

Calendar No. 469118TH CONGRESS
2^D SESSION**S. 4927****[Report No. 118–205]**

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

IN THE SENATE OF THE UNITED STATES

AUGUST 1, 2024

Mrs. MURRAY, 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, 2025, 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
4 money in the Treasury not otherwise appropriated, for en-
5 ergy and water development and related agencies for the
6 fiscal year ending September 30, 2025, and for other pur-
7 poses, namely:

1 TITLE I
2 CORPS OF ENGINEERS—CIVIL
3 DEPARTMENT OF THE ARMY
4 CORPS OF ENGINEERS—CIVIL

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

11 INVESTIGATIONS

12 For expenses necessary where authorized by law for
13 the collection and study of basic information pertaining
14 to river and harbor, flood and storm damage reduction,
15 shore protection, aquatic ecosystem restoration, and re-
16 lated needs; for surveys and detailed studies, and plans
17 and specification of proposed river and harbor, flood and
18 storm damage reduction, shore protection, and aquatic
19 ecosystem restoration projects, and related efforts prior to
20 construction, for restudy of authorized projects; and for
21 miscellaneous investigations, and, when authorized by law,
22 surveys and detailed studies, and plans and specifications
23 of projects prior to construction, \$107,800,000, to remain
24 available until expended: *Provided*, That the Secretary
25 shall not deviate from the work plan, once the plan has

1 been submitted to the Committees on Appropriations of
2 both Houses of Congress.

3 PLANNING, ENGINEERING, AND DESIGN

4 For expenses necessary for conducting surveys and
5 detailed studies, and plans and specifications, prior to con-
6 struction of river and harbor, flood and storm damage re-
7 duction, shore protection, aquatic ecosystem restoration,
8 and related projects authorized by law (including those in-
9 volving participation by States, local governments, or pri-
10 vate groups) or made eligible for selection by law (but such
11 detailed studies, and plans and specifications, shall not
12 constitute a commitment of the Government to construc-
13 tion), \$200,000,000, to remain available until expended:
14 *Provided*, That the Secretary shall not deviate from the
15 work plan, once the plan has been submitted to the Com-
16 mittees on Appropriations of both Houses of Congress.

17 CONSTRUCTION

18 For expenses necessary for the construction of river
19 and harbor, flood and storm damage reduction, shore pro-
20 tection, aquatic ecosystem restoration, and related
21 projects authorized by law; for conducting and completing
22 detailed studies, and plans and specifications, of such
23 projects (including those involving participation by States,
24 local governments, or private groups) authorized or made
25 eligible for selection by law (but such detailed studies, and

1 plans and specifications, shall not constitute a commit-
2 ment of the Government to construction); \$2,979,041,000,
3 to remain available until expended; of which \$77,900,000,
4 to be derived from the Harbor Maintenance Trust Fund,
5 shall be to cover the Federal share of construction costs
6 for facilities under the Dredged Material Disposal Facili-
7 ties program; and of which such sums as are necessary
8 to cover 35 percent of the costs of construction, replace-
9 ment, rehabilitation, and expansion of inland waterways
10 projects shall be derived from the Inland Waterways Trust
11 Fund, except as otherwise specifically provided for in law:
12 *Provided*, That the Secretary shall not deviate from the
13 work plan, once the plan has been submitted to the Com-
14 mittees on Appropriations of both Houses of Congress.

15 MISSISSIPPI RIVER AND TRIBUTARIES

16 For expenses necessary for flood damage reduction
17 projects and related efforts in the Mississippi River allu-
18 vial valley below Cape Girardeau, Missouri, as authorized
19 by law, \$375,464,000, to remain available until expended,
20 of which \$6,215,000, to be derived from the Harbor Main-
21 tenance Trust Fund, shall be to cover the Federal share
22 of eligible operation and maintenance costs for inland har-
23 bors: *Provided*, That 10 percent of the total amount of
24 funds provided for each of the programs, projects, or ac-
25 tivities for operation and maintenance funded under this

1 heading shall not be allocated to a field operating activity
2 prior to the beginning of the fourth quarter of the fiscal
3 year and shall be available for use by the Chief of Engi-
4 neers to fund such emergency activities as the Chief of
5 Engineers determines to be necessary and appropriate,
6 and that the Chief of Engineers shall allocate during the
7 fourth quarter any remaining funds which have not been
8 used for emergency activities proportionally in accordance
9 with the amounts provided for the programs, projects, or
10 activities: *Provided further*, That the Secretary shall not
11 deviate from the work plan, once the plan has been sub-
12 mitted to the Committees on Appropriations of both
13 Houses of Congress.

14 OPERATION AND MAINTENANCE

15 (INCLUDING TRANSFER OF FUNDS)

16 For expenses necessary for the operation, mainte-
17 nance, and care of existing river and harbor, flood and
18 storm damage reduction, aquatic ecosystem restoration,
19 and related projects authorized by law; providing security
20 for infrastructure owned or operated by the Corps, includ-
21 ing administrative buildings and laboratories; maintaining
22 harbor channels provided by a State, municipality, or
23 other public agency that serve essential navigation needs
24 of general commerce, where authorized by law; surveying
25 and charting northern and northwestern lakes and con-

1 necting waters; clearing and straightening channels; and
2 removing obstructions to navigation, \$5,849,129,000, to
3 remain available until expended, of which \$3,002,885,000,
4 to be derived from the Harbor Maintenance Trust Fund,
5 shall be to cover the Federal share of eligible operations
6 and maintenance costs for coastal harbors and channels,
7 and for inland harbors, of which \$252,843,000, shall be
8 for the design and construction to replace Federal
9 dredges, in addition to amount otherwise made available
10 for such purposes, and shall be transferred to and merged
11 with funds available for such purposes in the revolving
12 fund established by the first section of the Act of July
13 27, 1953 (33 U.S.C. 576); of which such sums as become
14 available from the special account for the Corps of Engi-
15 neers established by the Land and Water Conservation
16 Fund Act of 1965 shall be derived from that account for
17 resource protection, research, interpretation, and mainte-
18 nance activities related to resource protection in the areas
19 at which outdoor recreation is available; of which such
20 sums as become available from fees collected under section
21 217 of Public Law 104–303 shall be used to cover the
22 cost of operation and maintenance of the dredged material
23 disposal facilities for which such fees have been collected;
24 and of which \$60,000,000, to be derived from the general
25 fund of the Treasury, shall be to carry out subsection (c)

1 of section 2106 of the Water Resources Reform and Devel-
2 opment Act of 2014 (33 U.S.C. 2238c) and shall be des-
3 ignated as being for such purpose pursuant to paragraph
4 (2) of section 14003 of division B of the Coronavirus Aid,
5 Relief, and Economic Security Act (Public Law 116–136):
6 *Provided*, That 1 percent of the total amount of funds pro-
7 vided for each of the programs, projects, or activities fund-
8 ed under this heading shall not be allocated to a field oper-
9 ating activity prior to the beginning of the fourth quarter
10 of the fiscal year and shall be available for use by the Chief
11 of Engineers to fund such emergency activities as the
12 Chief of Engineers determines to be necessary and appro-
13 priate, and that the Chief of Engineers shall allocate dur-
14 ing the fourth quarter any remaining funds which have
15 not been used for emergency activities proportionally in
16 accordance with the amounts provided for the programs,
17 projects, or activities: *Provided further*, That the Secretary
18 shall not deviate from the work plan, once the plan has
19 been submitted to the Committees on Appropriations of
20 both Houses of Congress.

21 REGULATORY PROGRAM

22 For expenses necessary for administration of laws
23 pertaining to regulation of navigable waters and wetlands,
24 \$224,000,000, to remain available until September 30,
25 2026.

1 FORMERLY UTILIZED SITES REMEDIAL ACTION PROGRAM

2 For expenses necessary to clean up contamination
3 from sites in the United States resulting from work per-
4 formed as part of the Nation's early atomic energy pro-
5 gram, \$325,000,000, to remain available until expended.

6 FLOOD CONTROL AND COASTAL EMERGENCIES

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

12 EXPENSES

13 For expenses necessary for the supervision and gen-
14 eral administration of the civil works program in the head-
15 quarters of the Corps of Engineers and the offices of the
16 Division Engineers; and for costs of management and op-
17 eration of the Humphreys Engineer Center Support Activ-
18 ity, the Institute for Water Resources, the United States
19 Army Engineer Research and Development Center, and
20 the United States Army Corps of Engineers Finance Cen-
21 ter allocable to the civil works program, \$224,000,000, to
22 remain available until September 30, 2026, of which not
23 to exceed \$5,000 may be used for official reception and
24 representation purposes and only during the current fiscal
25 year: *Provided*, That no part of any other appropriation

1 provided in this title shall be available to fund the civil
2 works activities of the Office of the Chief of Engineers
3 or the civil works executive direction and management ac-
4 tivities of the division offices: *Provided further*, That any
5 Flood Control and Coastal Emergencies appropriation
6 may be used to fund the supervision and general adminis-
7 tration of emergency operations, repairs, and other activi-
8 ties in response to any flood, hurricane, or other natural
9 disaster.

10 OFFICE OF THE ASSISTANT SECRETARY OF THE ARMY

11 FOR CIVIL WORKS

12 For the Office of the Assistant Secretary of the Army
13 for Civil Works as authorized by 10 U.S.C. 7016(b)(3),
14 \$5,500,000, to remain available until September 30, 2026:
15 *Provided*, That not more than 75 percent of such amount
16 may be obligated or expended until the Assistant Sec-
17 retary submits to the Committees on Appropriations of
18 both Houses of Congress the report required under section
19 101(d) of this Act and a work plan that allocates at least
20 95 percent of the additional funding provided under each
21 heading in the report accompanying this Act, to specific
22 programs, projects, or activities.

1 WATER INFRASTRUCTURE FINANCE AND INNOVATION
2 PROGRAM ACCOUNT

3 For the cost of direct loans and for the cost of guar-
4 anteed loans, as authorized by the Water Infrastructure
5 Finance and Innovation Act of 2014, \$5,000,000, to re-
6 main available until expended, for safety projects to main-
7 tain, upgrade, and repair dams identified in the National
8 Inventory of Dams with a primary owner type of state,
9 local government, public utility, or private: *Provided*, That
10 any activity that results in a decrease in the hazard or
11 a decrease in the potential consequences of poor perform-
12 ance of a dam structure listed on the National Inventory
13 of Dams with a primary owner type of state, local govern-
14 ment, public utility, or private shall be considered a safety
15 project eligible for funds provided under this heading for
16 that purpose by this or any prior Act: *Provided further*,
17 That any safety project for a dam identified in the Na-
18 tional Inventory of Dams with a primary owner type of
19 state, local government, public utility, or private shall be
20 eligible under section 5026(1)(A) of the Water Resources
21 Reform and Development Act of 2014 (Public Law 113–
22 121) (33 U.S.C. 3905(1)(A)) for funds provided under
23 this heading for that purpose by this or any prior Act:
24 *Provided further*, That no project may be funded with
25 amounts provided under this heading in this or any prior

1 Act for a dam that is identified as jointly owned in the
2 National Inventory of Dams and where one of those joint
3 owners is the Federal Government: *Provided further*, That
4 not later than 90 days following the end of any submittal
5 period occurring before or after the date of enactment of
6 this Act of a solicitation of preliminary applications from
7 prospective borrowers seeking credit assistance of funds
8 made available under this heading by this or any prior
9 Act, the Secretary shall provide to each applicant a written
10 notice to inform the applicant whether the applicant will
11 be invited to apply for credit assistance: *Provided further*,
12 That amounts made available under this heading in this
13 Act shall also be available for projects to construct, main-
14 tain, upgrade, and repair levees and ancillary features
15 with a primary owner type of state, municipal, county, pri-
16 vate, or other non-Federal entity: *Provided further*, That
17 subsection 386.2(v) of Title 33 of the Code of Federal
18 Regulations is hereby amended to add the following new
19 paragraph (2) and to renumber subsequent paragraphs
20 accordingly: “(2) Any project to construct, maintain, up-
21 grade, or repair levees and ancillary features with a pri-
22 mary owner type of state, municipal, county, private, or
23 other non-Federal entity; and which meets the statutory
24 requirements of Title 1, Division D of the Consolidated
25 Appropriations Act, 2024 and the criteria outlined in 85

1 FR 39189 (see division D of the Further Consolidated Ap-
2 propriations Act, 2020 (Pub. L. 116–94).”: *Provided fur-*
3 *ther*, That no project may be funded with amounts pro-
4 vided under this heading for a levee unless the Secretary
5 has certified in advance, in writing, that the levee is not
6 owned, in whole or in part, by the Federal Government:
7 *Provided further*, That the Secretary of the Army shall
8 make available all funds provided under this heading by
9 this or any prior Act through a Notice of Funding Avail-
10 ability no later than 90 days after the date enactment of
11 this Act: *Provided further* That the Secretary of the Army
12 shall issue invitations to submit applications no later than
13 180 days after the date enactment of this Act: *Provided*
14 *further*, That no further rulemaking to make funds pro-
15 vided under this heading by this or any prior Act shall
16 be necessary: *Provided further*, That such costs, including
17 the cost of modifying such loans, shall be as defined in
18 section 502 of the Congressional Budget Act of 1974: *Pro-*
19 *vided further*, That these funds are available to subsidize
20 gross obligations for the principal amount of direct loans,
21 including capitalized interest, and total loan principal, in-
22 cluding capitalized interest, any part of which is to be
23 guaranteed, not to exceed \$500,000,000: *Provided further*,
24 That the use of direct loans or loan guarantee authority
25 under this heading for direct loans or commitments to

1 guarantee loans for any project shall be in accordance with
2 the criteria published in the Federal Register on June 30,
3 2020 (85 FR 39189) pursuant to the fourth proviso under
4 the heading “Water Infrastructure Finance and Innova-
5 tion Program Account” in division D of the Further Con-
6 solidated Appropriations Act, 2020 (Public Law 116–94):
7 *Provided further*, That none of the direct loans or loan
8 guarantee authority made available under this heading
9 shall be available for any project unless the Secretary and
10 the Director of the Office of Management and Budget
11 have certified in advance in writing that the direct loan
12 or loan guarantee, as applicable, and the project comply
13 with the criteria referenced in the previous proviso: *Pro-*
14 *vided further*, That any references to the Environmental
15 Protection Agency (EPA) or the Administrator in the cri-
16 teria referenced in the previous two provisos shall be
17 deemed to be references to the Army Corps of Engineers
18 or the Secretary of the Army, respectively, for purposes
19 of the direct loans or loan guarantee authority made avail-
20 able under this heading: *Provided further*, That for the
21 purposes of carrying out the Congressional Budget Act of
22 1974, the Director of the Congressional Budget Office
23 may request, and the Secretary shall promptly provide,
24 documentation and information relating to a project iden-
25 tified in a Letter of Interest submitted to the Secretary

1 pursuant to a Notice of Funding Availability for applica-
2 tions for credit assistance under the Water Infrastructure
3 Finance and Innovation Act Program, including with re-
4 spect to a project that was initiated or completed before
5 the date of enactment of this Act.

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

10 In addition, for administrative expenses to carry out
11 the direct and guaranteed loan programs, notwithstanding
12 section 5033 of the Water Infrastructure Finance and In-
13 novation Act of 2014, \$5,000,000, to remain available
14 until September 30, 2026.

15 GENERAL PROVISIONS—CORPS OF

16 ENGINEERS—CIVIL

17 (INCLUDING TRANSFERS OF FUNDS)

18 SEC. 101. (a) None of the funds provided in title I
19 of this Act, or provided by previous appropriations Acts
20 to the agencies or entities funded in title I of this Act
21 that remain available for obligation or expenditure in fiscal
22 year 2025, shall be available for obligation or expenditure
23 through a reprogramming of funds that:

24 (1) creates or initiates a new program, project,
25 or activity;

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

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

7 (4) proposes to use funds directed for a specific
8 activity for a different purpose, unless prior approval
9 is received from the Committees on Appropriations
10 of both Houses of Congress;

11 (5) augments or reduces existing programs,
12 projects, or activities in excess of the amounts con-
13 tained in paragraphs (6) through (11), unless prior
14 approval is received from the Committees on Appro-
15 priations of both Houses of Congress;

16 (6) INVESTIGATIONS.—For a base level over
17 \$100,000, reprogramming of 25 percent of the base
18 amount up to a limit of \$150,000 per project, study
19 or activity is allowed: *Provided*, That for a base level
20 less than \$100,000, the reprogramming limit is
21 \$25,000: *Provided further*, That up to \$25,000 may
22 be reprogrammed into any continuing study or activ-
23 ity that did not receive an appropriation for existing
24 obligations and concomitant administrative expenses;

1 (7) PLANNING, ENGINEERING, AND DESIGN.—
2 For a base level over \$2,000,000, reprogramming of
3 15 percent of the base amount up to a limit of
4 \$3,000,000 per project, study or activity is allowed:
5 *Provided*, That for a base level less than \$2,000,000,
6 the reprogramming limit is \$300,000: *Provided fur-*
7 *ther*, That up to \$300,000 may be reprogrammed
8 into any continuing study or activity that did not re-
9 ceive an appropriation for existing obligations and
10 concomitant administrative expenses;

11 (8) CONSTRUCTION.—For a base level over
12 \$2,000,000, reprogramming of 15 percent of the
13 base amount up to a limit of \$3,000,000 per project,
14 study or activity is allowed: *Provided*, That for a
15 base level less than \$2,000,000, the reprogramming
16 limit is \$300,000: *Provided further*, That up to
17 \$3,000,000 may be reprogrammed for settled con-
18 tractor claims, changed conditions, or real estate de-
19 ficiency judgments: *Provided further*, That up to
20 \$300,000 may be reprogrammed into any continuing
21 study or activity that did not receive an appropria-
22 tion for existing obligations and concomitant admin-
23 istrative expenses;

24 (9) OPERATION AND MAINTENANCE.—Unlim-
25 ited reprogramming authority is granted for the

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

14 (10) MISSISSIPPI RIVER AND TRIBUTARIES.—
15 The reprogramming guidelines in paragraphs (6),
16 (8), and (9) shall apply to the Investigations, Con-
17 struction, and Operation and Maintenance portions
18 of the Mississippi River and Tributaries Account, re-
19 spectively; and

20 (11) FORMERLY UTILIZED SITES REMEDIAL AC-
21 TION PROGRAM.—Reprogramming of up to 15 per-
22 cent of the base of the receiving project is permitted.

23 (b) DE MINIMUS REPROGRAMMINGS.—In no case
24 should a reprogramming for less than \$50,000 be sub-

1 mitted to the Committees on Appropriations of both
2 Houses of Congress.

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

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

12 (1) A table for each appropriation with a sepa-
13 rate column to display the President's budget re-
14 quest, adjustments made by Congress, adjustments
15 due to enacted rescissions, if applicable, and the fis-
16 cal year enacted level;

17 (2) A delineation in the table for each appro-
18 priation both by object class and program, project
19 and activity as detailed in the budget appendix for
20 the respective appropriations; and

21 (3) An identification of items of special congres-
22 sional interest.

23 SEC. 102. None of the funds made available in this
24 title may be used to award or modify any contract that
25 commits funds beyond the amounts appropriated for that

1 program, project, or activity that remain unobligated, ex-
2 cept that such amounts may include any funds that have
3 been made available through reprogramming pursuant to
4 section 101.

5 SEC. 103. 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 \$8,200,000 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. 104. None of the funds in this Act shall be used
12 for an open lake placement alternative for dredged mate-
13 rial, after evaluating the least costly, environmentally ac-
14 ceptable manner for the disposal or management of
15 dredged material originating from Lake Erie or tributaries
16 thereto, unless it is approved under a State water quality
17 certification pursuant to section 401 of the Federal Water
18 Pollution Control Act (33 U.S.C. 1341): *Provided*, That
19 until an open lake placement alternative for dredged mate-
20 rial is approved under a State water quality certification,
21 the Corps of Engineers shall continue upland placement
22 of such dredged material consistent with the requirements
23 of section 101 of the Water Resources Development Act
24 of 1986 (33 U.S.C. 2211).

1 SEC. 105. Additional funding provided in this Act
2 shall be allocated only to projects determined to be eligible
3 by the Chief of Engineers.

1 TITLE II
2 DEPARTMENT OF THE INTERIOR
3 CENTRAL UTAH PROJECT
4 CENTRAL UTAH PROJECT COMPLETION ACCOUNT
5 For carrying out activities authorized by the Central
6 Utah Project Completion Act, \$23,000,000, to remain
7 available until expended, of which \$4,000,000 shall be de-
8 posited into the Utah Reclamation Mitigation and Con-
9 servation Account for use by the Utah Reclamation Miti-
10 gation and Conservation Commission: *Provided*, That of
11 the amount provided under this heading, \$1,900,000 shall
12 be available until September 30, 2026, for expenses nec-
13 essary in carrying out related responsibilities of the Sec-
14 retary of the Interior: *Provided further*, That for fiscal
15 year 2025, of the amount made available to the Commis-
16 sion under this Act or any other Act, the Commission may
17 use an amount not to exceed \$2,164,100 for administra-
18 tive expenses: *Provided further*, That of the amounts pro-
19 vided under this heading, not to exceed \$1,000 may be
20 for official reception and representation expenses.

21 BUREAU OF RECLAMATION

22 The following appropriations shall be expended to
23 execute authorized functions of the Bureau of Reclama-
24 tion:

1 WATER AND RELATED RESOURCES
2 (INCLUDING TRANSFERS OF FUNDS)

3 For management, development, and restoration of
4 water and related natural resources and for related activi-
5 ties, including the operation, maintenance, and rehabilita-
6 tion of reclamation and other facilities, participation in
7 fulfilling related Federal responsibilities to Native Ameri-
8 cans, and related grants to, and cooperative and other
9 agreements with, State and local governments, federally
10 recognized Indian Tribes, and others, \$1,864,550,000, to
11 remain available until expended, of which \$23,620,000
12 shall be available for transfer to the Upper Colorado River
13 Basin Fund and \$7,584,000 shall be available for transfer
14 to the Lower Colorado River Basin Development Fund;
15 of which such amounts as may be necessary may be ad-
16 vanced to the Colorado River Dam Fund: *Provided*, That
17 \$100,000 shall be available for transfer into the Aging In-
18 frastructure Account established by section 9603(d)(1) of
19 the Omnibus Public Land Management Act of 2009, as
20 amended (43 U.S.C. 510b(d)(1)): *Provided further*, That
21 such transfers, except for the transfer authorized by the
22 preceding proviso, may be increased or decreased within
23 the overall appropriation under this heading: *Provided fur-*
24 *ther*, That of the total appropriated, the amount for pro-
25 gram activities that can be financed by the Reclamation

1 Fund, the Water Storage Enhancement Receipts account
2 established by section 4011(e) of Public Law 114–322, or
3 the Bureau of Reclamation special fee account established
4 by 16 U.S.C. 6806 shall be derived from that Fund or
5 account: *Provided further*, That funds contributed under
6 43 U.S.C. 395 are available until expended for the pur-
7 poses for which the funds were contributed: *Provided fur-*
8 *ther*, That funds advanced under 43 U.S.C. 397a shall be
9 credited to this account and are available until expended
10 for the same purposes as the sums appropriated under this
11 heading: *Provided further*, That of the amounts provided
12 herein, funds may be used for high-priority projects which
13 may be carried out by the Youth Conservation Corps, as
14 authorized by 16 U.S.C. 1706: *Provided further*, That
15 within available funds, up to \$250,000 may be for grants
16 and financial assistance for educational activities: *Pro-*
17 *vided further*, That of the amounts provided under this
18 heading, not to exceed \$5,000 may be used for official re-
19 ception and representation expenses: *Provided further*,
20 That in accordance with section 4007 of Public Law 114–
21 322 and as recommended by the Secretary in a letter
22 dated May 22, 2024, funding provided for such purpose
23 in fiscal year 2024 shall be made available to the Sites
24 Reservoir Project: *Provided further*, That in accordance
25 with section 4009(c) of Public Law 114–322 and as rec-

1 ommended by the Secretary in a letter dated May 22,
2 2024, funding provided for such purpose in fiscal year
3 2023 and fiscal year 2024 shall be made available to the
4 El Paso Aquifer Storage and Recovery Enhanced Arroyo
5 Project, the Replenish Big Bear, the Purified Water Re-
6 plenishment Project, North San Diego Water Reuse Coali-
7 tion Regional Water Program, Coachella Valley Water
8 District WRP–10 Non-Potable Water System Expansion,
9 Pure Water Oceanside Phase 1, and the Carpinteria Ad-
10 vanced Purification Project.

11 CENTRAL VALLEY PROJECT RESTORATION FUND

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

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

3 CALIFORNIA BAY-DELTA RESTORATION

4 (INCLUDING TRANSFERS OF FUNDS)

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

19 POLICY AND ADMINISTRATION

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

1 U.S.C. 377: *Provided*, That no part of any other appro-
2 priation in this Act shall be available for activities or func-
3 tions budgeted as policy and administration expenses.

4 ADMINISTRATIVE PROVISION

5 Appropriations for the Bureau of Reclamation shall
6 be available for purchase and replacement of motor vehi-
7 cles.

8 GENERAL PROVISIONS—DEPARTMENT OF THE
9 INTERIOR

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

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

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

21 (3) increases funds for any program, project, or
22 activity for which funds have been denied or re-
23 stricted by this Act, unless prior approval is received
24 from the Committees on Appropriations of both
25 Houses of Congress;

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

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

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

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

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

22 (7) transfers, where necessary to discharge legal
23 obligations of the Bureau of Reclamation, more than
24 \$5,000,000 to provide adequate funds for settled
25 contractor claims, increased contractor earnings due

1 to accelerated rates of operations, and real estate de-
2 ficiency judgments, unless prior approval is received
3 from the Committees on Appropriations of both
4 Houses of Congress.

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

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

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

19 (e) The Bureau of Reclamation shall submit reports
20 on a quarterly basis to the Committees on Appropriations
21 of both Houses of Congress detailing all the funds repro-
22 grammed between programs, projects, activities, or cat-
23 egories of funding. The first quarterly report shall be sub-
24 mitted not later than 60 days after the date of enactment
25 of this Act.

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

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

1 SEC. 203. Title I of Public Law 108–361 (the Califed
2 Bay-Delta Authorization Act) (118 Stat. 1681), as
3 amended, shall be applied by substituting “2025” for
4 “2022” each place it appears.

5 SEC. 204. Section 104(c) of the Reclamation States
6 Emergency Drought Relief Act of 1991 (43 U.S.C.
7 2214(c)) shall be applied by substituting “2025” for
8 “2022”.

9 SEC. 205. Section 3 of Public Law 106-392 (114
10 Stat. 1603 et seq.) shall be applied by substituting “2025”
11 for “2024” in each place it appears.

12 SEC. 206. None of the funds provided in this Act or
13 any prior Act may be used for the Shasta Dam and Res-
14 ervoir Enlargement Project.

1 TITLE III
2 DEPARTMENT OF ENERGY
3 ENERGY PROGRAMS
4 ENERGY EFFICIENCY AND RENEWABLE ENERGY
5 For Department of Energy expenses including the
6 purchase, construction, and acquisition of plant and cap-
7 ital equipment, and other expenses necessary for energy
8 efficiency and renewable energy activities in carrying out
9 the purposes of the Department of Energy Organization
10 Act (42 U.S.C. 7101 et seq.), including the acquisition or
11 condemnation of any real property or any facility or for
12 plant or facility acquisition, construction, or expansion,
13 \$3,440,000,000, to remain available until expended: *Pro-*
14 *vided*, That of such amount, \$190,000,000 shall be avail-
15 able until September 30, 2026, for program direction.
16 MANUFACTURING AND ENERGY SUPPLY CHAINS
17 For Department of Energy expenses including the
18 purchase, construction, and acquisition of plant and cap-
19 ital equipment, and other expenses necessary for manufac-
20 turing and energy supply chain activities in carrying out
21 the purposes of the Department of Energy Organization
22 Act (42 U.S.C. 7101 et seq.), including the acquisition or
23 condemnation of any real property or any facility or for
24 plant or facility acquisition, construction, or expansion,
25 \$20,000,000, to remain available until expended: *Pro-*

1 *vided*, That of the amounts provided under this heading,
2 \$1,500,000 shall be available until September 30, 2026,
3 for program direction.

4 CYBERSECURITY, ENERGY SECURITY, AND EMERGENCY
5 RESPONSE

6 For Department of Energy expenses including the
7 purchase, construction, and acquisition of plant and cap-
8 ital equipment, and other expenses necessary for energy
9 sector cybersecurity, energy security, and emergency re-
10 sponse activities in carrying out the purposes of the De-
11 partment of Energy Organization Act (42 U.S.C. 7101 et
12 seq.), including the acquisition or condemnation of any
13 real property or any facility or for plant or facility acquisi-
14 tion, construction, or expansion, \$200,000,000, to remain
15 available until expended: *Provided*, That of such amount,
16 \$31,000,000 shall be available until September 30, 2026,
17 for program direction.

18 ELECTRICITY

19 For Department of Energy expenses including the
20 purchase, construction, and acquisition of plant and cap-
21 ital equipment, and other expenses necessary for elec-
22 tricity activities in carrying out the purposes of the De-
23 partment of Energy Organization Act (42 U.S.C. 7101 et
24 seq.), including the acquisition or condemnation of any
25 real property or any facility or for plant or facility acquisi-

1 tion, construction, or expansion, \$280,000,000, to remain
2 available until expended: *Provided*, That of such amount,
3 \$19,700,000 shall be available until September 30, 2026,
4 for program direction: *Provided further*, That funds made
5 available under this heading allocated for the purposes of
6 section 9 of the Small Business Act, as amended (15
7 U.S.C. 638), including for Small Business Innovation Re-
8 search and Small Business Technology Transfer activities,
9 or for the purposes of section 1001 of the Energy Policy
10 Act of 2005, as amended (42 U.S.C. 16391), for Tech-
11 nology Commercialization Fund activities, may be repro-
12 grammed without being subject to the restrictions in sec-
13 tion 301 of this Act.

14 GRID DEPLOYMENT

15 For Department of Energy expenses including the
16 purchase, construction, and acquisition of plant and cap-
17 ital equipment, and other expenses necessary for grid de-
18 ployment in carrying out the purposes of the Department
19 of Energy Organization Act (42 U.S.C. 7101 et seq.), in-
20 cluding the acquisition or condemnation of any real prop-
21 erty or any facility or for plant or facility acquisition, con-
22 struction, or expansion, \$60,000,000, to remain available
23 until expended: *Provided*, That of such amount,
24 \$7,000,000 shall be available until September 30, 2026,
25 for program direction.

1 NUCLEAR ENERGY

2 For Department of Energy expenses including the
3 purchase, construction, and acquisition of plant and cap-
4 ital equipment, and other expenses necessary for nuclear
5 energy activities in carrying out the purposes of the De-
6 partment of Energy Organization Act (42 U.S.C. 7101 et
7 seq.), including the acquisition or condemnation of any
8 real property or any facility or for plant or facility acquisi-
9 tion, construction, or expansion, \$1,675,000,000, to re-
10 main available until expended: *Provided*, That of such
11 amount, \$97,000,000 shall be available until September
12 30, 2026, for program direction: *Provided further*, That
13 for the purpose of section 954(a)(6) of the Energy Policy
14 Act of 2005, as amended, the only amount available shall
15 be from the amount specified as including that purpose
16 in the “Committee Recommendation” column in the “De-
17 partment of Energy” table included under the heading
18 “Title III—Department of Energy” in the report accom-
19 panying this Act.

20 FOSSIL ENERGY AND CARBON MANAGEMENT

21 For Department of Energy expenses necessary in car-
22 rying out fossil energy and carbon management research
23 and development activities, under the authority of the De-
24 partment of Energy Organization Act (42 U.S.C. 7101 et
25 seq.), including the acquisition of interest, including defea-

1 sible and equitable interests in any real property or any
2 facility or for plant or facility acquisition or expansion,
3 and for conducting inquiries, technological investigations
4 and research concerning the extraction, processing, use,
5 and disposal of mineral substances without objectionable
6 social and environmental costs (30 U.S.C. 3, 1602, and
7 1603), \$865,000,000, to remain available until expended:
8 *Provided*, That of such amount \$77,000,000 shall be avail-
9 able until September 30, 2026, for program direction.

10 ENERGY PROJECTS

11 For Department of Energy expenses necessary in car-
12 rying out community project funding activities, under the
13 authority of the Department of Energy Organization Act
14 (42 U.S.C. 7101 et seq.), \$36,037,000, to remain available
15 until expended, for projects specified in the table that ap-
16 pears under the heading “Congressionally Directed Spend-
17 ing for Energy Projects” in the report accompanying this
18 Act.

19 NAVAL PETROLEUM AND OIL SHALE RESERVES

20 For Department of Energy expenses necessary to
21 carry out naval petroleum and oil shale reserve activities,
22 \$13,010,000, to remain available until expended: *Pro-*
23 *vided*, That notwithstanding any other provision of law,
24 unobligated funds remaining from prior years shall be

1 available for all naval petroleum and oil shale reserve ac-
2 tivities.

3 STRATEGIC PETROLEUM RESERVE

4 For Department of Energy expenses necessary for
5 Strategic Petroleum Reserve facility development and op-
6 erations and program management activities pursuant to
7 the Energy Policy and Conservation Act (42 U.S.C. 6201
8 et seq.), \$213,390,000, to remain available until expended.

9 SPR PETROLEUM ACCOUNT

10 For the acquisition, transportation, and injection of
11 petroleum products, and for other necessary expenses pur-
12 suant to the Energy Policy and Conservation Act, as
13 amended (42 U.S.C. 6201 et seq.), \$100,000, to remain
14 available until expended.

15 NORTHEAST HOME HEATING OIL RESERVE

16 For Department of Energy expenses necessary for
17 Northeast Home Heating Oil Reserve storage, operation,
18 and management activities pursuant to the Energy Policy
19 and Conservation Act (42 U.S.C. 6201 et seq.),
20 \$7,150,000, to remain available until expended.

21 ENERGY INFORMATION ADMINISTRATION

22 For Department of Energy expenses necessary in car-
23 rying out the activities of the Energy Information Admin-
24 istration, \$135,000,000, to remain available until ex-
25 pended.

1 NON-DEFENSE ENVIRONMENTAL CLEANUP

2 For Department of Energy expenses, including the
3 purchase, construction, and acquisition of plant and cap-
4 ital equipment and other expenses necessary for non-de-
5 fense environmental cleanup activities in carrying out the
6 purposes of the Department of Energy Organization Act
7 (42 U.S.C. 7101 et seq.), including the acquisition or con-
8 demnation of any real property or any facility or for plant
9 or facility acquisition, construction, or expansion,
10 \$342,000,000, to remain available until expended: *Pro-*
11 *vided*, That in addition, fees collected pursuant to sub-
12 section (b)(1) of section 6939f of title 42, United States
13 Code, and deposited under this heading in fiscal year 2024
14 pursuant to section 309 of title III of division C of Public
15 Law 116–94 are appropriated, to remain available until
16 expended, for mercury storage costs.

17 URANIUM ENRICHMENT DECONTAMINATION AND
18 DECOMMISSIONING FUND

19 For Department of Energy expenses necessary in car-
20 rying out uranium enrichment facility decontamination
21 and decommissioning, remedial actions, and other activi-
22 ties of title II of the Atomic Energy Act of 1954, and
23 title X, subtitle A, of the Energy Policy Act of 1992,
24 \$865,000,000, to be derived from the Uranium Enrich-
25 ment Decontamination and Decommissioning Fund, to re-

1 main available until expended, of which \$5,818,000 shall
2 be available in accordance with title X, subtitle A, of the
3 Energy Policy Act of 1992.

4 **SCIENCE**

5 For Department of Energy expenses including the
6 purchase, construction, and acquisition of plant and cap-
7 ital equipment, and other expenses necessary for science
8 activities in carrying out the purposes of the Department
9 of Energy Organization Act (42 U.S.C. 7101 et seq.), in-
10 cluding the acquisition or condemnation of any real prop-
11 erty or any facility or for plant or facility acquisition, con-
12 struction, or expansion, and purchase of not more than
13 35 passenger motor vehicles, \$8,600,000,000, to remain
14 available until expended: *Provided*, That of such amount,
15 \$246,000,000 shall be available until September 30, 2026,
16 for program direction.

17 **NUCLEAR WASTE DISPOSAL**

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

1 TECHNOLOGY COORDINATION AND COMMERCIALIZATION

2 For Department of Energy expenses necessary for
3 carrying out the activities of technology transitions, in-
4 cluding section 10691 of Public Law 117–167, and the
5 coordination of Department programs, including those in-
6 volving critical and emerging technologies, in carrying out
7 the purposes of the Department of Energy Organization
8 Act (42 U.S.C. 7101 et seq.), \$34,500,000, to remain
9 available until September 30, 2026.

10 CLEAN ENERGY DEMONSTRATIONS

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 clean en-
14 ergy demonstrations in carrying out the purposes of the
15 Department of Energy Organization Act (42 U.S.C. 7101
16 et seq.), including the acquisition or condemnation of any
17 real property or any facility or for plant or facility acquisi-
18 tion, construction, or expansion, \$125,000,000, to remain
19 available until expended: *Provided*, That of such amount,
20 \$80,000,000 shall be available until September 30, 2026,
21 for program direction.

22 ADVANCED RESEARCH PROJECTS AGENCY—ENERGY

23 For Department of Energy expenses necessary in car-
24 rying out the activities authorized by section 5012 of the
25 America COMPETES Act (Public Law 110–69),

1 \$459,150,000, to remain available until expended: *Pro-*
2 *vided*, That of such amount, \$42,000,000 shall be avail-
3 able until September 30, 2026, for program direction.

4 TITLE 17 INNOVATIVE TECHNOLOGY LOAN GUARANTEE
5 PROGRAM

6 Such sums as are derived from amounts received
7 from borrowers pursuant to section 1702(b) of the Energy
8 Policy Act of 2005 under this heading in prior Acts, shall
9 be collected in accordance with section 502(7) of the Con-
10 gressional Budget Act of 1974: *Provided*, That for nec-
11 essary administrative expenses of the Title 17 Innovative
12 Technology Loan Guarantee Program, as authorized,
13 \$55,000,000 is appropriated, to remain available until
14 September 30, 2026: *Provided further*, That up to
15 \$55,000,000 of fees collected in fiscal year 2024 pursuant
16 to section 1702(h) of the Energy Policy Act of 2005 shall
17 be credited as offsetting collections under this heading and
18 used for necessary administrative expenses in this appro-
19 priation and shall remain available until September 30,
20 2026: *Provided further*, That to the extent that fees col-
21 lected in fiscal year 2025 exceed \$55,000,000, those ex-
22 cess amounts shall be credited as offsetting collections
23 under this heading and available in future fiscal years only
24 to the extent provided in advance in appropriations Acts:
25 *Provided further*, That the sum herein appropriated from

1 the general fund shall be reduced (1) as such fees are re-
2 ceived during fiscal year 2024 (estimated at
3 \$170,000,000) and (2) to the extent that any remaining
4 general fund appropriations can be derived from fees col-
5 lected in previous fiscal years that are not otherwise ap-
6 propriated, so as to result in a final fiscal year 2025 ap-
7 propriation from the general fund estimated at \$0: *Pro-*
8 *vided further*, That the Department of Energy shall not
9 subordinate any loan obligation to other financing in viola-
10 tion of section 1702 of the Energy Policy Act of 2005 or
11 subordinate any Guaranteed Obligation to any loan or
12 other debt obligations in violation of section 609.8 of title
13 10, Code of Federal Regulations.

14 ADVANCED TECHNOLOGY VEHICLES MANUFACTURING
15 LOAN PROGRAM

16 For Department of Energy administrative expenses
17 necessary in carrying out the Advanced Technology Vehi-
18 cles Manufacturing Loan Program, \$20,000,000, to re-
19 main available until September 30, 2026.

20 TRIBAL ENERGY LOAN GUARANTEE PROGRAM

21 For Department of Energy administrative expenses
22 necessary in carrying out the Tribal Energy Loan Guar-
23 antee Program, \$6,300,000, to remain available until Sep-
24 tember 30, 2026.

1 INDIAN ENERGY POLICY AND PROGRAMS

2 For necessary expenses for Indian Energy activities
3 in carrying out the purposes of the Department of Energy
4 Organization Act (42 U.S.C. 7101 et seq.), \$70,000,000,
5 to remain available until expended: *Provided*, That of the
6 amount appropriated under this heading, \$14,000,000
7 shall be available until September 30, 2026, for program
8 direction.

9 DEPARTMENTAL ADMINISTRATION

10 For salaries and expenses of the Department of En-
11 ergy necessary for departmental administration in car-
12 rying out the purposes of the Department of Energy Orga-
13 nization Act (42 U.S.C. 7101 et seq.), \$391,000,000, to
14 remain available until September 30, 2026, including the
15 hire of passenger motor vehicles and official reception and
16 representation expenses not to exceed \$30,000, plus such
17 additional amounts as necessary to cover increases in the
18 estimated amount of cost of work for others notwith-
19 standing the provisions of the Anti-Deficiency Act (31
20 U.S.C. 1511 et seq.): *Provided*, That such increases in cost
21 of work are offset by revenue increases of the same or
22 greater amount: *Provided further*, That moneys received
23 by the Department for miscellaneous revenues estimated
24 to total \$100,578,000 in fiscal year 2025 may be retained
25 and used for operating expenses within this account, as

1 authorized by section 201 of Public Law 95–238, notwith-
2 standing the provisions of 31 U.S.C. 3302: *Provided fur-*
3 *ther*, That the sum herein appropriated shall be reduced
4 as collections are received during the fiscal year so as to
5 result in a final fiscal year 2025 appropriation from the
6 general fund estimated at not more than \$290,422,000.

7 OFFICE OF THE INSPECTOR GENERAL

8 For expenses necessary for the Office of the Inspector
9 General in carrying out the provisions of the Inspector
10 General Act of 1978, \$86,000,000, to remain available
11 until September 30, 2026.

12 ATOMIC ENERGY DEFENSE ACTIVITIES

13 NATIONAL NUCLEAR SECURITY

14 ADMINISTRATION

15 WEAPONS ACTIVITIES

16 For Department of Energy expenses, including the
17 purchase, construction, and acquisition of plant and cap-
18 ital equipment and other incidental expenses necessary for
19 atomic energy defense weapons activities in carrying out
20 the purposes of the Department of Energy Organization
21 Act (42 U.S.C. 7101 et seq.), including the acquisition or
22 condemnation of any real property or any facility or for
23 plant or facility acquisition, construction, or expansion,
24 and the purchase of one electric bus, \$19,930,000,000, to
25 remain available until expended: *Provided*, That of such

1 amount, \$135,264,000 shall be available until September
2 30, 2026, for program direction.

3 DEFENSE NUCLEAR NONPROLIFERATION

4 For Department of Energy expenses, including the
5 purchase, construction, and acquisition of plant and cap-
6 ital equipment and other incidental expenses necessary for
7 defense nuclear nonproliferation activities, in carrying out
8 the purposes of the Department of Energy Organization
9 Act (42 U.S.C. 7101 et seq.), including the acquisition or
10 condemnation of any real property or any facility or for
11 plant or facility acquisition, construction, or expansion,
12 \$2,630,000,000, to remain available until expended.

13 NAVAL REACTORS

14 For Department of Energy expenses necessary for
15 naval reactors activities to carry out the Department of
16 Energy Organization Act (42 U.S.C. 7101 et seq.), includ-
17 ing the acquisition (by purchase, condemnation, construc-
18 tion, or otherwise) of real property, plant, and capital
19 equipment, facilities, and facility expansion,
20 \$2,077,000,000, to remain available until expended: *Pro-*
21 *vided*, That of such amount, \$62,848,000 shall be avail-
22 able until September 30, 2026, for program direction.

23 FEDERAL SALARIES AND EXPENSES

24 For expenses necessary for Federal Salaries and Ex-
25 penses in the National Nuclear Security Administration,

1 \$564,000,000, to remain available until September 30,
2 2026, including official reception and representation ex-
3 penses not to exceed \$17,000.

4 ENVIRONMENTAL AND OTHER DEFENSE
5 ACTIVITIES

6 DEFENSE ENVIRONMENTAL CLEANUP

7 For Department of Energy expenses, including the
8 purchase, construction, and acquisition of plant and cap-
9 ital equipment and other expenses necessary for atomic
10 energy defense environmental cleanup activities in car-
11 rying out the purposes of the Department of Energy Orga-
12 nization Act (42 U.S.C. 7101 et seq.), including the acqui-
13 sition or condemnation of any real property or any facility
14 or for plant or facility acquisition, construction, or expan-
15 sion, \$7,550,000,000, to remain available until expended:
16 *Provided*, That of such amount, \$355,000,000 shall be
17 available until September 30, 2026, for program direction.

18 DEFENSE URANIUM ENRICHMENT DECONTAMINATION
19 AND DECOMMISSIONING
20 (INCLUDING TRANSFER OF FUNDS)

21 For an additional amount for atomic energy defense
22 environmental cleanup activities for Department of En-
23 ergy contributions for uranium enrichment decontamina-
24 tion and decommissioning activities, \$577,000,000, to be
25 deposited into the Defense Environmental Cleanup ac-

1 count, which shall be transferred to the “Uranium Enrich-
2 ment Decontamination and Decommissioning Fund”.

3 OTHER DEFENSE ACTIVITIES

4 For Department of Energy expenses, including the
5 purchase, construction, and acquisition of plant and cap-
6 ital equipment and other expenses, necessary for atomic
7 energy defense, other defense activities, and classified ac-
8 tivities, in carrying out the purposes of the Department
9 of Energy Organization Act (42 U.S.C. 7101 et seq.), in-
10 cluding the acquisition or condemnation of any real prop-
11 erty or any facility or for plant or facility acquisition, con-
12 struction, or expansion, \$1,188,000,000, to remain avail-
13 able until expended: *Provided*, That of such amount,
14 \$396,804,000 shall be available until September 30, 2026,
15 for program direction.

16 POWER MARKETING ADMINISTRATIONS

17 BONNEVILLE POWER ADMINISTRATION FUND

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

1 OPERATION AND MAINTENANCE, SOUTHEASTERN POWER
2 ADMINISTRATION

3 For expenses necessary for operation and mainte-
4 nance of power transmission facilities and for marketing
5 electric power and energy, including transmission wheeling
6 and ancillary services, pursuant to section 5 of the Flood
7 Control Act of 1944 (16 U.S.C. 825s), as applied to the
8 southeastern power area, \$9,127,000, including official re-
9 ception and representation expenses in an amount not to
10 exceed \$1,500, to remain available until expended: *Pro-*
11 *vided*, That notwithstanding 31 U.S.C. 3302 and section
12 5 of the Flood Control Act of 1944, up to \$9,127,000 col-
13 lected by the Southeastern Power Administration from the
14 sale of power and related services shall be credited to this
15 account as discretionary offsetting collections, to remain
16 available until expended for the sole purpose of funding
17 the annual expenses of the Southeastern Power Adminis-
18 tration: *Provided further*, That the sum herein appro-
19 priated for annual expenses shall be reduced as collections
20 are received during the fiscal year so as to result in a final
21 fiscal year 2025 appropriation estimated at not more than
22 \$0: *Provided further*, That notwithstanding 31 U.S.C.
23 3302, up to \$75,778,000 collected by the Southeastern
24 Power Administration pursuant to the Flood Control Act
25 of 1944 to recover purchase power and wheeling expenses

1 shall be credited to this account as offsetting collections,
2 to remain available until expended for the sole purpose
3 of making purchase power and wheeling expenditures:
4 *Provided further*, That for purposes of this appropriation,
5 annual expenses means expenditures that are generally re-
6 covered in the same year that they are incurred (excluding
7 purchase power and wheeling expenses).

8 OPERATION AND MAINTENANCE, SOUTHWESTERN
9 POWER ADMINISTRATION

10 For expenses necessary for operation and mainte-
11 nance of power transmission facilities and for marketing
12 electric power and energy, for construction and acquisition
13 of transmission lines, substations and appurtenant facili-
14 ties, and for administrative expenses, including official re-
15 ception and representation expenses in an amount not to
16 exceed \$1,500 in carrying out section 5 of the Flood Con-
17 trol Act of 1944 (16 U.S.C. 825s), as applied to the
18 Southwestern Power Administration, \$55,070,000, to re-
19 main available until expended: *Provided*, That notwith-
20 standing 31 U.S.C. 3302 and section 5 of the Flood Con-
21 trol Act of 1944 (16 U.S.C. 825s), up to \$43,630,000 col-
22 lected by the Southwestern Power Administration from
23 the sale of power and related services shall be credited to
24 this account as discretionary offsetting collections, to re-
25 main available until expended, for the sole purpose of

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

17 CONSTRUCTION, REHABILITATION, OPERATION AND
18 MAINTENANCE, WESTERN AREA POWER ADMINIS-
19 TRATION

20 (INCLUDING RESCISSIONS OF FUNDS)

21 For carrying out the functions authorized by title III,
22 section 302(a)(1)(E) of the Act of August 4, 1977 (42
23 U.S.C. 7152), and other related activities including con-
24 servation and renewable resources programs as author-
25 ized, \$341,983,000, including official reception and rep-

1 representation expenses in an amount not to exceed \$1,500,
2 to remain available until expended, of which \$340,983,000
3 shall be derived from the Department of the Interior Rec-
4 lamation Fund: *Provided*, That notwithstanding 31 U.S.C.
5 3302, section 5 of the Flood Control Act of 1944 (16
6 U.S.C. 825s), and section 1 of the Interior Department
7 Appropriation Act, 1939 (43 U.S.C. 392a), up to
8 \$241,111,000 collected by the Western Area Power Ad-
9 ministration from the sale of power and related services
10 shall be credited to this account as discretionary offsetting
11 collections, to remain available until expended, for the sole
12 purpose of funding the annual expenses of the Western
13 Area Power Administration: *Provided further*, That the
14 sum herein appropriated for annual expenses shall be re-
15 duced as collections are received during the fiscal year so
16 as to result in a final fiscal year 2025 appropriation esti-
17 mated at not more than \$100,872,000, of which
18 \$99,872,000 is derived from the Reclamation Fund: *Pro-*
19 *vided further*, That notwithstanding 31 U.S.C. 3302, up
20 to \$525,000,000 collected by the Western Area Power Ad-
21 ministration pursuant to the Flood Control Act of 1944
22 and the Reclamation Project Act of 1939 to recover pur-
23 chase power and wheeling expenses shall be credited to
24 this account as offsetting collections, to remain available
25 until expended for the sole purpose of making purchase

1 power and wheeling expenditures: *Provided further*, That
 2 for purposes of this appropriation, annual expenses means
 3 expenditures that are generally recovered in the same year
 4 that they are incurred (excluding purchase power and
 5 wheeling expenses): *Provided further*, That of the amounts
 6 made available under this heading, \$1,000,000 shall be
 7 for supporting the administrative activities authorized in
 8 section 301 of the Hoover Power Plant Act of 1984 (Pub-
 9 lic Law 98–381), as amended, in addition to any other
 10 appropriated amounts available for such purposes: *Pro-*
 11 *vided further*, That the amounts described in the preceding
 12 proviso shall be non-reimbursable: *Provided further*, That
 13 the remaining unobligated balances from amounts de-
 14 scribed in the fifth proviso under this heading in the En-
 15 ergy and Water Development and Related Agencies Ap-
 16 propriations Act, 2010 (Public Law 111–85) are hereby
 17 permanently rescinded.

18 FALCON AND AMISTAD OPERATING AND MAINTENANCE

19 FUND

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

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

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

9 FEDERAL ENERGY REGULATORY COMMISSION

10 SALARIES AND EXPENSES

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

24 SEC. 303. Of the unobligated balances from prior
25 year appropriations made available to the Department of

1 Energy under the heading “Atomic Energy Defense Ac-
2 tivities—National Nuclear Security Administration—De-
3 fense Nuclear Nonproliferation”, \$67,000,000 are hereby
4 permanently rescinded: *Provided*, That no amounts may
5 be rescinded from amounts that were previously des-
6 ignated by the Congress as an emergency requirement
7 pursuant to a concurrent resolution on the budget or the
8 Balanced Budget and Emergency Deficit Control Act of
9 1985.

10 SEC. 304. None of the funds made available in this
11 title shall be used for the construction of facilities classi-
12 fied as high-hazard nuclear facilities under 10 CFR Part
13 830 unless independent oversight is conducted by the Of-
14 fice of Enterprise Assessments to ensure the project is in
15 compliance with nuclear safety requirements.

16 SEC. 305. None of the funds made available in this
17 title may be used to approve critical decision-2 or critical
18 decision-3 under Department of Energy Order 413.3B, or
19 any successive departmental guidance, for construction
20 projects where the total project cost exceeds
21 \$100,000,000, until a separate independent cost estimate
22 has been developed for the project for that critical deci-
23 sion.

24 SEC. 306. None of the funds made available in this
25 title may be used to support a grant allocation award, dis-

1 cretionary grant award, research and demonstration or co-
2 operative agreement that exceeds \$100,000,000 in Federal
3 funding unless the award, demonstration, or agreement is
4 carried out through internal independent project manage-
5 ment procedures.

6 SEC. 307. No funds shall be transferred directly from
7 “Department of Energy—Power Marketing Administra-
8 tion—Colorado River Basins Power Marketing Fund,
9 Western Area Power Administration” to the general fund
10 of the Treasury in the current fiscal year.

11 SEC. 308. Section 311 (a)(2) of division D of the
12 Consolidated Appropriations Act, 2024 (Public Law 118-
13 42) is amended by striking “Generation 3+” and insert-
14 ing “advanced”.

15 SEC. 309. Section 50142(b) of Public Law 117-169
16 is amended by striking “\$25,000,000” and inserting
17 “\$100,000,000”.

18 SEC. 310. Of the amounts previously appropriated
19 under the heading “Department of Energy—Energy Pro-
20 grams—Nuclear Energy” in division J of the Infrastruc-
21 ture Investment and Jobs Act (Public Law 117-58), up
22 to \$400,000,000 that are made available for fiscal year
23 2025 and up to \$400,000,000 that are made available for
24 fiscal year 2026, shall be available, in addition to amounts
25 otherwise available, for any of the following purposes—

1 (1) the two advanced reactor demonstrations
2 from the Advanced Reactor Demonstration Program,
3 as authorized under section 959A of the Energy Pol-
4 icy Act of 2005 (42 U.S.C. 16279a);

5 (2) the two competitive awards for commercial
6 utility deployment projects, as authorized under sec-
7 tion 959A of the Energy Policy Act of 2005 (42
8 U.S.C. 16279a), and as referenced in section
9 311(1)(A) of division D of the Consolidated Appro-
10 priations Act, 2024 (Public Law 118–42), as amend-
11 ed by this Act;

12 (3) Risk Reduction for Future Generations, as
13 described under the heading Advanced Reactor
14 Demonstration Program in the explanatory state-
15 ment accompanying division C of the Further Con-
16 solidated Appropriations Act, 2020 (Public Law
17 116–94);

18 (4) Advanced Nuclear Fuel Availability Pro-
19 gram; or

20 (5) to carry out activities under the Civil Nu-
21 clear Credit Program, as authorized under section
22 40323 of Public Law 117–58:

23 *Provided*, That amounts repurposed pursuant to this sec-
24 tion shall continue to be treated as amounts specified in
25 section 103(b) of division A of Public Law 118–5.

1 SEC. 311. Of the amounts previously appropriated
2 under the heading “Department of Energy—Energy Pro-
3 grams—Electricity” in division J of the Infrastructure In-
4 vestment and Jobs Act (Public Law 117–58), up to
5 \$300,000,000 that are made available for fiscal year 2025
6 and up to \$300,000,000 that are made available for fiscal
7 year 2026, shall be available, in addition to amounts oth-
8 erwise made available for such purposes, for financial as-
9 sistance, procurement, technical assistance, and workforce
10 support, to enhance the domestic supply chain for the
11 manufacture of distribution and power transformers, com-
12 ponents, and electric grid components: *Provided*, That
13 such amounts may be used to supplement amounts pre-
14 viously appropriated under the heading “Department of
15 Energy—Energy Programs—Electricity” in division J of
16 the Infrastructure Investment and Jobs Act (Public Law
17 117–58) for electricity activities authorized in sections
18 40101, 40106(d)(3), 40107, and 40125(d) of such Act in
19 an amount not to exceed 15 percent of the amount appro-
20 priated under such heading for each such purpose in such
21 fiscal year and no additional funds may be used to deploy
22 generation: *Provided further*, That any amount repurposed
23 pursuant to this section shall retain its original period of
24 availability: *Provided further*, That amounts repurposed
25 pursuant to this section shall continue to be treated as

1 amounts specified in section 103(b) of division A of Public
2 Law 118–5.

3 SEC. 312. (a) DEFINITIONS.—In this section:

4 (1) AFFECTED INDIAN TRIBE.—The term “af-
5 fected Indian tribe” has the meaning given the term
6 in section 2 of the Nuclear Waste Policy Act of 1982
7 (42 U.S.C. 10101).

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

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

16 (4) SECRETARY.—The term “Secretary” means
17 the Secretary of Energy.

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

22 (b) PROGRAM.—Notwithstanding any provision of the
23 Nuclear Waste Policy Act of 1982 (42 U.S.C. 10101 et
24 seq.), the Secretary is authorized, in the current fiscal
25 year and subsequent fiscal years, to conduct a program

1 to license, construct, and operate one or more Federal con-
2 solidated storage facilities, using a consent-based siting
3 process, to provide interim storage as needed for spent nu-
4 clear fuel and high-level radioactive waste, with priority
5 for storage given to spent nuclear fuel located on sites
6 without an operating nuclear reactor.

7 (c) REQUESTS FOR PROPOSALS.—The Secretary
8 shall issue a request for proposals—

9 (1) to obtain any license necessary from the
10 Nuclear Regulatory Commission for the construction
11 of one or more Federal consolidated storage facili-
12 ties;

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 one or more consolidated storage facili-
19 ties pending the construction and operation of deep
20 geologic disposal capacity for the permanent disposal
21 of the spent nuclear fuel.

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

1 the Federal facility using a consent-based siting process
2 with—

3 (1) the Governor of the State;

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

7 (3) each affected Indian tribe; and

8 (4) other entities as identified and determined
9 by the Secretary through the development of the
10 consent-based siting process.

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

13 (1) all licensing requirements and regulations of
14 the Nuclear Regulatory Commission; and

15 (2) all other applicable laws (including regula-
16 tions).

17 (f) PROGRAM PLAN.—The Secretary shall submit to
18 Congress a plan to carry out this section that includes—

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

23 (2) a schedule for—

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

4 (B) constructing the facility;

5 (C) transporting spent fuel to the facility;

6 and

7 (D) removing the spent fuel and decom-
8 missioning the facility;

9 (3) an estimate of the cost of any financial as-
10 sistance, compensation, or incentives proposed to be
11 paid to the host State, Indian tribe, or local govern-
12 ment;

13 (4) an estimate of any future reductions in the
14 damages expected to be paid by the United States
15 for the delay of the Department of Energy in accept-
16 ing spent fuel expected to result from the program;

17 (5) recommendations for any additional legisla-
18 tion needed to authorize and implement the pro-
19 gram; and

20 (6) recommendations for a mechanism to en-
21 sure that any spent nuclear fuel or high-level radio-
22 active waste stored at a consolidated storage facility
23 pursuant to this section shall move to deep geologic
24 disposal capacity, following a consent-based approval
25 process for that deep geologic disposal capacity con-

1 sistent with subsection (d), within a reasonable time
2 after the issuance of a license to construct and oper-
3 ate the consolidated storage facility.

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

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

14 SEC. 313. Funds made available in this title under
15 the headings “Energy Efficiency and Renewable Energy”,
16 “Fossil Energy and Carbon Management”, “Cybersecu-
17 rity, Energy Security, and Emergency Response”, “Clean
18 Energy Demonstrations”, “Manufacturing and Energy
19 Supply Chains”, and “Science” that are allocated for the
20 purposes of section 9 of the Small Business Act, as
21 amended (15 U.S.C. 638), including for Small Business
22 Innovation Research and Small Business Technology
23 Transfer activities, or for the purposes of section 1001 of
24 the Energy Policy Act of 2005, as amended (42 U.S.C.
25 16391), for Technology Commercialization Fund activi-

1 ties, may be reprogrammed within each account without
2 being subject to the restrictions in section 301 of this title:
3 *Provided*, That the administration and selection of awards
4 pursuant to such sections will be in coordination with the
5 offices that oversee the appropriations accounts to which
6 the relevant funding was originally appropriated.

7 SEC. 314. Section 15(g)(3) of Public Law 85–536
8 (15 U.S.C. 644(g)(3)) is further amended by inserting
9 “and by site support prime contractors at the National
10 Energy Technology Laboratory” following “Department
11 of Energy”.

1 TITLE IV
2 INDEPENDENT AGENCIES
3 APPALACHIAN REGIONAL COMMISSION

4 For expenses necessary to carry out the programs au-
5 thorized by the Appalachian Regional Development Act of
6 1965, as amended, and for expenses necessary for the
7 Federal Co-Chairman and the Alternate on the Appa-
8 lachian Regional Commission, for payment of the Federal
9 share of the administrative expenses of the Commission,
10 including services as authorized by 5 U.S.C. 3109, and
11 hire of passenger motor vehicles, \$200,000,000, to remain
12 available until expended.

13 DEFENSE NUCLEAR FACILITIES SAFETY BOARD
14 SALARIES AND EXPENSES

15 For expenses necessary for the Defense Nuclear Fa-
16 cilities Safety Board in carrying out activities authorized
17 by the Atomic Energy Act of 1954, as amended by Public
18 Law 100-456, section 1441, \$47,000,000, to remain
19 available until September 30, 2026, of which not to exceed
20 \$1,000 shall be available for official reception and rep-
21 resentation expenses.

22 DELTA REGIONAL AUTHORITY
23 SALARIES AND EXPENSES

24 For expenses necessary for the Delta Regional Au-
25 thority and to carry out its activities, as authorized by

1 the Delta Regional Authority Act of 2000, notwith-
2 standing sections 382F(d), 382M, and 382N of said Act,
3 \$32,500,000, to remain available until expended.

4 DENALI COMMISSION

5 For expenses necessary for the Denali Commission
6 including the purchase, construction, and acquisition of
7 plant and capital equipment as necessary and other ex-
8 penses, \$18,500,000, to remain available until expended,
9 notwithstanding the limitations contained in section
10 306(g) of the Denali Commission Act of 1998: *Provided*,
11 That funds shall be available for construction projects for
12 which the Denali Commission is the sole or primary fund-
13 ing source in an amount not to exceed 90 percent of total
14 project cost for distressed communities, as defined by such
15 section and by section 701 of appendix D, title VII, Public
16 Law 106–113 (113 Stat. 1501A–280), and for Indian
17 Tribes, as defined by section 5304(e) of title 25, United
18 States Code, and in an amount not to exceed 50 percent
19 for non-distressed communities: *Provided further*, That
20 notwithstanding any other provision of law regarding pay-
21 ment of a non-Federal share in connection with a grant-
22 in-aid program, amounts under this heading shall be avail-
23 able for the payment of such a non-Federal share for any
24 project for which the Denali Commission is not the sole

1 or primary funding source, provided that such project is
2 consistent with the purposes of the Commission.

3 NORTHERN BORDER REGIONAL COMMISSION

4 For expenses necessary for the Northern Border Re-
5 gional Commission in carrying out activities authorized by
6 subtitle V of title 40, United States Code, \$46,000,000,
7 to remain available until expended: *Provided*, That such
8 amounts shall be available for administrative expenses,
9 notwithstanding section 15751(b) of title 40, United
10 States Code.

11 SOUTHEAST CRESCENT REGIONAL COMMISSION

12 For expenses necessary for the Southeast Crescent
13 Regional Commission in carrying out activities authorized
14 by subtitle V of title 40, United States Code, \$21,000,000,
15 to remain available until expended.

16 SOUTHWEST BORDER REGIONAL COMMISSION

17 For expenses necessary for the Southwest Border Re-
18 gional Commission in carrying out activities authorized by
19 subtitle V of title 40, United States Code, \$14,000,000,
20 to remain available until expended.

21 GREAT LAKES AUTHORITY

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

1 NUCLEAR REGULATORY COMMISSION

2 SALARIES AND EXPENSES

3 For expenses necessary for the Commission in car-
4 rying out the purposes of the Energy Reorganization Act
5 of 1974 and the Atomic Energy Act of 1954,
6 \$942,558,200, including official representation expenses
7 not to exceed \$30,000, to remain available until expended:
8 *Provided*, That of the amount appropriated herein, not
9 more than \$11,435,000 may be made available for sala-
10 ries, travel, and other support costs for the Office of the
11 Commission, to remain available until September 30,
12 2026: *Provided further*, That revenues from licensing fees,
13 inspection services, and other services and collections esti-
14 mated at \$807,672,200 in fiscal year 2025 shall be re-
15 tained and used for necessary salaries and expenses in this
16 account, notwithstanding 31 U.S.C. 3302, and shall re-
17 main available until expended: *Provided further*, That the
18 sum herein appropriated shall be reduced by the amount
19 of revenues received during fiscal year 2025 so as to result
20 in a final fiscal year 2025 appropriation estimated at not
21 more than \$134,886,000.

22 OFFICE OF INSPECTOR GENERAL

23 For expenses necessary for the Office of Inspector
24 General in carrying out the provisions of the Inspector
25 General Act of 1978, \$15,769,000, to remain available

1 until September 30, 2026: *Provided*, That revenues from
 2 licensing fees, inspection services, and other services and
 3 collections estimated at \$12,655,000 in fiscal year 2025
 4 shall be retained and be available until September 30,
 5 2026, for necessary salaries and expenses in this account,
 6 notwithstanding section 3302 of title 31, United States
 7 Code: *Provided further*, That the sum herein appropriated
 8 shall be reduced by the amount of revenues received dur-
 9 ing fiscal year 2025 so as to result in a final fiscal year
 10 2025 appropriation estimated at not more than
 11 \$3,114,000: *Provided further*, That of the amounts appro-
 12 priated under this heading, \$1,505,000 shall be for In-
 13 spector General services for the Defense Nuclear Facilities
 14 Safety Board.

15 NUCLEAR WASTE TECHNICAL REVIEW BOARD

16 SALARIES AND EXPENSES

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

22 GENERAL PROVISIONS—INDEPENDENT

23 AGENCIES

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

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

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

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

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

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

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

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

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

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

TITLE V

GENERAL PROVISIONS

(INCLUDING TRANSFER OF FUNDS)

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

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

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

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

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

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

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

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

3 SEC. 504. 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 SEC. 505. Funds made available in this Act shall be
9 allocated solely in accordance with the provisions of this
10 Act and the report accompanying this Act.

11 This Act may be cited as the “Energy and Water De-
12 velopment and Related Agencies Appropriations Act,
13 2025”.

Calendar No. 469

118TH CONGRESS
2^D SESSION

S. 4927

[Report No. 118-205]

A BILL

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

August 1, 2024

Read twice and placed on the calendar