shall consider accredited, li-
3 censed, or certified for purposes of Federal law any person
4 that would be accredited, licensed, or certified, respec-
5 tively, for such purposes but for a determination against
6 such person wholly or partially on the basis that the per-
7 son speaks, or acts, in accordance with a sincerely held
8 religious belief or moral conviction described in subsection
9 (a).

10 SEC. 508. None of the funds made available by this
11 Act or any other Act may be used to implement, admin-
12 ister, or enforce any COVID–19 mask or vaccine man-
13 dates.

14 SEC. 509. None of the funds made available by this
15 Act may be used to obligate or award funds, including sub-
16 grants and other subawards, to the Wuhan Institute of
17 Virology, including affiliated researchers.

18 SEC. 510. None of the funds appropriated or other-
19 wise made available by this Act may be used to fly or dis-
20 play a flag over or within a facility of the federal govern-
21 ment other than the flag of the United States, flag bearing
22 an official U.S. Government seal or insignia, or POW/MIA
23 flag.

24 SEC. 511. None of the funds appropriated or other-
25 wise made available by this Act may be made available

1 to finalize any rule or regulation that meets the definition
2 of section 804(2)(A) of title 5, United States Code.

3 SEC. 512. None of the funds made available by this
4 Act may be used to develop or implement guidance related
5 to the valuation of ecosystem and environmental services
6 and natural assets in Federal regulatory decision-making,
7 as directed by Executive Order 14072 of April 22, 2022
8 (87 Fed. Reg. 24851, relating to strengthening the Na-
9 tion’s forests, communities, and local economies).

10 SEC. 513. The funds made available in this act or
11 any other appropriations act for the purposes of imple-
12 menting the United States Government Commitments in
13 support of the Columbia Basin Restoration Initiative set
14 forth in the Memorandum of Understanding of December
15 14, 2023, between the United States, the States of Oregon
16 and Washington, the Confederated Tribes and Bands of
17 the Yakama Nation, the Confederated Tribes of the
18 Umatilla Indian Reservation, the Confederated Tribes of
19 the Warm Springs Reservation of Oregon, the Nez Perce
20 Tribe, and environmental non-profit organizations, that
21 require reimbursement by the Bonneville Power Adminis-
22 tration and do not arise from Bonneville’s current reim-
23 bursement obligations, shall be limited to the
24 \$300,000,000 Bonneville committed to in such Commit-
25 ments of December 14, 2023, should Bonneville be re-

1 required to implement the U.S. Government Commitments
2 in support of the Columbia Basin Restoration Initiative
3 set forth in the Memorandum of Understanding of Decem-
4 ber 14, 2023, between the United States; the States of
5 Oregon and Washington; the Confederated Tribes and
6 Bands of the Yakama Nation; the Confederated Tribes of
7 the Umatilla Indian Reservation; the Confederated Tribes
8 of the Warm Springs Reservation; the Nez Perce Tribe;
9 and environmental non-profit organizations.

10 SEC. 514. None of the funds made available by this
11 Act may be used to finalize, implement, administer, or en-
12 force any of the following rules:

13 (1) The final rule entitled “Energy Conserva-
14 tion Program: Energy Conservation Standards for
15 Distribution Transformers” published by the De-
16 partment of Energy in the Federal Register on April
17 22, 2024 (89 Fed. Reg. 29834), or any substantially
18 similar rule.

19 (2) The final rule entitled “Energy Conserva-
20 tion Program: Energy Conservation Standards for
21 Manufactured Housing” published by the Depart-
22 ment of Energy in the Federal Register on May 31,
23 2022 (87 Fed. Reg. 32728), or any substantially
24 similar rule.

Union Calendar No. 480

118TH CONGRESS
2^D SESSION

H. R. 8997

[Report No. 118-580]

A BILL

Making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2025, and for other purposes.

JULY 11, 2024

Committed to the Committee of the Whole House on the State of the Union and ordered to be printed