

[COMMITTEE PRINT]

NOTICE: This bill is a draft for use of the Committee and its Staff only, in preparation for markup.

Calendar No. 000

113TH CONGRESS
2^D SESSION

S. 0000

[Report No. 113-000]

Making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2015, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JUNE _____, 2014

Mrs. FEINSTEIN, from the Committee on Appropriations, reported the following original bill; which was read twice and placed on the calendar

A BILL

Making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2015, and for other purposes.

- 1 *Be it enacted by the Senate and House of Representa-*
- 2 *tives of the United States of America in Congress assembled,*
- 3 That the following sums are appropriated, out of any

1 money in the Treasury not otherwise appropriated, for en-
2 ergy and water development and related agencies for the
3 fiscal year ending September 30, 2015, and for other pur-
4 poses, namely:

5 TITLE I

6 CORPS OF ENGINEERS—CIVIL

7 DEPARTMENT OF THE ARMY

8 CORPS OF ENGINEERS—CIVIL

9 The following appropriations shall be expended under
10 the direction of the Secretary of the Army and the super-
11 vision of the Chief of Engineers for authorized civil func-
12 tions of the Department of the Army pertaining to river
13 and harbor, flood and storm damage reduction, shore pro-
14 tection, aquatic ecosystem restoration, and related efforts.

15 INVESTIGATIONS

16 For expenses necessary where authorized by law for
17 the collection and study of basic information pertaining
18 to river and harbor, flood and storm damage reduction,
19 shore protection, aquatic ecosystem restoration, and re-
20 lated needs; for surveys and detailed studies, and plans
21 and specifications of proposed river and harbor, flood and
22 storm damage reduction, shore protection, and aquatic
23 ecosystem restoration and related projects and efforts
24 prior to construction; for restudy of authorized projects;
25 and for miscellaneous investigations, and, when authorized

1 by law, surveys and detailed studies, and plans and speci-
2 fications of projects prior to construction, \$125,000,000,
3 to remain available until expended: *Provided*, That the
4 Secretary may initiate up to, but not more than, 20 new
5 reconnaissance study starts during fiscal year 2015: *Pro-*
6 *vided further*, That the Secretary shall not deviate from
7 the new starts proposed in the work plan, once the plan
8 has been submitted to the Committees on Appropriations
9 of the House of Representatives and the Senate.

10

CONSTRUCTION

11 For expenses necessary for the construction of river
12 and harbor, flood and storm damage reduction, shore pro-
13 tection, aquatic ecosystem restoration, and related
14 projects authorized by law; for conducting detailed studies
15 and plans and specifications of such projects (including
16 those involving participation by States, local governments,
17 or private groups) authorized or made eligible for selection
18 by law (but such detailed studies and plans and specifica-
19 tions shall not constitute a commitment of the Govern-
20 ment to construction), \$1,421,000,000, to remain avail-
21 able until expended; of which such sums as are necessary
22 to cover the Federal share of construction costs for facili-
23 ties under the Dredged Material Disposal Facilities pro-
24 gram shall be derived from the Harbor Maintenance Trust
25 Fund as authorized by Public Law 104–303; and of which

1 such sums as are necessary shall be derived from the In-
2 land Waterways Trust Fund to cover the costs as author-
3 ized in law for construction, replacement, rehabilitation,
4 and expansion of inland waterways projects: *Provided*,
5 That the Secretary may initiate up to, but not more than,
6 six new construction starts during fiscal year 2015: *Pro-*
7 *vided further*, That for new construction projects, project
8 cost sharing agreements shall be executed as soon as prac-
9 ticable but no later than August 31, 2015: *Provided fur-*
10 *ther*, That the Secretary may not deviate from the new
11 starts proposed in the work plan, once the plan has been
12 submitted to the Committees on Appropriations of the
13 House of Representatives and the Senate.

14 MISSISSIPPI RIVER AND TRIBUTARIES

15 For expenses necessary for flood damage reduction
16 projects and related efforts in the Mississippi River allu-
17 vial valley below Cape Girardeau, Missouri, as authorized
18 by law, \$305,000,000, to remain available until expended,
19 of which such sums as are necessary to cover the Federal
20 share of eligible operation and maintenance costs for in-
21 land harbors shall be derived from the Harbor Mainte-
22 nance Trust Fund.

23 OPERATION AND MAINTENANCE

24 For expenses necessary for the operation, mainte-
25 nance, and care of existing river and harbor, flood and

1 storm damage reduction, aquatic ecosystem restoration,
2 and related projects authorized by law; providing security
3 for infrastructure owned or operated by the Corps, includ-
4 ing administrative buildings and laboratories; maintaining
5 harbor channels provided by a State, municipality, or
6 other public agency that serve essential navigation needs
7 of general commerce, where authorized by law; surveying
8 and charting northern and northwestern lakes and con-
9 necting waters; clearing and straightening channels; and
10 removing obstructions to navigation, \$2,800,000,000, to
11 remain available until expended, of which such sums as
12 are necessary to cover the Federal share of eligible oper-
13 ation and maintenance costs for coastal harbors and chan-
14 nels, and for inland harbors shall be derived from the Har-
15 bor Maintenance Trust Fund; of which such sums as be-
16 come available from the special account for the Army
17 Corps of Engineers established by the Land and Water
18 Conservation Fund Act of 1965 shall be derived from that
19 account for resource protection, research, interpretation,
20 and maintenance activities related to resource protection
21 in the areas at which outdoor recreation is available; and
22 of which such sums as become available from fees collected
23 under section 217 of Public Law 104–303 shall be used
24 to cover the cost of operation and maintenance of the
25 dredged material disposal facilities for which such fees

1 have been collected: *Provided*, That 1 percent of the total
2 amount of funds provided for each of the programs,
3 projects or activities funded under this heading shall not
4 be allocated to a field operating activity prior to the begin-
5 ning of the fourth quarter of the fiscal year and shall be
6 available for use by the Chief of Engineers to fund such
7 emergency activities as the Chief of Engineers determines
8 to be necessary and appropriate, and that the Chief of En-
9 gineers shall allocate during the fourth quarter any re-
10 maining funds which have not been used for emergency
11 activities proportionally in accordance with the amounts
12 provided for the programs, projects, or activities.

13 REGULATORY PROGRAM

14 For expenses necessary for administration of laws
15 pertaining to regulation of navigable waters and wetlands,
16 \$200,000,000, to remain available until September 30,
17 2016.

18 FORMERLY UTILIZED SITES REMEDIAL ACTION PROGRAM

19 For expenses necessary to clean up contamination
20 from sites in the United States resulting from work per-
21 formed as part of the Nation's early atomic energy pro-
22 gram, \$100,000,000, to remain available until expended.

23 FLOOD CONTROL AND COASTAL EMERGENCIES

24 For expenses necessary to prepare for flood, hurri-
25 cane, and other natural disasters and support emergency

1 operations, repairs, and other activities in response to
2 such disasters as authorized by law, \$28,000,000, to re-
3 main available until expended.

4 EXPENSES

5 For expenses necessary for the supervision and gen-
6 eral administration of the civil works program in the head-
7 quarters of the Army Corps of Engineers and the offices
8 of the Division Engineers; and for costs of management
9 and operation of the Humphreys Engineer Center Support
10 Activity, the Institute for Water Resources, the United
11 States Army Engineer Research and Development Center,
12 and the United States Army Corps of Engineers Finance
13 Center allocable to the civil works program, \$178,000,000,
14 to remain available until September 30, 2016, of which
15 not to exceed \$5,000 may be used for official reception
16 and representation purposes and only during the current
17 fiscal year: *Provided*, That no part of any other appropria-
18 tion provided in title I of this Act shall be available to
19 fund the civil works activities of the Office of the Chief
20 of Engineers or the civil works executive direction and
21 management activities of the division offices: *Provided fur-*
22 *ther*, That any Flood Control and Coastal Emergencies ap-
23 propriation may be used to fund the supervision and gen-
24 eral administration of emergency operations, repairs, and

1 other activities in response to any flood, hurricane, or
2 other natural disaster.

3 OFFICE OF THE ASSISTANT SECRETARY OF THE ARMY
4 FOR CIVIL WORKS

5 For the Office of the Assistant Secretary of the Army
6 for Civil Works as authorized by 10 U.S.C. 3016(b)(3),
7 \$5,000,000, to remain available until September 30, 2016.

8 GENERAL PROVISIONS—CORPS OF
9 ENGINEERS—CIVIL

10 (INCLUDING TRANSFER AND RESCISSION OF FUNDS)

11 SEC. 101. (a) None of the funds provided in title I
12 of this Act, or provided by previous appropriations Acts
13 to the agencies or entities funded in title I of this Act
14 that remain available for obligation or expenditure in fiscal
15 year 2015, shall be available for obligation or expenditure
16 through a reprogramming of funds that:

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

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

20 (3) increases funds or personnel for any pro-
21 gram, project, or activity for which funds have been
22 denied or restricted by this Act, unless prior ap-
23 proval is received from the House and Senate Com-
24 mittees on Appropriations;

1 (4) proposes to use funds directed for a specific
2 activity for a different purpose, unless prior approval
3 is received from the House and Senate Committees
4 on Appropriations;

5 (5) augments or reduces existing programs,
6 projects or activities in excess of the amounts con-
7 tained in paragraphs 6 through 10, unless prior ap-
8 proval is received from the House and Senate Com-
9 mittees on Appropriations;

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

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

1 tractor claims, changed conditions, or real estate de-
2 ficiency judgments: *Provided further*, That up to
3 \$300,000 may be reprogrammed into any continuing
4 study or activity that did not receive an appropria-
5 tion for existing obligations and concomitant admin-
6 istrative expenses;

7 (8) OPERATION AND MAINTENANCE.—Unlim-
8 ited reprogramming authority is granted for the
9 Corps to be able to respond to emergencies: *Pro-*
10 *vided*, That the Chief of Engineers shall notify the
11 House and Senate Committees on Appropriations of
12 these emergency actions as soon thereafter as prac-
13 ticable: *Provided further*, That for a base level over
14 \$1,000,000, reprogramming of 15 percent of the
15 base amount up to a limit of \$5,000,000 per project,
16 study or activity is allowed: *Provided further*, That
17 for a base level less than \$1,000,000, the re-
18 programming limit is \$150,000: *Provided further*,
19 That \$150,000 may be reprogrammed into any con-
20 tinuing study or activity that did not receive an ap-
21 propriation;

22 (9) MISSISSIPPI RIVER AND TRIBUTARIES.—
23 The reprogramming guidelines in paragraphs (6),
24 (7), and (8) shall apply to the Investigations, Con-
25 struction, and Operation and Maintenance portions

1 of the Mississippi River and Tributaries Account re-
2 spectively; and

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

6 (b) DE MINIMIS REPROGRAMMINGS.—In no case
7 should a reprogramming for less than \$50,000 be sub-
8 mitted to the House and Senate Committees on Appro-
9 priations.

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

13 (d) Not later than 60 days after the date of enact-
14 ment of this Act, the Secretary shall submit a report to
15 the House and Senate Committees on Appropriations to
16 establish the baseline for application of reprogramming
17 and transfer authorities for the current fiscal year which
18 shall include:

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

24 (2) A delineation in the table for each appro-
25 priation both by object class and program, project

1 and activity as detailed in the budget appendix for
2 the respective appropriations; and

3 (3) An identification of items of special congress-
4 sional interest.

5 SEC. 102. The Secretary of the Army may transfer
6 to the Fish and Wildlife Service, and the Fish and Wildlife
7 Service may accept and expend, up to \$4,700,000 of funds
8 provided in this title under the heading “Operation and
9 Maintenance” to mitigate for fisheries lost due to Corps
10 of Engineers projects.

11 SEC. 103. Subsection (a)(6) of section 511 of the
12 Water Resources Development Act of 1996 (16 U.S.C.
13 3301 note; 110 Stat. 3761–3762; 113 Stat. 375–376; 121
14 Stat. 1203) is amended by striking “\$25,000,000” and
15 inserting “\$61,500,000”.

16 SEC. 104. The Secretary shall allocate funds made
17 available in this Act solely in accordance with the provi-
18 sions of this Act and the report accompanying this Act.

19 SEC. 105. (a) Of the funds made available in prior
20 appropriations Acts for water resources efforts under the
21 headings “Corps of Engineers–Civil, Department of the
22 Army” and “Operation and Maintenance—Operation and
23 Maintenance, Army” that remain unobligated as of the
24 date of enactment of this Act, including amounts specified

1 in law for particular projects, programs, or activities,
2 \$28,000,000 is rescinded.

3 (b) None of the funds under subsection (a) may be
4 cancelled from amounts that the Congress designated as
5 an emergency requirement pursuant to the Concurrent
6 Resolution on the Budget or the Balanced Budget and
7 Emergency Deficit Control Act of 1985, as amended.

8 SEC. 106. Section 536(g) of the Water Resources De-
9 velopment Act of 2000 (Public Law 106–541, 114 Stat.
10 2662) is amended by striking “\$50,000,000” and insert-
11 ing “\$75,000,000”.

12 SEC. 107. In determining the economic justification
13 for navigation projects and the allocation of operation and
14 maintenance funds involving coastal energy ports, the Sec-
15 retary of the Army is directed to quantify the value of
16 commodities and equipment used in offshore energy ex-
17 traction and production, including the fabrication, serv-
18 icing and supply of domestic offshore energy production
19 facilities, and include the value as a part of the National
20 Economic Development calculation and in the Waterborne
21 Commerce evaluation. Within 1 year of the date of enact-
22 ment of this Act, the Secretary in conjunction with rel-
23 evant stakeholders, shall establish a methodology to collect
24 information related to the value of commodities and equip-
25 ment used in offshore energy extraction and production.

1 The methodology shall protect proprietary information
2 and establish a reporting requirement.

3 SEC. 108. The limited reevaluation report initiated
4 in fiscal year 2012 for the Mobile Harbor, Alabama navi-
5 gation project shall include evaluation of the full depth
6 of the project as authorized under section 201 of Public
7 Law 99–662 (110 Stat. 4090) at the same non-Federal
8 share of the cost as in the design agreement executed on
9 August 14, 2012.

10 TITLE II

11 DEPARTMENT OF THE INTERIOR

12 CENTRAL UTAH PROJECT

13 CENTRAL UTAH PROJECT COMPLETION ACCOUNT

14 For carrying out activities authorized by the Central
15 Utah Project Completion Act, \$7,300,000, to remain
16 available until expended, of which \$1,000,000 shall be de-
17 posited into the Utah Reclamation Mitigation and Con-
18 servation Account for use by the Utah Reclamation Miti-
19 gation and Conservation Commission: *Provided*, That of
20 the amount provided under this heading, \$1,300,000 shall
21 be available until September 30, 2016, for necessary ex-
22 penses incurred in carrying out related responsibilities of
23 the Secretary of the Interior: *Provided further*, That for
24 fiscal year 2015, of the amount made available to the
25 Commission under this Act or any other Act, the Commis-

1 sion may use an amount not to exceed \$1,500,000 for ad-
2 ministrative expenses.

3 BUREAU OF RECLAMATION

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

7 WATER AND RELATED RESOURCES

8 (INCLUDING TRANSFERS OF FUNDS)

9 For management, development, and restoration of
10 water and related natural resources and for related activi-
11 ties, including the operation, maintenance, and rehabilita-
12 tion of reclamation and other facilities, participation in
13 fulfilling related Federal responsibilities to Native Ameri-
14 cans, and related grants to, and cooperative and other
15 agreements with, State and local governments, federally
16 recognized Indian tribes, and others, \$1,069,705,000, to
17 remain available until expended, of which \$25,000 shall
18 be available for transfer to the Upper Colorado River
19 Basin Fund and \$6,840,000 shall be available for transfer
20 to the Lower Colorado River Basin Development Fund;
21 of which such amounts as may be necessary may be ad-
22 vanced to the Colorado River Dam Fund: *Provided*, That
23 such transfers may be increased or decreased within the
24 overall appropriation under this heading: *Provided further*,
25 That of the total appropriated, the amount for program

1 activities that can be financed by the Reclamation Fund
2 or the Bureau of Reclamation special fee account estab-
3 lished by 16 U.S.C. 6806 shall be derived from that Fund
4 or account: *Provided further*, That funds contributed
5 under 43 U.S.C. 395 are available until expended for the
6 purposes for which the funds were contributed: *Provided*
7 *further*, That funds advanced under 43 U.S.C. 397a shall
8 be credited to this account and are available until ex-
9 pended for the same purposes as the sums appropriated
10 under this heading: *Provided further*, That of the amounts
11 provided herein, funds may be used for high-priority
12 projects which shall be carried out by the Youth Conserva-
13 tion Corps, as authorized by 16 U.S.C. 1706.

14 CENTRAL VALLEY PROJECT RESTORATION FUND

15 For carrying out the programs, projects, plans, habi-
16 tat restoration, improvement, and acquisition provisions of
17 the Central Valley Project Improvement Act, \$56,995,000,
18 to be derived from such sums as may be collected in the
19 Central Valley Project Restoration Fund pursuant to sec-
20 tions 3407(d), 3404(c)(3), and 3405(f) of Public Law
21 102–575, to remain available until expended: *Provided*,
22 That the Bureau of Reclamation is directed to assess and
23 collect the full amount of the additional mitigation and
24 restoration payments authorized by section 3407(d) of
25 Public Law 102–575: *Provided further*, That none of the

1 funds made available under this heading may be used for
2 the acquisition or leasing of water for in-stream purposes
3 if the water is already committed to in-stream purposes
4 by a court adopted decree or order.

5 CALIFORNIA BAY-DELTA RESTORATION
6 (INCLUDING TRANSFERS OF FUNDS)

7 For carrying out activities authorized by the Water
8 Supply, Reliability, and Environmental Improvement Act,
9 consistent with plans to be approved by the Secretary of
10 the Interior, \$37,000,000, to remain available until ex-
11 pended, of which such amounts as may be necessary to
12 carry out such activities may be transferred to appropriate
13 accounts of other participating Federal agencies to carry
14 out authorized purposes: *Provided*, That funds appro-
15 priated herein may be used for the Federal share of the
16 costs of CALFED Program management: *Provided fur-*
17 *ther*, That CALFED implementation shall be carried out
18 in a balanced manner with clear performance measures
19 demonstrating concurrent progress in achieving the goals
20 and objectives of the Program.

21 POLICY AND ADMINISTRATION

22 For necessary expenses of policy, administration, and
23 related functions in the Office of the Commissioner, the
24 Denver office, and offices in the five regions of the Bureau
25 of Reclamation, to remain available until September 30,

1 2016, \$59,500,000, to be derived from the Reclamation
2 Fund and be nonreimbursable as provided in 43 U.S.C.
3 377: *Provided*, That no part of any other appropriation
4 in this Act shall be available for activities or functions
5 budgeted as policy and administration expenses: *Provided*
6 *further*, That \$400,000 of the funds provided herein shall
7 not be available until completion of the Final Feasibility
8 Study and issuance of the Final Environmental Impact
9 Statements for the storage studies being conducted under
10 the authority of Public Law 108–361.

11 BUREAU OF RECLAMATION LOAN PROGRAM ACCOUNT

12 (RESCISSION)

13 Of the unobligated balances available under this
14 heading, \$500,000 are hereby permanently rescinded.

15 ADMINISTRATIVE PROVISION

16 Appropriations for the Bureau of Reclamation shall
17 be available for purchase of not to exceed five passenger
18 motor vehicles, which are for replacement only.

19 GENERAL PROVISIONS—DEPARTMENT OF THE
20 INTERIOR

21 SEC. 201. (a) None of the funds provided in title II
22 of this Act for Water and Related Resources, or provided
23 by previous appropriations Acts to the agencies or entities
24 funded in title II of this Act for Water and Related Re-
25 sources that remain available for obligation or expenditure

1 in fiscal year 2015, shall be available for obligation or ex-
2 penditure through a reprogramming of funds that—

3 (1) initiates or creates a new program, project,
4 or activity;

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

6 (3) increases funds for any program, project, or
7 activity for which funds have been denied or re-
8 stricted by this Act, unless prior approval is received
9 from the Committees on Appropriations of the
10 House of Representatives and the Senate;

11 (4) restarts or resumes any program, project or
12 activity for which funds are not provided in this Act,
13 unless prior approval is received from the Commit-
14 tees on Appropriations of the House of Representa-
15 tives and the Senate;

16 (5) transfers funds in excess of the following
17 limits, unless prior approval is received from the
18 Committees on Appropriations of the House of Rep-
19 resentatives and the Senate:

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

23 (B) \$300,000 for any program, project or
24 activity for which less than \$2,000,000 is avail-
25 able at the beginning of the fiscal year;

1 (6) transfers more than \$500,000 from either
2 the Facilities Operation, Maintenance, and Rehabili-
3 tation category or the Resources Management and
4 Development category to any program, project, or
5 activity in the other category, unless prior approval
6 is received from the Committees on Appropriations
7 of the House of Representatives and the Senate; or

8 (7) transfers, where necessary to discharge legal
9 obligations of the Bureau of Reclamation, more than
10 \$5,000,000 to provide adequate funds for settled
11 contractor claims, increased contractor earnings due
12 to accelerated rates of operations, and real estate de-
13 ficiency judgments, unless prior approval is received
14 from the Committees on Appropriations of the
15 House of Representatives and the Senate.

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

19 (c) For purposes of this section, the term transfer
20 means any movement of funds into or out of a program,
21 project, or activity.

22 (d) The Bureau of Reclamation shall submit reports
23 on a quarterly basis to the Committees on Appropriations
24 of the House of Representatives and the Senate detailing
25 all the funds reprogrammed between programs, projects,

1 activities, or categories of funding. The first quarterly re-
2 port shall be submitted not later than 60 days after the
3 date of enactment of this Act.

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

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

1 be fully reimbursable by San Luis Unit beneficiaries of
2 such service or studies pursuant to Federal reclamation
3 law.

4 SEC. 203. Section 9504(e) of the Secure Water Act
5 of 2009 (42 U.S.C. 10364(e)) is amended by striking
6 “\$200,000,000” and inserting “\$400,000,000”.

7 AUTHORIZATION OF APPROPRIATIONS

8 SEC. 204. Section 301 of the Reclamation States
9 Emergency Drought Relief Act of 1991 (43 U.S.C. 2241)
10 is amended—

11 (a) by striking “90,000,000” and inserting
12 “\$110,000,000”; and

13 (b) by striking “2012” and inserting “2017”.

14 SEC. 205. Title I of Public Law 108–361 (the Califed
15 Bay-Delta Authorization Act) (118 Stat. 1681), as
16 amended by section 210 of Public Law 111–85, is amend-
17 ed by striking “2015” each place it appears and inserting
18 “2018”.

19 COLORADO RIVER BASIN SYSTEM WATER

20 SEC. 206. (a) IN GENERAL.—The Secretary of the
21 Interior shall fund or participate in pilot projects to in-
22 crease Colorado River System water in Lake Mead and
23 the initial units of Colorado River Storage Project res-
24 ervoirs, as authorized by the first section of the Act of

1 April 11, 1956 (43 U.S.C. 620), to address the effects
2 of historic drought conditions.

3 (b) ADMINISTRATION.—Pilot projects under this sec-
4 tion shall be funded through—

5 (1) grants by the Secretary to public entities
6 that use water from the Colorado River Basin for
7 municipal purposes, for projects that are imple-
8 mented by 1 or more non-Federal entities; or

9 (2) grants or other appropriate financial agree-
10 ments to provide additional funds for renewing or
11 implementing water conservation agreements that
12 are in existence on the date of enactment of this
13 Act.

14 (c) UPPER COLORADO RIVER BASIN FUND.—Funds
15 in the Upper Colorado River Basin Fund established by
16 section 5 of the Colorado River Storage Project Act (4320
17 U.S.C. 620d) shall not be used to carry out this section.

18 SEC. 207. During the fiscal year period covered by
19 this Act and only if the state of drought emergency de-
20 clared by the Governor of California remains in force, the
21 Secretary of the Interior, in consultation with the Sec-
22 retary of Commerce, the Secretary of Agriculture, and the
23 Administrator of the Environmental Protection Agency,
24 shall take all necessary actions to provide the maximum
25 quantity of water supplies possible to Central Valley

1 Project agricultural, municipal and industrial, and refuge
2 service and repayment contractors, State Water Project
3 contractors, and any other locality or municipality in the
4 State of California, by approving, consistent with applica-
5 ble laws (including regulations), projects and operations
6 to provide additional water supplies as quickly as possible
7 based on available information to address the emergency
8 conditions: *Provided*, That the head of each applicable
9 Federal agency shall, in carrying out this section, consult
10 with the Council on Environmental Quality in accordance
11 with section 1506.11 of title 40, Code of Federal Regula-
12 tions (including successor regulations) to develop alter-
13 native arrangements to comply with the National Environ-
14 mental Policy Act of 1969 (42 U.S.C. 4321 et seq.) during
15 the time period covered by this section: *Provided further*,
16 That nothing in this section shall preempt any State law
17 in effect on the date of enactment of this Act, including
18 area of origin and other water rights protections in Cali-
19 fornia.

20 SEC. 208. (a) AUTHORIZATION OF ADDITIONAL
21 PROJECT BENEFITS.—The Reclamation Safety of Dams
22 Act of 1978 is amended by—

23 (1) striking “Construction” and inserting “Ex-
24 cept as provided in section 5B, construction” in sec-
25 tion 3; and

1 (2) inserting after section 5A (43 U.S.C. 509a)
2 the following:

3 “SEC. 5B. Notwithstanding section 3, if the Sec-
4 retary, in her judgment, determines that additional project
5 benefits, including but not limited to additional conserva-
6 tion storage capacity, are necessary and in the interests
7 of the United States and the project and are feasible and
8 not inconsistent with the purposes of this Act, the Sec-
9 retary is authorized to develop additional project benefits
10 through the construction of new or supplementary works
11 on a project in conjunction with the Secretary’s activities
12 under section 2 of this Act and subject to the conditions
13 described in the feasibility study, provided the costs associ-
14 ated with developing the additional project benefits are al-
15 located to the authorized purposes of the structure and
16 repaid consistent with all provisions of Federal Reclama-
17 tion law (the Act of June 17, 1902, 43 U.S.C. 371 et seq.)
18 and acts supplemental to and amendatory of that Act.”.

19 (b) ADDITIONAL AUTHORIZATION OF APPROPRIA-
20 TIONS FOR THE RECLAMATION SAFETY OF DAMS ACT OF
21 1978.—Section 5 of the Reclamation Safety of Dams Act
22 of 1978 (43 U.S.C. 509) is amended in the first sen-
23 tence—

24 (1) by inserting “and effective October 1, 2014,
25 not to exceed an additional \$1,100,000,000 (October

1 1, 2003, price levels),” after “(October 1, 2003,
2 price levels),”.

3 (2) in the proviso—

4 (A) by striking “\$1,250,000” and inserting
5 “\$20,000,000”; and

6 (B) by striking “Congress” and inserting
7 “Committee on Natural Resources of the House
8 of Representatives and the Committee on En-
9 ergy and Natural Resources of the Senate”;
10 and

11 (3) by adding at the end the following: “For
12 modification expenditures between \$1,800,000 and
13 \$20,000,000 (October 1, 2013, price levels), the Sec-
14 retary of the Interior shall, at least 30 days before
15 the date on which the funds are expended, submit
16 written notice of the expenditures to the Committee
17 on Natural Resources of the House of Representa-
18 tives and the Committee on Energy and Natural Re-
19 sources of the Senate that provides a summary of
20 the project, the cost of the project, and any alter-
21 natives that were considered.”.

22 SEC. 209. Section 10009(c)(2) of the San Joaquin
23 River Restoration Settlement Act (Public Law 111–11;
24 123 Stat. 1356) is amended by striking “October 1, 2019,
25 all funds in the Fund shall be available for expenditure

1 without further appropriation.” and inserting “October 1,
2 2015, all funds in the Fund shall be available for expendi-
3 ture on an annual basis in an amount not to exceed
4 \$40,000,000 without further appropriation.” in lieu there-
5 of.

6 TITLE III

7 DEPARTMENT OF ENERGY

8 ENERGY PROGRAMS

9 ENERGY EFFICIENCY AND RENEWABLE ENERGY

10 (INCLUDING TRANSFER)

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 energy
14 efficiency and renewable energy activities in carrying out
15 the purposes of the Department of Energy Organization
16 Act (42 U.S.C. 7101 et seq.), including the acquisition or
17 condemnation of any real property or any facility or for
18 plant or facility acquisition, construction, or expansion,
19 \$2,072,928,000, to remain available until expended: *Pro-*
20 *vided*, That \$160,000,000 shall be available until Sep-
21 tember 30, 2016, for program direction: *Provided further*,
22 That, of the amount provided under this heading, the Sec-
23 retary may transfer up to \$60,000,000 to the Defense
24 Production Act Fund for activities of the Department of
25 Energy pursuant to the Defense Production Act of 1950

1 (50 U.S.C. App. 2061, et seq.): *Provided further*, That,
2 of the amount provided under this heading, \$15,000,000
3 shall be available for weatherization assistance for State
4 level demonstrations of financing methods for low-income
5 multi-family units, including technical assistance for re-
6 cipients, and shall be awarded on a competitive basis, not-
7 withstanding the requirements of Part A of Title IV of
8 the Energy Conservation and Production Act (42 U.S.C.
9 6861 et seq.).

10 ELECTRICITY DELIVERY AND ENERGY RELIABILITY

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 elec-
14 tricity delivery and energy reliability activities in carrying
15 out the purposes of the Department of Energy Organiza-
16 tion Act (42 U.S.C. 7101 et seq.), including the acqui-
17 sition or condemnation of any real property or any facility
18 or for plant or facility acquisition, construction, or expan-
19 sion, \$174,000,000, to remain available until expended:
20 *Provided*, That \$28,000,000 shall be available until Sep-
21 tember 30, 2016, for program direction.

22 NUCLEAR ENERGY

23 For Department of Energy expenses including the
24 purchase, construction, and acquisition of plant and cap-
25 ital equipment, and other expenses necessary for nuclear

1 energy activities in carrying out the purposes of the De-
2 partment of Energy Organization Act (42 U.S.C. 7101 et
3 seq.), including the acquisition or condemnation of any
4 real property or any facility or for plant or facility acquisi-
5 tion, construction, or expansion, \$777,000,000, to remain
6 available until expended, of which \$24,000,000 shall be
7 derived from the Nuclear Waste Fund: *Provided*, That, of
8 the amount made available under this heading,
9 \$73,090,000, shall be available until September 30, 2016,
10 for program direction.

11 FOSSIL ENERGY RESEARCH AND DEVELOPMENT

12 For Department of Energy expenses necessary in car-
13 rying out fossil energy research and development activi-
14 ties, under the authority of the Department of Energy Or-
15 ganization Act (Public Law 95–91), including the acquisi-
16 tion of interest, including defeasible and equitable inter-
17 ests in any real property or any facility or for plant or
18 facility acquisition or expansion, and for conducting in-
19 quires, technological investigations and research con-
20 cerning the extraction, processing, use, and disposal of
21 mineral substances without objectionable social and envi-
22 ronmental costs (30 U.S.C. 3, 1602, and 1603),
23 \$475,500,000, to remain available until expended: *Pro-*
24 *vided*, That \$114,202,000, shall be available until Sep-
25 tember 30, 2016, for program direction.

1 NAVAL PETROLEUM AND OIL SHALE RESERVES

2 For Department of Energy expenses necessary to
3 carry out naval petroleum and oil shale reserve activities,
4 \$19,950,000, to remain available until expended: *Pro-*
5 *vided*, That, notwithstanding any other provision of law,
6 unobligated funds remaining from prior years shall be
7 available for all naval petroleum and oil shale reserve ac-
8 tivities.

9 STRATEGIC PETROLEUM RESERVE

10 For Department of Energy expenses necessary for
11 Strategic Petroleum Reserve facility development and op-
12 erations and program management activities pursuant to
13 the Energy Policy and Conservation Act (42 U.S.C. 6201
14 et seq.), \$205,000,000, to remain available until expended.

15 SPR PETROLEUM ACCOUNT

16 (RESCISSION)

17 Of the amounts deposited in the SPR Petroleum Ac-
18 count established under section 167 of the Energy Policy
19 and Conservation Act (42 U.S.C. 6247) in fiscal year
20 2014 which remain available for obligation under that sec-
21 tion, all unobligated balances are hereby permanently re-
22 scinded.

23 NORTHEAST HOME HEATING OIL RESERVE

24 For Department of Energy expenses necessary for
25 Northeast Home Heating Oil Reserve storage, operation,

1 and management activities pursuant to the Energy Policy
2 and Conservation Act (42 U.S.C. 6201 et seq.),
3 \$1,600,000, to remain available until expended.

4 ENERGY INFORMATION ADMINISTRATION

5 For Department of Energy expenses necessary in car-
6 rying out the activities of the Energy Information Admin-
7 istration, \$117,000,000, to remain available until ex-
8 pended.

9 NON-DEFENSE ENVIRONMENTAL CLEANUP

10 For Department of Energy expenses, including the
11 purchase, construction, and acquisition of plant and cap-
12 ital equipment and other expenses necessary for non-de-
13 fense environmental cleanup activities in carrying out the
14 purposes of the Department of Energy Organization Act
15 (42 U.S.C. 7101 et seq.), including the acquisition or con-
16 demnation of any real property or any facility or for plant
17 or facility acquisition, construction, or expansion,
18 \$246,000,000, to remain available until expended.

19 URANIUM ENRICHMENT DECONTAMINATION AND
20 DECOMMISSIONING FUND

21 For Department of Energy expenses necessary in car-
22 rying out uranium enrichment facility decontamination
23 and decommissioning, remedial actions, and other activi-
24 ties of title II of the Atomic Energy Act of 1954, and
25 title X, subtitle A, of the Energy Policy Act of 1992,

1 \$594,000,000, to be derived from the Uranium Enrich-
2 ment Decontamination and Decommissioning Fund, to re-
3 main available until expended, of which \$10,000,000 shall
4 be available in accordance with title X, subtitle A, of the
5 Energy Policy Act of 1992: *Provided*, That the Secretary
6 shall collect up to \$200,000,000 in assessments pursuant
7 to section 1802 of the Atomic Energy Act of 1954 (42
8 U.S.C. 2297g-1), as provided for by this Act. (Energy and
9 Water Development and Related Agencies Appropriations
10 Act, 2015.)

11 SCIENCE

12 For Department of Energy expenses including the
13 purchase, construction, and acquisition of plant and cap-
14 ital equipment, and other expenses necessary for science
15 activities 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 facility or for plant or facility acquisition, construc-
19 tion, or expansion, and purchase of not more than 17 pas-
20 senger motor vehicles for replacement only, including two
21 buses, \$5,086,000,000, to remain available until ex-
22 pended: *Provided*, That \$187,723,000 shall be available
23 until September 30, 2016, for program direction: *Provided*
24 *further*, That up to \$75,000,000 may be made available
25 for the International Thermonuclear Experimental Reac-

1 tor to complete manufacturing of components under exist-
2 ing contracts and take actions to withdraw U.S. participa-
3 tion in this project.

4 ADVANCED RESEARCH PROJECTS AGENCY—ENERGY

5 For Department of Energy expenses necessary in car-
6 rying out the activities authorized by section 5012 of the
7 America COMPETES Act (Public Law 110–69), as
8 amended, \$280,000,000, to remain available until ex-
9 pended: *Provided*, That \$29,250,000 shall be available
10 until September 30, 2016, for program direction.

11 TITLE 17 INNOVATIVE TECHNOLOGY LOAN GUARANTEE
12 PROGRAM

13 Such sums as are derived from amounts received
14 from borrowers pursuant to section 1702(b) of the Energy
15 Policy Act of 2005 under this heading in prior Acts, shall
16 be collected in accordance with section 502(7) of the Con-
17 gressional Budget Act of 1974: *Provided*, That, for nec-
18 essary administrative expenses to carry out this Loan
19 Guarantee program, \$42,000,000 is appropriated, to re-
20 main available until September 30, 2016: *Provided further*,
21 That \$25,000,000 of the fees collected pursuant to section
22 1702(h) of the Energy Policy Act of 2005 shall be credited
23 as offsetting collections to this account to cover adminis-
24 trative expenses and shall remain available until expended,
25 so as to result in a final fiscal year 2015 appropriation

1 from the general fund estimated at not more than
2 \$17,000,000: *Provided further*, That fees collected under
3 section 1702(h) in excess of the amount appropriated for
4 administrative expenses shall not be available until appro-
5 priated.

6 ADVANCED TECHNOLOGY VEHICLES MANUFACTURING
7 LOAN PROGRAM

8 For Department of Energy administrative expenses
9 necessary in carrying out the Advanced Technology Vehi-
10 cles Manufacturing Loan Program, \$4,000,000, to remain
11 available until September 30, 2016.

12 OFFICE OF INDIAN ENERGY POLICY AND PROGRAMS

13 For Department of Energy expenses necessary for In-
14 dian energy activities in carrying out the purposes of the
15 Department of Energy Organization Act (42 U.S.C. 7101
16 et seq.), \$16,000,000, to remain available until expended:
17 *Provided*, That, of the amount appropriated under this
18 heading, \$2,510,000 shall be available until September 30,
19 2016, for program direction.

20 CLEAN COAL TECHNOLOGY

21 (RESCISSION)

22 Of the unobligated balances from prior year appro-
23 priations under this heading, \$6,600,000 are hereby per-
24 manently rescinded: *Provided*, That no amounts may be
25 rescinded from amounts that were designated by the Con-

1 gress as an emergency requirement pursuant to the Con-
2 current Resolution on the Budget or the Balanced Budget
3 and Emergency Deficit Control Act of 1985, as amended.

4 ELK HILLS SCHOOL LANDS FUND

5 For necessary expenses in fulfilling the final payment
6 under the Settlement Agreement entered into by the
7 United States and the State of California on October 11,
8 1996, as authorized by section 3415 of Public Law 104–
9 106, \$15,579,815, for payment to the State of California
10 for the State Teachers' Retirement Fund, of which
11 \$15,579,815 will be derived from the Elk Hills School
12 Lands Fund.

13 DEPARTMENTAL ADMINISTRATION

14 For salaries and expenses of the Department of En-
15 ergy necessary for departmental administration in car-
16 rying out the purposes of the Department of Energy Orga-
17 nization Act (42 U.S.C. 7101 et seq.), \$229,171,000, to
18 remain available until September 30, 2016, including the
19 hire of passenger motor vehicles and official reception and
20 representation expenses not to exceed \$30,000, plus such
21 additional amounts as necessary to cover increases in the
22 estimated amount of cost of work for others notwith-
23 standing the provisions of the Anti-Deficiency Act (31
24 U.S.C. 1511 et seq.): *Provided*, That such increases in
25 cost of work are offset by revenue increases of the same

1 or greater amount: *Provided further*, That moneys received
2 by the Department for miscellaneous revenues estimated
3 to total \$119,171,000 in fiscal year 2015 may be retained
4 and used for operating expenses within this account, as
5 authorized by section 201 of Public Law 95–238, notwith-
6 standing the provisions of 31 U.S.C. 3302: *Provided fur-*
7 *ther*, That the sum herein appropriated shall be reduced
8 as collections are received during the fiscal year so as to
9 result in a final fiscal year 2015 appropriation from the
10 general fund estimated at not more than \$110,000,000.

11 OFFICE OF THE INSPECTOR GENERAL

12 For necessary expenses of the Office of the Inspector
13 General in carrying out the provisions of the Inspector
14 General Act of 1978, \$39,868,000, to remain available
15 until September 30, 2016.

16 ATOMIC ENERGY DEFENSE ACTIVITIES

17 NATIONAL NUCLEAR SECURITY

18 ADMINISTRATION

19 WEAPONS ACTIVITIES

20 For Department of Energy expenses, including the
21 purchase, construction, and acquisition of plant and cap-
22 ital equipment and other incidental expenses necessary for
23 atomic energy defense weapons activities in carrying out
24 the purposes of the Department of Energy Organization
25 Act (42 U.S.C. 7101 et seq.), including the acquisition or

1 condemnation of any real property or any facility or for
2 plant or facility acquisition, construction, or expansion,
3 and the purchase of not to exceed 4 passenger vehicles,
4 \$8,314,902,000, to remain available until expended.

5 DEFENSE NUCLEAR NONPROLIFERATION

6 For Department of Energy expenses, including the
7 purchase, construction, and acquisition of plant and cap-
8 ital equipment and other incidental expenses necessary for
9 defense nuclear nonproliferation activities, in carrying out
10 the purposes of the Department of Energy Organization
11 Act (42 U.S.C. 7101 et seq.), including the acquisition or
12 condemnation of any real property or any facility or for
13 plant or facility acquisition, construction, or expansion,
14 \$1,978,000,000, to remain available until expended.

15 NAVAL REACTORS

16 For Department of Energy expenses necessary for
17 naval reactors activities to carry out the Department of
18 Energy Organization Act (42 U.S.C. 7101 et seq.), includ-
19 ing the acquisition (by purchase, condemnation, construc-
20 tion, or otherwise) of real property, plant, and capital
21 equipment, facilities, and facility expansion,
22 \$1,208,000,000, to remain available until expended: *Pro-*
23 *vided*, That \$46,600,000 shall be available until Sep-
24 tember 30, 2016, for program direction.

1 FEDERAL SALARIES AND EXPENSES

2 For necessary expenses for Federal Salaries and Ex-
3 penses (previously the Office of the Administrator) in the
4 National Nuclear Security Administration, \$390,000,000,
5 to remain available until September 30, 2016, including
6 official reception and representation expenses not to ex-
7 ceed \$12,000.

8 ENVIRONMENTAL AND OTHER DEFENSE

9 ACTIVITIES

10 DEFENSE ENVIRONMENTAL CLEANUP

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 environmental cleanup activities in car-
15 rying out the purposes of the Department of Energy Orga-
16 nization Act (42 U.S.C. 7101 et seq.), including the acqui-
17 sition or condemnation of any real property or any facility
18 or for plant or facility acquisition, construction, or expan-
19 sion, and the purchase of not to exceed one sport utility
20 vehicle, one heavy duty truck, two ambulances, and one
21 ladder fire truck for replacement only, \$5,101,971,000, to
22 remain available until expended: *Provided*, That
23 \$280,784,000 shall be available until September 30, 2016,
24 for program direction.

1 DEFENSE URANIUM ENRICHMENT DECONTAMINATION
2 AND DECOMMISSIONING

3 For an additional amount for atomic energy of de-
4 fense environmental cleanup activities for Department of
5 Energy contributions for uranium enrichment decon-
6 tamination and decommissioning activities, \$463,000,000,
7 to be deposited into the Defense Environmental Cleanup
8 account which shall be transferred to the “Uranium En-
9 richment Decontamination and Decommissioning Fund”.

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, \$753,000,000, to remain available
20 until expended: *Provided*, That \$210,607,000 shall be
21 available until September 30, 2016, for program direction.

22 POWER MARKETING ADMINISTRATION

23 BONNEVILLE POWER ADMINISTRATION FUND

24 Expenditures from the Bonneville Power Administra-
25 tion Fund, established pursuant to Public Law 93-454,

1 are approved for the Black Canyon Trout Hatchery and,
2 in addition, for official reception and representation ex-
3 penses in an amount not to exceed \$5,000: *Provided*, That
4 during fiscal year 2015, no new direct loan obligations
5 may be made.

6 OPERATION AND MAINTENANCE, SOUTHEASTERN POWER
7 ADMINISTRATION

8 For necessary expenses of operation and maintenance
9 of power transmission facilities and of marketing electric
10 power and energy, including transmission wheeling and
11 ancillary services, pursuant to section 5 of the Flood Con-
12 trol Act of 1944 (16 U.S.C. 825s), as applied to the south-
13 eastern power area, \$7,220,000, including official recep-
14 tion and representation expenses in an amount not to ex-
15 ceed \$1,500, to remain available until expended: *Provided*,
16 That notwithstanding 31 U.S.C. 3302 and section 5 of
17 the Flood Control Act of 1944, up to \$7,220,000 collected
18 by the Southeastern Power Administration from the sale
19 of power and related services shall be credited to this ac-
20 count as discretionary offsetting collections, to remain
21 available until expended for the sole purpose of funding
22 the annual expenses of the Southeastern Power Adminis-
23 tration: *Provided further*, That the sum herein appro-
24 priated for annual expenses shall be reduced as collections
25 are received during the fiscal year so as to result in a final

1 fiscal year 2015 appropriation estimated at not more than
2 \$0: *Provided further*, That, notwithstanding 31 U.S.C.
3 3302, up to \$73,579,000 collected by the Southeastern
4 Power Administration pursuant to the Flood Control Act
5 of 1944 to recover purchase power and wheeling expenses
6 shall be credited to this account as offsetting collections,
7 to remain available until expended for the sole purpose
8 of making purchase power and wheeling expenditures:
9 *Provided further*, That for purposes of this appropriation,
10 annual expenses means expenditures that are generally re-
11 covered in the same year that they are incurred (excluding
12 purchase power and wheeling expenses).

13 OPERATION AND MAINTENANCE, SOUTHWESTERN

14 POWER ADMINISTRATION

15 For necessary expenses of operation and maintenance
16 of power transmission facilities and of marketing electric
17 power and energy, for construction and acquisition of
18 transmission lines, substations and appurtenant facilities,
19 and for administrative expenses, including official recep-
20 tion and representation expenses in an amount not to ex-
21 ceed \$1,500 in carrying out section 5 of the Flood Control
22 Act of 1944 (16 U.S.C. 825s), as applied to the South-
23 western Power Administration, \$46,240,000, to remain
24 available until expended: *Provided*, That notwithstanding
25 31 U.S.C. 3302 and section 5 of the Flood Control Act

1 of 1944 (16 U.S.C. 825s), up to \$34,840,000 collected
2 by the Southwestern Power Administration from the sale
3 of power and related services shall be credited to this ac-
4 count as discretionary offsetting collections, to remain
5 available until expended, for the sole purpose of funding
6 the annual expenses of the Southwestern Power Adminis-
7 tration: *Provided further*, That the sum herein appro-
8 priated for annual expenses shall be reduced as collections
9 are received during the fiscal year so as to result in a final
10 fiscal year 2015 appropriation estimated at not more than
11 \$11,400,000: *Provided further*, That, notwithstanding 31
12 U.S.C. 3302, up to \$53,000,000 collected by the South-
13 western Power Administration pursuant to the Flood Con-
14 trol Act of 1944 to recover purchase power and wheeling
15 expenses shall be credited to this account as offsetting col-
16 lections, to remain available until expended for the sole
17 purpose of making purchase power and wheeling expendi-
18 tures: *Provided further*, That, for purposes of this appro-
19 priation, annual expenses means expenditures that are
20 generally recovered in the same year that they are in-
21 curred (excluding purchase power and wheeling expenses).

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

4 For carrying out the functions authorized by title III,
5 section 302(a)(1)(E) of the Act of August 4, 1977 (42
6 U.S.C. 7152), and other related activities including con-
7 servation and renewable resources programs as author-
8 ized, \$304,402,000, including official reception and rep-
9 resentation expenses in an amount not to exceed \$1,500,
10 to remain available until expended, of which \$296,321,000
11 shall be derived from the Department of the Interior Rec-
12 lamation Fund: *Provided*, That notwithstanding 31 U.S.C.
13 3302, section 5 of the Flood Control Act of 1944 (16
14 U.S.C. 825s), and section 1 of the Interior Department
15 Appropriation Act, 1939 (43 U.S.C. 392a), up to
16 \$211,030,000 collected by the Western Area Power Ad-
17 ministration from the sale of power and related services
18 shall be credited to this account as discretionary offsetting
19 collections, to remain available until expended, for the sole
20 purpose of funding the annual expenses of the Western
21 Area Power Administration: *Provided further*, That the
22 sum herein appropriated for annual expenses shall be re-
23 duced as collections are received during the fiscal year so
24 as to result in a final fiscal year 2015 appropriation esti-
25 mated at not more than \$93,372,000, of which

1 \$85,291,000 is derived from the Reclamation Fund: *Pro-*
2 *vided further*, That, notwithstanding 31 U.S.C. 3302, up
3 to \$260,510,000 collected by the Western Area Power Ad-
4 ministration pursuant to the Flood Control Act of 1944
5 and the Reclamation Project Act of 1939 to recover pur-
6 chase power and wheeling expenses shall be credited to
7 this account as offsetting collections, to remain available
8 until expended for the sole purpose of making purchase
9 power and wheeling expenditures: *Provided further*, That,
10 for purposes of this appropriation, annual expenses means
11 expenditures that are generally recovered in the same year
12 that they are incurred (excluding purchase power and
13 wheeling expenses).

14 FALCON AND AMISTAD OPERATING AND MAINTENANCE
15 FUND

16 For operation, maintenance, and emergency costs for
17 the hydroelectric facilities at the Falcon and Amistad
18 Dams, \$4,727,000, to remain available until expended,
19 and to be derived from the Falcon and Amistad Operating
20 and Maintenance Fund of the Western Area Power Ad-
21 ministration, as provided in section 2 of the Act of June
22 18, 1954 (68 Stat. 255): *Provided*, That notwithstanding
23 the provisions of that Act and of 31 U.S.C. 3302, up to
24 \$4,499,000 collected by the Western Area Power Adminis-
25 tration from the sale of power and related services from

1 the Falcon and Amistad Dams shall be credited to this
2 account as discretionary offsetting collections, to remain
3 available until expended for the sole purpose of funding
4 the annual expenses of the hydroelectric facilities of these
5 Dams and associated Western Area Power Administration
6 activities: *Provided further*, That the sum herein appro-
7 priated for annual expenses shall be reduced as collections
8 are received during the fiscal year so as to result in a final
9 fiscal year 2015 appropriation estimated at not more than
10 \$228,000: *Provided further*, That for purposes of this ap-
11 propriation, annual expenses means expenditures that are
12 generally recovered in the same year that they are in-
13 curred: *Provided further*, That for fiscal year 2015, the
14 Administrator of the Western Area Power Administration
15 may accept up to \$802,000 in funds contributed by United
16 States power customers of the Falcon and Amistad Dams
17 for deposit into the Falcon and Amistad Operating and
18 Maintenance Fund, and such funds shall be available for
19 the purpose for which contributed in like manner as if said
20 sums had been specifically appropriated for such purpose:
21 *Provided further*, That any such funds shall be available
22 without further appropriation and without fiscal year limi-
23 tation for use by the Commissioner of the United States
24 Section of the International Boundary and Water Com-
25 mission for the sole purpose of operating, maintaining, re-

1 pairing, rehabilitating, replacing, or upgrading the hydro-
2 electric facilities at these Dams in accordance with agree-
3 ments reached between the Administrator, Commissioner,
4 and the power customers.

5 FEDERAL ENERGY REGULATORY COMMISSION

6 SALARIES AND EXPENSES

7 For necessary expenses of the Federal Energy Regu-
8 latory Commission to carry out the provisions of the De-
9 partment of Energy Organization Act (42 U.S.C. 7101 et
10 seq.), including services as authorized by 5 U.S.C. 3109,
11 the hire of passenger motor vehicles, \$327,277,000, in-
12 cluding official reception and representation expenses not
13 to exceed \$3,000, to remain available until expended: *Pro-*
14 *vided*, That notwithstanding any other provision of law,
15 not to exceed \$327,277,000 of revenues from fees and an-
16 nual charges, and other services and collections in fiscal
17 year 2015 shall be retained and used for necessary ex-
18 penses in this account, and shall remain available until
19 expended: *Provided further*, That the sum herein appro-
20 priated from the general fund shall be reduced as revenues
21 are received during fiscal year 2015 so as to result in a
22 final fiscal year 2015 appropriation from the general fund
23 estimated at not more than \$0.

1 GENERAL PROVISIONS—DEPARTMENT OF
2 ENERGY
3 (INCLUDING TRANSFER OF FUNDS)

4 SEC. 301. The unexpended balances of prior appro-
5 priations provided for activities in this Act may be avail-
6 able to the same appropriation accounts for such activities
7 established pursuant to this title. Available balances may
8 be merged with funds in the applicable established ac-
9 counts and thereafter may be accounted for as one fund
10 for the same time period as originally enacted.

11 SEC. 302. Funds appropriated by this or any other
12 Act, or made available by the transfer of funds in this
13 Act, for intelligence activities are deemed to be specifically
14 authorized by the Congress for purposes of section 504
15 of the National Security Act of 1947 (50 U.S.C. 414) dur-
16 ing fiscal year 2015 until the enactment of the Intelligence
17 Authorization Act for fiscal year 2015.

18 SEC. 303. None of the funds made available in this
19 title shall be used for the construction of facilities classi-
20 fied as high-hazard nuclear facilities under 10 CFR Part
21 830 unless independent oversight is conducted by the Of-
22 fice of Independent Enterprise Assessments to ensure the
23 project is in compliance with nuclear safety requirements.

24 SEC. 304. None of the funds made available in this
25 title may be used to approve critical decision-2 or critical

1 decision-3 under Department of Energy Order 413.3B, or
2 any successive departmental guidance, for construction
3 projects where the total project cost exceeds
4 \$100,000,000, until a separate independent cost estimate
5 has been developed for the project for that critical deci-
6 sion.

7 SEC. 305. (a) In this fiscal year, and in each subse-
8 quent fiscal year, any determination (including a deter-
9 mination made prior to the date of enactment of this Act)
10 by the Secretary pursuant to section 3112(d)(2)(B) of the
11 USEC Privatization Act (110 Stat. 1321–335), as amend-
12 ed, shall be valid for not more than 2 calendar years sub-
13 sequent to such determination.

14 (b) In this fiscal year, and in each subsequent fiscal
15 year, not less than 30 days prior to the provision of ura-
16 nium in any form the Secretary shall notify the House
17 and Senate Committees on Appropriations of the fol-
18 lowing:

19 (1) the amount of uranium to be provided;

20 (2) an estimate by the Secretary of the gross
21 fair market value of the uranium on the expected
22 date of the provision of the uranium;

23 (3) the expected date of the provision of the
24 uranium;

25 (4) the recipient of the uranium; and

1 (5) the value the Secretary expects to receive in
2 exchange for the uranium, including any adjust-
3 ments to the gross fair market value of the uranium.

4 (6) whether the uranium to be provided is en-
5 cumbered by any restriction pursuant to an inter-
6 national agreement or otherwise.

7 SEC. 306. Notwithstanding section 307 of Public Law
8 111–85, of the funds made available by the Department
9 of Energy for activities at Government-owned, contractor-
10 operated laboratories funded in this or any subsequent
11 Energy and Water Development Appropriations Act for
12 any fiscal year, the Secretary may authorize a specific
13 amount, not to exceed 6 percent of such funds, to be used
14 by such laboratories for laboratory directed research and
15 development.

16 SEC. 307. The Secretary of Energy shall submit to
17 the congressional defense committees (as defined in
18 U.S.C. 101(a)(16)), a report on each major warhead re-
19 furbishment program that reaches the Phase 6.3 milestone
20 that provides an analysis of alternatives which includes—

21 (1) a full description of alternatives considered
22 prior to the award of Phase 6.3;

23 (2) a comparison of the costs and benefits of
24 each of those alternatives, to include an analysis of

1 trade-offs among cost, schedule, and performance
2 objectives against each alternative considered;

3 (3) identification of the cost and risk of critical
4 technology elements associated with each alternative,
5 including technology maturity, integration risk, man-
6 ufacturing feasibility, and demonstration needs;

7 (4) identification of the cost and risk of addi-
8 tional capital asset and infrastructure capabilities
9 required to support production and certification of
10 each alternative;

11 (5) a comparative analysis of the risks, costs,
12 and scheduling needs for any military requirement
13 intended to enhance warhead safety, security, or
14 maintainability, including any requirement to con-
15 solidate and/or integrate warhead systems or mods
16 as compared to at least one other feasible refurbish-
17 ment alternative the Nuclear Weapons Council con-
18 siders appropriate; and

19 (6) a life-cycle cost estimate for the alternative
20 selected that details the overall cost, scope, and
21 schedule planning assumptions. For the B61-12 life
22 extension program, the life cycle cost estimate shall
23 include an analysis of reduced life cycle costs for Op-
24 tion 3b, including cost savings from consolidating
25 the different B61 variants.

1 SEC. 308. (a) DEFINITIONS.—In this section:

2 (1) AFFECTED INDIAN TRIBE.—The term “af-
3 fected Indian tribe” has the meaning given the term
4 in section 2 of the Nuclear Waste Policy Act of 1982
5 (42 U.S.C. 10101).

6 (2) HIGH-LEVEL RADIOACTIVE WASTE.—The
7 term “high-level radioactive waste” has the meaning
8 given the term in section 2 of the Nuclear Waste
9 Policy Act of 1982 (42 U.S.C. 10101).

10 (3) NUCLEAR WASTE FUND.—The term “Nu-
11 clear Waste Fund” means the Nuclear Waste Fund
12 established under section 302(c) of the Nuclear
13 Waste Policy Act of 1982 (42 U.S.C. 10222(c)).

14 (4) SECRETARY.—The term “Secretary” means
15 the Secretary of Energy.

16 (5) SPENT NUCLEAR FUEL.—The term “spent
17 nuclear fuel” has the meaning given the term in sec-
18 tion 2 of the Nuclear Waste Policy Act of 1982 (42
19 U.S.C. 10101).

20 (b) PILOT PROGRAM.—Notwithstanding any provi-
21 sion of the Nuclear Waste Policy Act of 1982 (42 U.S.C.
22 10101 et seq.), the Secretary is authorized, in the current
23 fiscal year and subsequent fiscal years, to conduct a pilot
24 program, through 1 or more private sector partners, to
25 license, construct, and operate 1 or more government or

1 privately owned consolidated storage facilities to provide
2 interim storage as needed for spent nuclear fuel and high-
3 level radioactive waste, with priority for storage given to
4 spent nuclear fuel located on sites without an operating
5 nuclear reactor.

6 (c) REQUESTS FOR PROPOSALS.—Not later than 120
7 days after the date of enactment of this Act, the Secretary
8 shall issue a request for proposals for cooperative agree-
9 ments—

10 (1) to obtain any license necessary from the
11 Nuclear Regulatory Commission for the construction
12 of 1 or more consolidated storage facilities;

13 (2) to demonstrate the safe transportation of
14 spent nuclear fuel and high-level radioactive waste,
15 as applicable; and

16 (3) to demonstrate the safe storage of spent nu-
17 clear fuel and high-level radioactive waste, as appli-
18 cable, at the 1 or more consolidated storage facilities
19 pending the construction and operation of deep geo-
20 logic disposal capacity for the permanent disposal of
21 the spent nuclear fuel.

22 (d) CONSENT-BASED APPROVAL.—Prior to siting a
23 consolidated storage facility pursuant to this section, the
24 Secretary shall enter into an agreement to host the facility
25 with—

1 (1) the Governor of the State;

2 (2) each unit of local government within the ju-
3 risdiction of which the facility is proposed to be lo-
4 cated; and

5 (3) each affected Indian tribe.

6 (e) APPLICABILITY.—In executing this section, the
7 Secretary shall comply with—

8 (1) all licensing requirements and regulations of
9 the Nuclear Regulatory Commission; and

10 (2) all other applicable laws (including regula-
11 tions).

12 (f) PILOT PROGRAM PLAN.—Not later than 120 days
13 after the date on which the Secretary issues the request
14 for proposals under subsection (c), the Secretary shall sub-
15 mit to Congress a plan to carry out this section that in-
16 cludes—

17 (1) an estimate of the cost of licensing, con-
18 structing, and operating a consolidated storage facil-
19 ity, including the transportation costs, on an annual
20 basis, over the expected lifetime of the facility;

21 (2) a schedule for—

22 (A) obtaining any license necessary to con-
23 struct and operate a consolidated storage facil-
24 ity from the Nuclear Regulatory Commission;

25 (B) constructing the facility;

1 (C) transporting spent fuel to the facility;

2 and

3 (D) removing the spent fuel and decom-

4 missioning the facility; and

5 (3) an estimate of the cost of any financial as-

6 sistance, compensation, or incentives proposed to be

7 paid to the host State, Indian tribe, or local govern-

8 ment;

9 (4) an estimate of any future reductions in the

10 damages expected to be paid by the United States

11 for the delay of the Department of Energy in accept-

12 ing spent fuel expected to result from the pilot pro-

13 gram;

14 (5) recommendations for any additional legisla-

15 tion needed to authorize and implement the pilot

16 program; and

17 (6) recommendations for a mechanism to en-

18 sure that any spent nuclear fuel or high-level radio-

19 active waste stored at a consolidated storage facility

20 pursuant to this section shall move to deep geologic

21 disposal capacity, following a consent-based approval

22 process for that deep geologic disposal capacity con-

23 sistent with subsection (d), within a reasonable time

24 after the issuance of a license to construct and oper-

25 ate the consolidated storage facility.

1 (g) PUBLIC PARTICIPATION.—Prior to choosing a
2 site for the construction of a consolidated storage facility
3 under this section, the Secretary shall conduct 1 or more
4 public hearings in the vicinity of each potential site and
5 in at least 1 other location within the State in which the
6 site is located to solicit public comments and recommenda-
7 tions.

8 (h) USE OF NUCLEAR WASTE FUND.—The Secretary
9 may make expenditures from the Nuclear Waste Fund to
10 carry out this section, subject to appropriations.

11 SEC. 309. (a) DOMESTIC URANIUM ENRICHMENT.—

12 (1) None of the funds appropriated by this or
13 any other Act or that may be available to the De-
14 partment of Energy may be used to build a train of
15 centrifuges using domestic enrichment technology
16 for national security needs in fiscal year 2015.

17 (2) Of the \$110,000,000 appropriated under
18 “Weapons Activities” for domestic uranium enrich-
19 ment, only \$55,000,000 shall be made available until
20 the Secretary of Energy submits to the Appropria-
21 tions Committees of the House and Senate—

22 (A) an inventory of all unobligated en-
23 riched uranium available to the Department of
24 Energy for defense purposes;

1 (B) an assessment of why the current in-
2 ventory of available unobligated enriched ura-
3 nium is not sufficient to meet defense needs;

4 (C) a cost-benefit analysis of each of the
5 options available to supply enriched uranium
6 for defense purposes, including new bilateral
7 agreements; and

8 (D) if deemed necessary for national secu-
9 rity needs, a determination by the Secretary of
10 Energy that building a national security train is
11 the lowest cost option that meets national secu-
12 rity requirements.

13 SEC. 310. For fiscal year 2015, section 1802 of the
14 Atomic Energy Act of 1954 (42 U.S.C. 2297g-1) shall
15 be applied as follows:

16 (a) in subsection (c):

17 (1) as if “only to the extent provided in advance
18 in appropriations Acts” were inserted after “utili-
19 ties”;

20 (2) as if “Amounts authorized to be collected
21 pursuant to this section shall be deposited in the
22 Fund and credited as offsetting receipts.” were in-
23 serted as the second sentence; and

24 (3) by substituting “\$200,000,000” for
25 “\$150,000,000”;

1 (b) in subsection (e), by substituting “September 30,
2 2015.” for all that follows beginning with “the earlier of—
3 ”.

4 SEC. 311. (a) DEFINITIONS.—In this section:

5 (1) ALTERNATIVE FUEL.—The term “alter-
6 native fuel” has the meaning given the term in sec-
7 tion 400AA(g) of the Energy Policy and Conserva-
8 tion Act (42 U.S.C. 6374(g)).

9 (2) ALTERNATIVE FUEL INFRASTRUCTURE.—
10 The term “alternative fuel infrastructure” means
11 any ancillary equipment necessary to provide alter-
12 native fuel to vehicles.

13 (3) COVERED INDIVIDUAL.—The term “covered
14 individual” means—

15 (A) any employee (as defined in section
16 2105 of title 5, United States Code);

17 (B) a member of a uniformed service;

18 (C) any other individual who performs
19 services for or on behalf of a Federal agency
20 under a contract or subcontract with a Federal
21 agency; or

22 (D) a visitor to a Federal agency or facil-
23 ity.

24 (4) FEDERAL AGENCY.—

1 (A) IN GENERAL.—The term “Federal
2 agency” has the meaning given the term in sec-
3 tion 1004 of the Solid Waste Disposal Act (42
4 U.S.C. 6903).

5 (B) INCLUSION.—The term “Federal agen-
6 cy” includes the Executive Office of the Presi-
7 dent.

8 (b) AUTHORITY.—

9 (1) IN GENERAL.—Subject to the availability of
10 appropriations and paragraph (2), the head of a
11 Federal agency may—

12 (A) construct, operate, and maintain alter-
13 native fuel infrastructure on property under the
14 jurisdiction of the Federal agency; and

15 (B) provide alternative fuel on a reimburs-
16 able basis on property under the jurisdiction of
17 the Federal agency for use by privately owned
18 vehicles used by covered individuals.

19 (2) LIMITATION.—A Federal agency may not
20 provide compensation, benefits, or any other pay-
21 ment to a covered individual for the purpose of pur-
22 chasing alternative fuel under paragraph (1).

23 (c) FEES.—The head of a Federal agency shall
24 charge fees for alternative fuel provided to covered individ-

1 uals sufficient to cover the costs of only the alternative
2 fuel provided under this section.

3 (d) DEPOSIT AND AVAILABILITY OF FEES AND COM-
4 MISSIONS.—Any fees or commissions collected by the head
5 of a Federal agency under this section—

6 (1) shall be—

7 (A) deposited monthly into the account of
8 the Treasury from which the amounts were
9 made available to carry out this section, not-
10 withstanding section 3302(b) of title 31, United
11 States Code; and

12 (B) transferred from the Treasury to an
13 appropriate account of the agency if the agency
14 operates with a budget outside of the Treasury;
15 and

16 (2) shall be available for obligation by the head
17 of the Federal agency without further appropriation
18 during—

19 (A) the fiscal year collected; and

20 (B) the fiscal year following the fiscal year
21 collected.

22 (e) REPORTS.—

23 (1) IN GENERAL.—Not later than 30 days after
24 the end of each fiscal year, the head of each Federal
25 agency participating in the activities authorized by

1 subsection (b) shall submit to the Administrator of
2 General Services a report on the financial adminis-
3 tration of activities carried out under this section
4 with respect to that fiscal year.

5 (2) REPORT TO CONGRESS.—Not later than 3
6 years after the date of enactment of this Act and
7 every 5 years thereafter, the Administrator of Gen-
8 eral Services, in consultation with the Secretary,
9 shall submit to the appropriate committees of Con-
10 gress, including the Committee on Appropriations of
11 the Senate and the Committee on Appropriations of
12 the House of Representatives, a report that—

13 (A) aggregates the information provided by
14 the heads of Federal agencies in the annual re-
15 ports under paragraph (1); and

16 (B) provides information on whether the
17 fees collected under subsection (c) are sufficient
18 to cover the cost to the head of a Federal agen-
19 cy of carrying out this section.

20 SEC. 312. (a) PRIOR NOTIFICATION OF SPR
21 DRAWDOWNS.—As soon as practicable after making an
22 exchange, and as soon as practicable prior to making a
23 drawdown, or not less than 30 days prior to a test draw-
24 down, of petroleum in excess of 500,000 barrels from the
25 Strategic Petroleum Reserve, the Secretary shall provide

1 notice of such drawdown to the Committees on Appropria-
2 tions of the U.S. House of Representatives and the United
3 States Senate, which shall include at a minimum—

4 (1) the justification for the drawdown, including
5 a specific description of any obligation under inter-
6 national energy agreements;

7 (2) the provisions of law (including regulations)
8 authorizing the drawdown;

9 (3) the number of barrels of petroleum pro-
10 posed to be withdrawn;

11 (4) the location of the Strategic Petroleum Re-
12 serve site or sites from which the petroleum are pro-
13 posed to be withdrawn;

14 (5) a good faith estimate of the expected pro-
15 ceeds from the sale of the petroleum;

16 (6) an estimate of the total inventories of petro-
17 leum in the Strategic Petroleum Reserve after the
18 anticipated drawdown; and

19 (7) a detailed plan for disposition of the pro-
20 ceeds after deposit into the Strategic Petroleum Re-
21 serve Petroleum Account.

22 (b) POST-SALE NOTIFICATION.—Upon the execution
23 of all contract awards associated with the competitive sale,
24 the Secretary shall notify the Committee on Appropria-
25 tions of the U.S. House of Representatives and the United

1 States Senate of the actual value of the proceeds from the
2 sale.

3 (c) REPORT ON REFINED PETROLEUM PRODUCTS.—

4 Prior to acquiring, under existing authorities, any refined
5 petroleum products for inclusion in the Strategic Petro-
6 leum Reserve, the Secretary shall submit to the Commit-
7 tees on Appropriations of the U.S. House of Representa-
8 tives and the United States Senate—

9 (1) a detailed plan including—

10 (A) justification for acquiring refined petro-
11 leum product;

12 (B) funding sources for storing the refined
13 petroleum products, including both mandatory
14 and discretionary sources;

15 (C) the length of time the refined products
16 reserve will exist;

17 (D) geographic regions for the storage of
18 the refined petroleum products; and

19 (E) conditions upon which refined petro-
20 leum products may be released;

21 (2) the report required in Public Law 111–8
22 (123 Stat. 617) regarding the expansion of the re-
23 serve on the domestic petroleum market.

24 SEC. 313. (a) Unobligated balances available from
25 prior year appropriations are hereby permanently re-

1 rescinded from the following accounts of the Department of
2 Energy in the specified amounts:

3 (1) “Energy Programs—Energy Efficiency and
4 Renewable Energy”, \$18,965,000.

5 (2) “Energy Programs—Electricity Delivery
6 and Energy Reliability”, \$4,851,000.

7 (3) “Energy Programs—Nuclear Energy”,
8 \$1,046,000.

9 (4) “Energy Programs—Fossil Energy Re-
10 search and Development”, \$9,905,000.

11 (5) “Energy Programs—Science”, \$7,022,000.

12 (6) “Energy Programs—Advanced Research
13 Projects Agency—Energy”, \$619,000.

14 (7) “Energy Programs—Nuclear Waste Dis-
15 posal”, \$4,068,000.

16 (8) “Atomic Energy Defense Activities—Na-
17 tional Nuclear Security Administration—Weapons
18 Activities”, \$13,038,000.

19 (9) “Atomic Energy Defense Activities—Na-
20 tional Nuclear Security Administration—Federal
21 Salaries and Expenses”, \$2,678,000.

22 (10) “Atomic Energy Defense Activities—De-
23 fense Nuclear Waste Disposal”, \$2,157,000.

24 (b) No amounts may be rescinded by this section
25 from amounts that were designated by the Congress as

1 an emergency requirement pursuant to a concurrent reso-
2 lution on the budget or the Balanced Budget and Emer-
3 gency Deficit Control Act of 1985.

4 TITLE IV

5 INDEPENDENT AGENCIES

6 APPALACHIAN REGIONAL COMMISSION

7 For expenses necessary to carry out the programs au-
8 thorized by the Appalachian Regional Development Act of
9 1965, notwithstanding 40 U.S.C. 14704, and for nec-
10 essary expenses for the Federal Co-Chairman and the Al-
11 ternate on the Appalachian Regional Commission, for pay-
12 ment of the Federal share of the administrative expenses
13 of the Commission, including services as authorized by 5
14 U.S.C. 3109, and hire of passenger motor vehicles,
15 \$80,000,000, to remain available until expended.

16 DEFENSE NUCLEAR FACILITIES SAFETY BOARD

17 SALARIES AND EXPENSES

18 For expenses necessary for the Defense Nuclear Fa-
19 cilities Safety Board in carrying out activities authorized
20 by the Atomic Energy Act of 1954, as amended by Public
21 Law 100–456, section 1441, \$28,000,000, to remain
22 available until September 30, 2016.

1 DELTA REGIONAL AUTHORITY

2 SALARIES AND EXPENSES

3 For expenses necessary of the Delta Regional Author-
4 ity and to carry out its activities, as authorized by the
5 Delta Regional Authority Act of 2000, notwithstanding
6 sections 382C(b)(2), 382F(d), 382M, and 382N of said
7 Act, \$12,000,000, to remain available until expended.

8 DENALI COMMISSION

9 For expenses of the Denali Commission including the
10 purchase, construction, and acquisition of plant and cap-
11 ital equipment as necessary and other expenses,
12 \$10,000,000, to remain available until expended, notwith-
13 standing the limitations contained in section 306(g) of the
14 Denali Commission Act of 1998: *Provided*, That funds
15 shall be available for construction projects in an amount
16 not to exceed 80 percent of total project cost for distressed
17 communities, as defined by section 307 of the Denali Com-
18 mission Act of 1998 (division C, title III, Public Law 105-
19 277), as amended by section 701 of appendix D, title VII,
20 Public Law 106-113 (113 Stat. 1501A-280), and an
21 amount not to exceed 50 percent for non-distressed com-
22 munities.

23 NORTHERN BORDER REGIONAL COMMISSION

24 For expenses necessary of the Northern Border Re-
25 gional Commission in carrying out activities authorized by

1 subtitle V of title 40, United States Code, \$5,000,000, to
2 remain available until expended: *Provided*, That such
3 amounts shall be available for administrative expenses,
4 notwithstanding section 15751(b) of title 40, United
5 States Code.

6 NUCLEAR REGULATORY COMMISSION

7 SALARIES AND EXPENSES

8 For expenses necessary of the Commission in car-
9 rying out the purposes of the Energy Reorganization Act
10 of 1974 and the Atomic Energy Act of 1954,
11 \$1,047,433,000, including official representation expenses
12 not to exceed \$25,000, to remain available until expended:
13 *Provided*, That of the amount appropriated herein, not
14 more than \$9,500,000 may be made available for salaries,
15 travel, and other support costs for the Office of the Com-
16 mission, to remain available until September 30, 2016:
17 *Provided further*, That revenues from licensing fees, in-
18 spection services, and other services and collections esti-
19 mated at \$925,155,000 in fiscal year 2015 shall be re-
20 tained and used for necessary salaries and expenses in this
21 account, notwithstanding 31 U.S.C. 3302, and shall re-
22 main available until expended: *Provided further*, That the
23 sum herein appropriated shall be reduced by the amount
24 of revenues received during fiscal year 2015 so as to result

1 in a final fiscal year 2015 appropriation estimated at not
2 more than \$122,278,000.

3 OFFICE OF INSPECTOR GENERAL

4 For expenses necessary of the Office of Inspector
5 General in carrying out the provisions of the Inspector
6 General Act of 1978, \$12,071,000, to remain available
7 until September 30, 2016: *Provided*, That revenues from
8 licensing fees, inspection services, and other services and
9 collections estimated at \$10,099,000 in fiscal year 2015
10 shall be retained and be available until September 30,
11 2016, for necessary salaries and expenses in this account,
12 notwithstanding section 3302 of title 31, United States
13 Code: *Provided further*, That the sum herein appropriated
14 shall be reduced by the amount of revenues received dur-
15 ing fiscal year 2015 so as to result in a final fiscal year
16 2015 appropriation estimated at not more than
17 \$1,972,000: *Provided further*, That, of the amounts appro-
18 priated under this heading, \$850,000 shall be for Inspec-
19 tor General services for the Defense Nuclear Facilities
20 Safety Board, which shall not be available from fee reve-
21 nues: *Provided further*, That, notwithstanding any other
22 provision of law, the Inspector General of the Nuclear
23 Regulatory Commission is authorized to exercise the same
24 authorities with respect to the Defense Nuclear Facilities
25 Safety Board, as determined by the Inspector General of

1 the Nuclear Regulatory Commission, as the Inspector
2 General exercises under the Inspector General Act of 1978
3 (5 U.S.C. App.) with respect to the Nuclear Regulatory
4 Commission.

5 NUCLEAR WASTE TECHNICAL REVIEW BOARD

6 SALARIES AND EXPENSES

7 For expenses necessary of the Nuclear Waste Tech-
8 nical Review Board, as authorized by Public Law 100-
9 203, section 5051, \$3,400,000, to be derived from the Nu-
10 clear Waste Fund, to remain available until September 30,
11 2016.

12 GENERAL PROVISIONS—INDEPENDENT

13 AGENCIES

14 SEC. 401. The Nuclear Regulatory Commission shall
15 comply with the July 5, 2011, version of Chapter VI of
16 its Internal Commission Procedures when responding to
17 Congressional requests for information.

18 SEC. 402. (a) REDUCING AND PROTECTING VULNER-
19 ABLE RADIOLOGICAL MATERIAL.—The Nuclear Regu-
20 latory Commission (NRC) shall establish mandatory secu-
21 rity standards for all equipment located within the United
22 States using High Risk Radiological Material to be en-
23 forced at all sites in the United States no later than 5
24 years from the enactment of this Act.

1 (1) The Commission shall adopt and publish
2 new mandatory security standards using the security
3 criteria established by the National Nuclear Security
4 Administration (NNSA) Global Threat Reduction
5 Initiative (GTRI) for all devices located within the
6 United States using High Risk Radiological Mate-
7 rial.

8 (2) The Commission shall actively enforce
9 NNSA GTRI security standards with inspections
10 that occur at least once every 2 years at every site
11 with High Risk Radiological Material.

12 (3) The Commission shall work with NNSA
13 GTRI to review the security standards at least every
14 5 years to determine if any amendments need to be
15 made to those standards.

16 (4) NNSA GTRI in collaboration with NRC
17 shall establish and implement a training program
18 designed for Commission and NRC Agreement State
19 inspectors to ensure proper enforcement of the secu-
20 rity standards.

21 (5) NNSA GTRI shall continue to implement a
22 training and exercise program designed for operators
23 and local law enforcement to ensure proper response
24 to security events.

1 (6) The term “High Risk Radiological Mate-
2 rial” means the 14 radionuclides identified by the
3 Interagency Task Force on Radiation Source Protec-
4 tion and Security in its 2010 Radiation Source Pro-
5 tection and Security Task Force Report (August 11,
6 2010) with activity levels of 10 Curies or greater.
7 These High Risk Radiological Materials pose a
8 greater threat to the public and the environment and
9 could also pose a potentially more significant secu-
10 rity risk.

11 (b) IN-DEVICE DELAY MECHANISMS.—The NRC
12 shall require all new devices with High Risk Radiological
13 Material to be assessed by NNSA GTRI for adequate
14 delay against a potential theft or sabotage before these
15 devices can be sold and used in the United States.

16 (1) For new devices with High Risk Radio-
17 logical Material that NNSA GTRI determines do not
18 have adequate built-in delay, NNSA GTRI shall
19 work with the vendor to develop improved delay into
20 the device.

21 (2) The NRC shall require any operators pro-
22 curing new devices with High Risk Radiological Ma-
23 terial to only use those devices with enhanced delay
24 approved by NNSA GTRI or implemented in con-
25 junction with NNSA GTRI.

1 (3) NNSA GTRI and NRC should continue to
2 collaborate on the implementation of retrofitting ex-
3 isting irradiators with In-Device Delay kits.

4 (c) During the 5-year period NRC develops and im-
5 plements new minimum security standards, facilities with
6 High Risk Radiological Material will have the option to
7 receive NNSA GTRI support to implement security en-
8 hancements and NNSA GTRI security enhancements
9 should be offered on a cost share arrangement, whereby,
10 NNSA GTRI provides no more than 50 percent of the
11 total costs.

12 After the 5-year period, facilities with High-Risk Ra-
13 dioactive Material will be required to implement and main-
14 tain security enhancements at their own cost.

15 (d) REPLACEMENT TECHNOLOGIES.—NNSA GTRI
16 shall create a program to explore the use of non-radio-
17 active or very short-lived radioactive replacement tech-
18 nologies for devices that use High Risk Radioactive Mate-
19 rials including but not limited to blood irradiators, re-
20 search irradiators, gamma knife devices, teletherapy de-
21 vices, and well logging devices.

22 If a facility already using a device with High Risk
23 Radioactive Material wants to replace it with non-radio-
24 logical or short-lived radiological devices, NNSA GTRI
25 shall replace devices that use High Risk Radioactive Mate-

1 rial with non-radioactive replacement technologies under
2 a cost sharing arrangement with the private sector where
3 the NNSA GTRI pays up to 50 percent of the cost of
4 replacement.

5 (e) LIFECYCLE MANAGEMENT.—The NRC shall re-
6 quire device licensees to provide adequate financial assur-
7 ances through appropriate mechanisms, including bonding
8 and deposits, to ensure that High Risk Radiological Mate-
9 rials sold by the device manufacturer to be used in its
10 equipment will be recovered and properly disposed at the
11 end of the useful life of the material.

12 (f) LICENSING OF RADIOLOGICAL SOURCES.—The
13 NRC shall discontinue licensing for each application of
14 new high-risk radiological sources as soon as is prac-
15 ticable, but in no event later than 15 years after the date
16 of enactment of this Act, unless non-radioactive or very
17 short-lived radioactive replacement technologies are not
18 available.

19 No later than 1 year after enactment of this Act, the
20 NRC shall require all new licensees seeking high-risk radi-
21 ological sources and current licensees seeking to replace
22 high-risk radiological sources to conduct a feasibility re-
23 view of non-radioactive or very short-lived radioactive al-
24 ternatives available on the market and provide a justifica-

1 tion for requesting a high-risk radiological source if non-
2 radioactive alternatives are not available.

3 (g) REPORTING.—Not later than 1 year after enact-
4 ment of this Act, and annually thereafter for an additional
5 5 years, the Chairman of the NRC and the Administrator
6 of the National Nuclear Security Administration shall sub-
7 mit a joint report to the Committees on Appropriations
8 of the House of Representatives and the Senate on:

9 (1) Progress made towards finalizing the new
10 NRC security standards;

11 (2) The number of buildings with security up-
12 grades meeting the NNSA GTRI standards;

13 (3) The number of NRC and Agreement State
14 inspectors trained and certified;

15 (4) The number of irradiators in the United
16 States with installed in-device delay mechanisms and
17 the progress made on developing and implementing
18 new in-device delay mechanisms;

19 (5) The number of devices for which replace-
20 ment technologies have been implemented to replace
21 High Risk Radiological Materials, and the total
22 amount of costs incurred by NNSA GTRI to imple-
23 ment these replacements; and

24 (6) Progress on implementing financial assur-
25 ances.

1 SEC. 403. For this fiscal year, and each fiscal year
2 hereafter, each independent agency receiving funding
3 under this Title shall submit to the Committees on Appro-
4 priations of the U.S. House of Representatives and United
5 States Senate a Congressional Budget Justification and
6 a detailed annual report.

7 **TITLE V**

8 **GENERAL PROVISIONS**

9 SEC. 501. None of the funds appropriated by this Act
10 may be used in any way, directly or indirectly, to influence
11 congressional action on any legislation or appropriation
12 matters pending before Congress, other than to commu-
13 nicate to Members of Congress as described in 18 U.S.C.
14 1913.

15 SEC. 502. (a) None of the funds made available in
16 title III of this Act may be transferred to any department,
17 agency, or instrumentality of the United States Govern-
18 ment, except pursuant to a transfer made by or transfer
19 authority provided in this Act or any other appropriations
20 Act for any fiscal year, transfer authority referenced in
21 the explanatory statement described in section 4 (in the
22 matter preceding division A of this consolidated Act), or
23 any authority whereby a department, agency, or instru-
24 mentality of the United States Government may provide

1 goods or services to another department, agency, or in-
2 strumentality.

3 (b) None of the funds made available for any depart-
4 ment, agency, or instrumentality of the United States
5 Government may be transferred to accounts funded in title
6 III of this Act, except pursuant to a transfer made by or
7 transfer authority provided in this Act or any other appro-
8 priations Act for any fiscal year, transfer authority ref-
9 erenced in the explanatory statement described in section
10 4 (in the matter preceding division A of this consolidated
11 Act), or any authority whereby a department, agency, or
12 instrumentality of the United States Government may
13 provide goods or services to another department, agency,
14 or instrumentality.

15 (c) The head of any relevant department or agency
16 funded in this Act utilizing any transfer authority shall
17 submit to the Committees on Appropriations of the House
18 of Representatives and the Senate a semiannual report de-
19 tailing the transfer authorities, except for any authority
20 whereby a department, agency, or instrumentality of the
21 United States Government may provide goods or services
22 to another department, agency, or instrumentality, used
23 in the previous 6 months and in the year-to-date. This
24 report shall include the amounts transferred and the pur-
25 poses for which they were transferred, and shall not re-

1 place or modify existing notification requirements for each
2 authority.

3 SEC. 503. None of the funds made available by this
4 Act may be used in contravention of Executive Order No.
5 12898 of February 11, 1994 (Federal Actions to Address
6 Environmental Justice in Minority Populations and Low-
7 Income Populations).

8 This Act may be cited as the “Energy and Water De-
9 velopment and Related Agencies Appropriations Act,
10 2015”.

[COMMITTEE PRINT]

Calendar No. 000

113TH CONGRESS
2^D Session

S. 0000

[Report No. 113-000]

A BILL

Making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2015, and for other purposes.

JUNE 00, 2014

Read twice and placed on the calendar