

## Union Calendar No. 361

116<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 7613

[Report No. 116-449]

Making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2021, and for other purposes.

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### IN THE HOUSE OF REPRESENTATIVES

JULY 15, 2020

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

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## A BILL

Making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2021, and for other purposes.



1 construction; for restudy of authorized projects; and for  
2 miscellaneous investigations, and, when authorized by law,  
3 surveys and detailed studies, and plans and specifications  
4 of projects prior to construction, \$151,000,000, to remain  
5 available until expended: *Provided*, That the Secretary  
6 shall initiate seven new study starts during fiscal year  
7 2021: *Provided further*, That the Secretary shall not devi-  
8 ate from the new starts proposed in the work plan, once  
9 the plan has been submitted to the Committees on Appro-  
10 priations of both Houses of Congress.

11 CONSTRUCTION

12 For expenses necessary for the construction of river  
13 and harbor, flood and storm damage reduction, shore pro-  
14 tection, aquatic ecosystem restoration, and related  
15 projects authorized by law; for conducting detailed studies,  
16 and plans and specifications, of such projects (including  
17 those involving participation by States, local governments,  
18 or private groups) authorized or made eligible for selection  
19 by law (but such detailed studies, and plans and specifica-  
20 tions, shall not constitute a commitment of the Govern-  
21 ment to construction); \$2,619,855,000, to remain avail-  
22 able until expended; of which such sums as are necessary  
23 to cover the Federal share of construction costs for facili-  
24 ties under the Dredged Material Disposal Facilities pro-  
25 gram shall be derived from the Harbor Maintenance Trust

1 Fund as authorized by Public Law 104–303; and of which  
2 such sums as are necessary to cover one-half of the costs  
3 of construction, replacement, rehabilitation, and expansion  
4 of inland waterways projects shall be derived from the In-  
5 land Waterways Trust Fund, except as otherwise specifi-  
6 cally provided for in law.

7                   MISSISSIPPI RIVER AND TRIBUTARIES

8           For expenses necessary for flood damage reduction  
9 projects and related efforts in the Mississippi River allu-  
10 vial valley below Cape Girardeau, Missouri, as authorized  
11 by law, \$365,000,000, to remain available until expended,  
12 of which such sums as are necessary to cover the Federal  
13 share of eligible operation and maintenance costs for in-  
14 land harbors shall be derived from the Harbor Mainte-  
15 nance Trust Fund.

16                   OPERATION AND MAINTENANCE

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

1 and charting northern and northwestern lakes and con-  
2 necting waters; clearing and straightening channels; and  
3 removing obstructions to navigation, \$3,838,000,000, to  
4 remain available until expended, of which such sums as  
5 are necessary to cover the Federal share of eligible oper-  
6 ation and maintenance costs for coastal harbors and chan-  
7 nels, and for inland harbors shall be derived from the Har-  
8 bor Maintenance Trust Fund; of which such sums as be-  
9 come available from the special account for the Corps of  
10 Engineers established by the Land and Water Conserva-  
11 tion Fund Act of 1965 shall be derived from that account  
12 for resource protection, research, interpretation, and  
13 maintenance activities related to resource protection in the  
14 areas at which outdoor recreation is available; and of  
15 which such sums as become available from fees collected  
16 under section 217 of Public Law 104–303 shall be used  
17 to cover the cost of operation and maintenance of the  
18 dredged material disposal facilities for which such fees  
19 have been collected: *Provided*, That 1 percent of the total  
20 amount of funds provided for each of the programs,  
21 projects, or activities funded under this heading shall not  
22 be allocated to a field operating activity prior to the begin-  
23 ning of the fourth quarter of the fiscal year and shall be  
24 available for use by the Chief of Engineers to fund such  
25 emergency activities as the Chief of Engineers determines

1 to be necessary and appropriate, and that the Chief of En-  
2 gineers shall allocate during the fourth quarter any re-  
3 maining funds which have not been used for emergency  
4 activities proportionally in accordance with the amounts  
5 provided for the programs, projects, or activities.

6 REGULATORY PROGRAM

7 For expenses necessary for administration of laws  
8 pertaining to regulation of navigable waters and wetlands,  
9 \$205,000,000, to remain available until September 30,  
10 2022.

11 FORMERLY UTILIZED SITES REMEDIAL ACTION PROGRAM

12 For expenses necessary to clean up contamination  
13 from sites in the United States resulting from work per-  
14 formed as part of the Nation's early atomic energy pro-  
15 gram, \$210,000,000, to remain available until expended.

16 FLOOD CONTROL AND COASTAL EMERGENCIES

17 For expenses necessary to prepare for flood, hurri-  
18 cane, and other natural disasters and support emergency  
19 operations, repairs, and other activities in response to  
20 such disasters as authorized by law, \$35,000,000, to re-  
21 main available until expended.

22 EXPENSES

23 For expenses necessary for the supervision and gen-  
24 eral administration of the civil works program in the head-  
25 quarters of the Corps of Engineers and the offices of the

1 Division Engineers; and for costs of management and op-  
2 eration of the Humphreys Engineer Center Support Activ-  
3 ity, the Institute for Water Resources, the United States  
4 Army Engineer Research and Development Center, and  
5 the United States Army Corps of Engineers Finance Cen-  
6 ter allocable to the civil works program, \$200,000,000, to  
7 remain available until September 30, 2022, of which not  
8 to exceed \$5,000 may be used for official reception and  
9 representation purposes and only during the current fiscal  
10 year: *Provided*, That no part of any other appropriation  
11 provided in this title shall be available to fund the civil  
12 works activities of the Office of the Chief of Engineers  
13 or the civil works executive direction and management ac-  
14 tivities of the division offices: *Provided further*, That any  
15 Flood Control and Coastal Emergencies appropriation  
16 may be used to fund the supervision and general adminis-  
17 tration of emergency operations, repairs, and other activi-  
18 ties in response to any flood, hurricane, or other natural  
19 disaster.

20 OFFICE OF THE ASSISTANT SECRETARY OF THE ARMY  
21 FOR CIVIL WORKS

22 For the Office of the Assistant Secretary of the Army  
23 for Civil Works as authorized by 10 U.S.C. 3016(b)(3),  
24 \$5,000,000, to remain available until September 30, 2022:  
25 *Provided*, That not more than 25 percent of such amount

1 may be obligated or expended until the Assistant Sec-  
2 retary submits to the Committees on Appropriations of  
3 both Houses of Congress a work plan that allocates at  
4 least 95 percent of the additional funding provided under  
5 each heading in this title, as designated under such head-  
6 ing in the report of the Committee on Appropriations ac-  
7 companying this Act, to specific programs, projects, or ac-  
8 tivities.

9                   GENERAL PROVISIONS—CORPS OF  
10                                   ENGINEERS—CIVIL  
11                                   (INCLUDING TRANSFER OF FUNDS)

12           SEC. 101. (a) None of the funds provided in this title  
13 shall be available for obligation or expenditure through a  
14 reprogramming of funds that—

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

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

18                   (3) increases funds or personnel for any pro-  
19                   gram, project, or activity for which funds have been  
20                   denied or restricted by this Act;

21                   (4) reduces funds that are directed to be used  
22                   for a specific program, project, or activity by this  
23                   Act;



1           (5) increases funds for any program, project, or  
2           activity by more than \$2,000,000 or 10 percent,  
3           whichever is less; or

4           (6) reduces funds for any program, project, or  
5           activity by more than \$2,000,000 or 10 percent,  
6           whichever is less.

7           (b) Subsection (a)(1) shall not apply to any project  
8           or activity authorized under section 205 of the Flood Con-  
9           trol Act of 1948, section 14 of the Flood Control Act of  
10          1946, section 208 of the Flood Control Act of 1954, sec-  
11          tion 107 of the River and Harbor Act of 1960, section  
12          103 of the River and Harbor Act of 1962, section 111  
13          of the River and Harbor Act of 1968, section 1135 of the  
14          Water Resources Development Act of 1986, section 206  
15          of the Water Resources Development Act of 1996, or sec-  
16          tion 204 of the Water Resources Development Act of  
17          1992.

18          (c) The Corps of Engineers shall submit reports on  
19          a quarterly basis directly to the Committees on Appropria-  
20          tions of both Houses of Congress detailing all the funds  
21          reprogrammed between programs, projects, activities, or  
22          categories of funding. The first quarterly report shall be  
23          submitted not later than 60 days after the date of enact-  
24          ment of this Act.

1        SEC. 102. None of the funds made available in this  
2 title may be used to award or modify any contract that  
3 commits funds beyond the amounts appropriated for that  
4 program, project, or activity that remain unobligated, ex-  
5 cept that such amounts may include any funds that have  
6 been made available through reprogramming pursuant to  
7 section 101.

8        SEC. 103. The Secretary of the Army may transfer  
9 to the Fish and Wildlife Service, and the Fish and Wildlife  
10 Service may accept and expend, up to \$5,400,000 of funds  
11 provided in this title under the heading “Operation and  
12 Maintenance” to mitigate for fisheries lost due to Corps  
13 of Engineers projects.

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

1 of section 101 of the Water Resources Development Act  
2 of 1986 (33 U.S.C. 2211).

3       SEC. 105. None of the funds made available by this  
4 Act may be used to carry out any water supply reallocation  
5 study under the Wolf Creek Dam, Lake Cumberland, Ken-  
6 tucky, project authorized under the Act of July 24, 1946  
7 (60 Stat. 636, ch. 595).

8       SEC. 106. None of the funds made available by this  
9 Act or any other Act may be used to reorganize or to  
10 transfer the Civil Works functions or authority of the  
11 Corps of Engineers or the Secretary of the Army to an-  
12 other department or agency.

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

16       SEC. 108. Notwithstanding any other provision of  
17 law, none of the funds appropriated or otherwise made  
18 available by this Act or any prior appropriations Acts for  
19 the Civil Works Program of the United States Army Corps  
20 of Engineers may be committed, obligated, expended, or  
21 otherwise used to design or construct a wall, fence, border  
22 barriers, or border security infrastructure along the south-  
23 ern border of the United States.

24       SEC. 109. None of the funds made available by this  
25 Act may be used to issue a permit under section 404 of

1 the Federal Water Pollution Control Act to a private enti-  
2 ty or individual for the discharge of dredged or fill mate-  
3 rial from a project located within Water Conservation  
4 Areas 1, 2A, 2B, 3A, or 3B in the State of Florida, unless  
5 discharge is from a project that is generally available for  
6 the general public's or Tribe's use and benefit and serve  
7 a public purpose, which may include Tribal communities.

8       SEC. 110. (a) When allocating the additional funding  
9 provided in this title under the headings "Construction"  
10 and "Mississippi River and Tributaries", the Secretary  
11 shall initiate a total of seven new construction starts dur-  
12 ing fiscal year 2021.

13       (b) For new construction projects, project cost shar-  
14 ing agreements shall be executed as soon as practicable  
15 but no later than September 30, 2021.

16       (c) No allocation for a new start shall be considered  
17 final and no work allowance shall be made until the Sec-  
18 retary provides to the Committees on Appropriations of  
19 both Houses of Congress an out-year funding scenario  
20 demonstrating the affordability of the selected new starts  
21 and the impacts on other projects.

22       (d) The Secretary shall not deviate from the new  
23 starts proposed in the work plan, once the plan has been  
24 submitted to the Committees on Appropriations of both  
25 Houses of Congress.

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TITLE II

DEPARTMENT OF THE INTERIOR

CENTRAL UTAH PROJECT

CENTRAL UTAH PROJECT COMPLETION ACCOUNT

For carrying out activities authorized by the Central Utah Project Completion Act, \$20,000,000, to remain available until expended, of which \$1,800,000 shall be deposited into the Utah Reclamation Mitigation and Conservation Account for use by the Utah Reclamation Mitigation and Conservation Commission: *Provided*, That of the amount provided under this heading, \$1,500,000 shall be available until September 30, 2022, for expenses necessary in carrying out related responsibilities of the Secretary of the Interior: *Provided further*, That for fiscal year 2021, of the amount made available to the Commission under this Act or any other Act, the Commission may use an amount not to exceed \$1,500,000 for administrative expenses.

BUREAU OF RECLAMATION

The following appropriations shall be expended to execute authorized functions of the Bureau of Reclamation:

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, \$1,487,000,000, to  
11 remain available until expended, of which \$58,476,000  
12 shall be available for transfer to the Upper Colorado River  
13 Basin Fund and \$5,584,000 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 \$25,882,000 shall be available for transfer into the Black-  
18 feet Water Settlement Implementation Fund established  
19 by section 3717 of Public Law 114–322: *Provided further*,  
20 That such transfers may be increased or decreased within  
21 the overall appropriation under this heading: *Provided fur-*  
22 *ther*, That of the total appropriated, the amount for pro-  
23 gram activities that can be financed by the Reclamation  
24 Fund or the Bureau of Reclamation special fee account  
25 established by 16 U.S.C. 6806 shall be derived from that

1 Fund or account: *Provided further*, That funds contributed  
2 under 43 U.S.C. 395 are available until expended for the  
3 purposes for which the funds were contributed: *Provided*  
4 *further*, That funds advanced under 43 U.S.C. 397a shall  
5 be credited to this account and are available until ex-  
6 pended for the same purposes as the sums appropriated  
7 under this heading: *Provided further*, That of the amounts  
8 provided herein, funds may be used for high-priority  
9 projects which shall be carried out by the Youth Conserva-  
10 tion Corps, as authorized by 16 U.S.C. 1706. *Provided*  
11 *further*, That in accordance with section 4007 of Public  
12 Law 114–322, and as recommended by the Secretary of  
13 the Interior in a letter dated June 22, 2020, funding pro-  
14 vided for such purposes in fiscal years 2017, 2018, and  
15 2019 may be made available to the Friant-Kern Canal Ca-  
16 pacity Correction Resulting from Subsidence, the Los  
17 Vaqueros Reservoir Phase 2 Expansion Project, the Delta  
18 Mendota Canal Subsidence Correction, the North-of-the-  
19 Delta Off stream Storage (Sites Reservoir Project), the  
20 Del Puerto Water District, the San Luis Low point Im-  
21 provement Project, the Sacramento Regional Water Bank,  
22 the Boise River Feasibility Study, and the Cle Elum Pool  
23 Raise: *Provided further*, That no funds may be obligated  
24 or expended for the projects specified in the preceding pro-  
25 viso until the Secretary of the Interior transmits rec-

1 ommendations to Congress for projects authorized under  
2 sections 4009(a) and 4009(c) of the Water Infrastructure  
3 Improvements for the Nation Act (Public Law 114–322)  
4 and the Congress enacts a subsequent appropriations act  
5 making appropriations for energy and water development.

6           CENTRAL VALLEY PROJECT RESTORATION FUND

7           For carrying out the programs, projects, plans, habi-  
8 tat restoration, improvement, and acquisition provisions of  
9 the Central Valley Project Improvement Act, \$55,875,000,  
10 to be derived from such sums as may be collected in the  
11 Central Valley Project Restoration Fund pursuant to sec-  
12 tions 3407(d), 3404(c)(3), and 3405(f) of Public Law  
13 102–575, to remain available until expended: *Provided*,  
14 That the Bureau of Reclamation is directed to assess and  
15 collect the full amount of the additional mitigation and  
16 restoration payments authorized by section 3407(d) of  
17 Public Law 102–575: *Provided further*, That none of the  
18 funds made available under this heading may be used for  
19 the acquisition or leasing of water for in-stream purposes  
20 if the water is already committed to in-stream purposes  
21 by a court adopted decree or order.

22           CALIFORNIA BAY-DELTA RESTORATION  
23           (INCLUDING TRANSFERS OF FUNDS)

24           For carrying out activities authorized by the Water  
25 Supply, Reliability, and Environmental Improvement Act,



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

13 POLICY AND ADMINISTRATION

14 For expenses necessary for policy, administration,  
15 and related functions in the Office of the Commissioner,  
16 the Denver office, and offices in the six regions of the Bu-  
17 reau of Reclamation, to remain available until September  
18 30, 2022, \$60,000,000, to be derived from the Reclama-  
19 tion Fund and be nonreimbursable as provided in 43  
20 U.S.C. 377: *Provided*, That no part of any other appro-  
21 priation in this Act shall be available for activities or func-  
22 tions budgeted as policy and administration expenses.

## 1 ADMINISTRATIVE PROVISION

2 Appropriations for the Bureau of Reclamation shall  
3 be available for purchase of not to exceed five passenger  
4 motor vehicles, which are for replacement only.

5 GENERAL PROVISIONS—DEPARTMENT OF THE  
6 INTERIOR

7 SEC. 201. (a) None of the funds provided in this title  
8 shall be available for obligation or expenditure through a  
9 reprogramming of funds that—

10 (1) creates or initiates a new program, project,  
11 or activity;

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

13 (3) increases funds for any program, project, or  
14 activity for which funds have been denied or re-  
15 stricted by this Act;

16 (4) restarts or resumes any program, project,  
17 or activity for which funds are not provided in this  
18 Act, unless prior approval is received from the Com-  
19 mittees on Appropriations of both Houses of Con-  
20 gress;

21 (5) transfers funds in excess of the following  
22 limits—

23 (A) 15 percent for any program, project,  
24 or activity for which \$2,000,000 or more is  
25 available at the beginning of the fiscal year; or

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

4 (6) transfers more than \$500,000 from either  
5 the Facilities Operation, Maintenance, and Rehabili-  
6 tation category or the Resources Management and  
7 Development category to any program, project, or  
8 activity in the other category; or

9 (7) transfers, where necessary to discharge legal  
10 obligations of the Bureau of Reclamation, more than  
11 \$5,000,000 to provide adequate funds for settled  
12 contractor claims, increased contractor earnings due  
13 to accelerated rates of operations, and real estate de-  
14 ficiency judgments.

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

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

21 (d) The Bureau of Reclamation shall submit reports  
22 on a quarterly basis directly to the Committees on Appro-  
23 priations of both Houses of Congress detailing all the  
24 funds reprogrammed between programs, projects, activi-  
25 ties, or categories of funding. The first quarterly report

1 shall be submitted not later than 60 days after the date  
2 of enactment of this Act.

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

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

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

3 SEC. 203. Section 9504(e) of the Omnibus Public  
4 Land Management Act of 2009 (Public Law 111–11; 42  
5 U.S.C. 10364(e)) is amended by striking “\$530,000,000”  
6 and inserting “\$600,000,000”.

7 SEC. 204. Title I of the CALFED Bay-Delta Author-  
8 ization Act (Public Law 108–361; 118 Stat. 1681), as  
9 amended by section 4007(k) of Public Law 114–322, is  
10 amended by striking “2020” each place it appears and  
11 inserting “2021”.

12 SEC. 205. Section 9106(g)(2) of the Omnibus Public  
13 Land Management Act of 2009 (Public Law 111–11; 123  
14 Stat. 1309) is amended by striking “2020” and inserting  
15 “2021”.

16 SEC. 206. Section 6002(g)(4) of the Omnibus Public  
17 Land Management Act of 2009 (Public Law 111–11; 16  
18 U.S.C. 1015(a)) is amended by striking “2020” and in-  
19 serting “2021”.

20 SEC. 207. (a) Section 104(c) of the Reclamation  
21 States Emergency Drought Relief Act of 1991 (Public  
22 Law 102–250; 43 U.S.C. 2214(c)) is amended by striking  
23 “2020” and inserting “2021”.

24 (b) Section 301 of the Reclamation States Emergency  
25 Drought Relief Act of 1991 (Public Law 102–250; 43

1 U.S.C. 2241) is amended by striking “2020” and insert-  
2 ing “2021”.

3 SEC. 208. Title VI of the Claims Resolution Act  
4 (Public Law 111–291; 42 U.S.C. 1305 note) is amend-  
5 ed—

6 (1) in section 602 by adding at the end— “The  
7 term ‘611(g) Agreement’ means the agreement  
8 dated September 17, 2019, executed by the United  
9 States, the State, the Pueblos, the County, and the  
10 City pursuant to section 611(g).”.

11 “(24) 611(G) AGREEMENT.—The term  
12 ‘611(g) Agreement’ means the agreement dated Sep-  
13 tember 17, 2019, executed by the United States, the  
14 State, the Pueblos, the County, and the City pursu-  
15 ant to section 611(g).”.

16 (2) in section 611(f)—

17 (A) in subparagraph (1)(A) by striking  
18 “\$106,400,000” and inserting “\$243,400,000”;

19 (B) by amending subparagraph (B) of  
20 paragraph (1) to read as follows:

21 “(B) EXCEPTION.—Of the amount de-  
22 scribed in subparagraph (A)— (i) the initial  
23 \$106,400,000 shall be increased or decreased,  
24 as appropriate, based on ordinary fluctuations  
25 in construction costs since October 1, 2006, as

1 determined using applicable engineering cost in-  
2 dices; and (ii) any amounts made available in  
3 excess of the amount described in clause (i)  
4 shall be increased or decreased, as appropriate,  
5 based on ordinary fluctuations in construction  
6 costs since October 1, 2018, as determined  
7 using applicable engineering cost indices.”; and

8 (C) in paragraph (3), by inserting “and  
9 the 611(g) Agreement” after “the Cost-Sharing  
10 and System Integration Agreement”;

11 (3) in section 617(a)(1)(B)—

12 (A) by striking “\$50,000,000” and insert-  
13 ing “\$187,000,000”; and

14 (B) by striking “2024” and inserting  
15 “2028”;

16 (4) in section 617(a)(4) by striking “since Oc-  
17 tober 1, 2006, as determined using applicable engi-  
18 neering cost indices” and inserting “pursuant to sec-  
19 tion 611(f)(1)(B)”;

20 (5) in section 621 by striking subsection (a)  
21 and inserting the following:

22 “(a) APPROVAL.—To the extent the Settle-  
23 ment Agreement, the Cost-Sharing and System Inte-  
24 gration Agreement, and the 611(g) Agreement do  
25 not conflict with this title, the Settlement Agree-

1 ment, the Cost-Sharing and System Integration  
2 Agreement, and the 611(g) Agreement (including  
3 any amendments to the Settlement Agreement, the  
4 Cost Sharing and System Integration Agreement,  
5 and the 611(g) Agreement that are executed to  
6 make the Settlement Agreement, the Cost-Sharing  
7 and System Integration Agreement, or the 611(g)  
8 Agreement consistent with this title) are authorized,  
9 ratified, and confirmed.”; and

10 (6) in section 623(e)—

11 (A) in paragraph (2)—

12 (i) by striking “2021” and inserting  
13 “2025”;

14 (ii) by striking “2024” and inserting  
15 “2028”;

16 (B) in paragraph (3), in the matter pre-  
17 ceding subparagraph (A), by striking “2021”  
18 and inserting “2025”;

19 (C) in paragraph (4)(B)(ii)(II), by striking  
20 “2023” and inserting “2027”;

21 (D) in paragraph (5)(A), by striking  
22 “2024” and inserting “2028”.

23 SEC. 209. None of the funds provided in this Act may  
24 be used for the Shasta Dam and Reservoir Enlargement  
25 Project.



1       SEC. 210. Section 10501 of the Omnibus Public Land  
2 Management Act of 2009 (Public Law 111–11; 43 U.S.C.  
3 407) is amended—

4           (1) in subsection (b)(1), by striking “For each  
5 of fiscal years 2020 through 2029” and inserting  
6 “For fiscal year 2020 and each fiscal year there-  
7 after”;

8           (2) in subsection (c)—

9           (A) in paragraph (1)(A), by striking “for  
10 each of fiscal years 2020 through 2034” and  
11 inserting “for fiscal year 2020 and each fiscal  
12 year thereafter”; and

13           (B) in paragraph (3)(C), by striking “for  
14 any authorized use” and all that follows  
15 through the period at the end and inserting  
16 “for any use authorized under paragraph (2).”;  
17 and

18           (3) by striking subsection (f).

### 19                           TITLE III

## 20                           DEPARTMENT OF ENERGY

### 21                           ENERGY PROGRAMS

#### 22                   ENERGY EFFICIENCY AND RENEWABLE ENERGY

##### 23                           (INCLUDING RESCISSIONS OF FUNDS)

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

1 ital equipment, and other expenses necessary for energy  
2 efficiency and renewable energy activities in carrying out  
3 the purposes of the Department of Energy Organization  
4 Act (42 U.S.C. 7101 et seq.), including the acquisition or  
5 condemnation of any real property or any facility or for  
6 plant or facility acquisition, construction, or expansion,  
7 \$2,850,240,000, to remain available until expended: *Pro-*  
8 *vided*, That of such amount, \$165,000,000 shall be avail-  
9 able until September 30, 2022, for program direction: *Pro-*  
10 *vided further*, That \$806,831 from Public Law 111–8 and  
11 \$1,433,462 from Public Law 111–85 provided under this  
12 heading are hereby rescinded: *Provided further*, That no  
13 amounts may be rescinded from amounts that were des-  
14 ignated by the Congress as an emergency requirement  
15 pursuant to a Concurrent Resolution on the Budget or the  
16 Balanced Budget and Emergency Deficit Control Act of  
17 1985.

18 CYBERSECURITY, ENERGY SECURITY, AND EMERGENCY  
19 RESPONSE

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

1 seq.), including the acquisition or condemnation of any  
2 real property or any facility or for plant or facility acquisi-  
3 tion, construction, or expansion, \$160,000,000, to remain  
4 available until expended: *Provided*, That of such amount,  
5 \$13,000,000 shall be available until September 30, 2022,  
6 for program direction.

7 ELECTRICITY

8 For Department of Energy expenses including the  
9 purchase, construction, and acquisition of plant and cap-  
10 ital equipment, and other expenses necessary for elec-  
11 tricity delivery activities in carrying out the purposes of  
12 the Department of Energy Organization Act (42 U.S.C.  
13 7101 et seq.), including the acquisition or condemnation  
14 of any real property or any facility or for plant or facility  
15 acquisition, construction, or expansion, \$195,000,000, to  
16 remain available until expended: *Provided*, That of such  
17 amount, \$18,850,000 shall be available until September  
18 30, 2022, for program direction.

19 NUCLEAR ENERGY

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

1 real property or any facility or for plant or facility acquisi-  
2 tion, construction, or expansion, \$1,435,800,000, to re-  
3 main available until expended: *Provided*, That of such  
4 amount, \$79,000,000 shall be available until September  
5 30, 2022, for program direction.

6       FOSSIL ENERGY RESEARCH AND DEVELOPMENT

7       For Department of Energy expenses necessary in car-  
8 rying out fossil energy research and development activi-  
9 ties, under the authority of the Department of Energy Or-  
10 ganization Act (42 U.S.C. 7101 et seq.), including the ac-  
11 quisition of interest, including defeasible and equitable in-  
12 terests in any real property or any facility or for plant  
13 or facility acquisition or expansion, and for conducting in-  
14 quiries, technological investigations and research con-  
15 cerning the extraction, processing, use, and disposal of  
16 mineral substances without objectionable social and envi-  
17 ronmental costs (30 U.S.C. 3, 1602, and 1603),  
18 \$727,500,000, to remain available until expended: *Pro-*  
19 *vided*, That of such amount \$62,115,000 shall be available  
20 until September 30, 2022, for program direction.

21       NAVAL PETROLEUM AND OIL SHALE RESERVES

22       For Department of Energy expenses necessary to  
23 carry out naval petroleum and oil shale reserve activities,  
24 \$13,006,000, to remain available until expended: *Pro-*  
25 *vided*, That notwithstanding any other provision of law,

1 unobligated funds remaining from prior years shall be  
2 available for all naval petroleum and oil shale reserve ac-  
3 tivities.

#### 4 STRATEGIC PETROLEUM RESERVE

5 For Department of Energy expenses necessary for  
6 Strategic Petroleum Reserve facility development and op-  
7 erations and program management activities pursuant to  
8 the Energy Policy and Conservation Act (42 U.S.C. 6201  
9 et seq.), \$195,000,000, to remain available until expended.

#### 10 SPR PETROLEUM ACCOUNT

11 For the acquisition, transportation, and injection of  
12 petroleum products, and for other necessary expenses pur-  
13 suant to the Energy Policy and Conservation Act of 1975,  
14 as amended (42 U.S.C. 6201 et seq.), sections 403 and  
15 404 of the Bipartisan Budget Act of 2015 (42 U.S.C.  
16 6241, 6239 note), and section 5010 of the 21st Century  
17 Cures Act (Public Law 114–255), \$7,500,000, to remain  
18 available until expended.

#### 19 NORTHEAST HOME HEATING OIL RESERVE

20 For Department of Energy expenses necessary for  
21 Northeast Home Heating Oil Reserve storage, operation,  
22 and management activities pursuant to the Energy Policy  
23 and Conservation Act (42 U.S.C. 6201 et seq.),  
24 \$10,000,000, to remain available until expended.

## 1 ENERGY INFORMATION ADMINISTRATION

2 For Department of Energy expenses necessary in car-  
3 rying out the activities of the Energy Information Admin-  
4 istration, \$126,800,000, to remain available until ex-  
5 pended.

## 6 NON-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 non-de-  
10 fense environmental cleanup activities in carrying out the  
11 purposes of the Department of Energy Organization Act  
12 (42 U.S.C. 7101 et seq.), including the acquisition or con-  
13 demnation of any real property or any facility or for plant  
14 or facility acquisition, construction, or expansion,  
15 \$315,000,000, to remain available until expended: *Pro-*  
16 *vided*, That in addition, fees collected pursuant to sub-  
17 section (b)(1) of section 6939f of title 42, United States  
18 Code, and deposited under this heading in fiscal year 2021  
19 pursuant to section 309 of title III of division C of the  
20 Further Consolidated Appropriations Act, 2020 (Public  
21 Law 116–94) are appropriated, to remain available until  
22 expended, for mercury storage costs.

1 URANIUM ENRICHMENT DECONTAMINATION AND  
2 DECOMMISSIONING FUND

3 For Department of Energy expenses necessary in car-  
4 rying out uranium enrichment facility decontamination  
5 and decommissioning, remedial actions, and other activi-  
6 ties of title II of the Atomic Energy Act of 1954, and  
7 title X, subtitle A, of the Energy Policy Act of 1992,  
8 \$821,583,000, to be derived from the Uranium Enrich-  
9 ment Decontamination and Decommissioning Fund, to re-  
10 main available until expended, of which \$21,284,000 shall  
11 be available in accordance with title X, subtitle A, of the  
12 Energy Policy Act of 1992.

13 SCIENCE

14 For Department of Energy expenses including the  
15 purchase, construction, and acquisition of plant and cap-  
16 ital equipment, and other expenses necessary for science  
17 activities in carrying out the purposes of the Department  
18 of Energy Organization Act (42 U.S.C. 7101 et seq.), in-  
19 cluding the acquisition or condemnation of any real prop-  
20 erty or any facility or for plant or facility acquisition, con-  
21 struction, or expansion, and purchase of not more than  
22 35 passenger motor vehicles for replacement only,  
23 \$7,050,000,000, to remain available until expended: *Pro-*  
24 *vided*, That of such amount, \$188,000,000 shall be avail-  
25 able until September 30, 2022, for program direction.

## 1 NUCLEAR WASTE DISPOSAL

2 For Department of Energy expenses necessary for  
3 nuclear waste disposal activities to carry out the purposes  
4 of the Nuclear Waste Policy Act of 1982, Public Law 97–  
5 425, as amended, including interim storage activities,  
6 \$27,500,000, to remain available until expended, of which  
7 \$7,500,000 shall be derived from the Nuclear Waste  
8 Fund.

## 9 ADVANCED RESEARCH PROJECTS AGENCY—ENERGY

10 For Department of Energy expenses necessary in car-  
11 rying out the activities authorized by section 5012 of the  
12 America COMPETES Act (Public Law 110–69),  
13 \$435,000,000, to remain available until expended: *Pro-*  
14 *vided*, That of such amount, \$37,000,000 shall be avail-  
15 able until September 30, 2022, for program direction.

16 TITLE 17 INNOVATIVE TECHNOLOGY LOAN GUARANTEE  
17 PROGRAM

18 Such sums as are derived from amounts received  
19 from borrowers pursuant to section 1702(b) of the Energy  
20 Policy Act of 2005 under this heading in prior Acts, shall  
21 be collected in accordance with section 502(7) of the Con-  
22 gressional Budget Act of 1974: *Provided*, That for nec-  
23 essary administrative expenses of the Title 17 Innovative  
24 Technology Loan Guarantee Program, as authorized,  
25 \$32,000,000 is appropriated, to remain available until



1 September 30, 2022: *Provided further*, That up to  
2 \$32,000,000 of fees collected in fiscal year 2021 pursuant  
3 to section 1702(h) of the Energy Policy Act of 2005 shall  
4 be credited as offsetting collections under this heading and  
5 used for necessary administrative expenses in this appro-  
6 priation and shall remain available until September 30,  
7 2022: *Provided further*, That to the extent that fees col-  
8 lected in fiscal year 2021 exceed \$32,000,000, those ex-  
9 cess amounts shall be credited as offsetting collections  
10 under this heading and available in future fiscal years only  
11 to the extent provided in advance in appropriations Acts:  
12 *Provided further*, That the sum herein appropriated from  
13 the general fund shall be reduced (1) as such fees are re-  
14 ceived during fiscal year 2021 (estimated at \$3,000,000)  
15 and (2) to the extent that any remaining general fund ap-  
16 propriations can be derived from fees collected in previous  
17 fiscal years that are not otherwise appropriated, so as to  
18 result in a final fiscal year 2021 appropriation from the  
19 general fund estimated at \$0: *Provided further*, That the  
20 Department of Energy shall not subordinate any loan obli-  
21 gation to other financing in violation of section 1702 of  
22 the Energy Policy Act of 2005 or subordinate any Guarant-  
23 eed Obligation to any loan or other debt obligations in  
24 violation of section 609.10 of title 10, Code of Federal  
25 Regulations.



1 hire of passenger motor vehicles and official reception and  
2 representation expenses not to exceed \$30,000, plus such  
3 additional amounts as necessary to cover increases in the  
4 estimated amount of cost of work for others notwith-  
5 standing the provisions of the Anti-Deficiency Act (31  
6 U.S.C. 1511 et seq.): *Provided*, That such increases in  
7 cost of work are offset by revenue increases of the same  
8 or greater amount: *Provided further*, That moneys received  
9 by the Department for miscellaneous revenues estimated  
10 to total \$93,378,000 in fiscal year 2021 may be retained  
11 and used for operating expenses within this account, as  
12 authorized by section 201 of Public Law 95–238, notwith-  
13 standing the provisions of 31 U.S.C. 3302: *Provided fur-*  
14 *ther*, That the sum herein appropriated shall be reduced  
15 as collections are received during the fiscal year so as to  
16 result in a final fiscal year 2021 appropriation from the  
17 general fund estimated at not more than \$159,000,000.

18 OFFICE OF THE INSPECTOR GENERAL

19 For expenses necessary for the Office of the Inspector  
20 General in carrying out the provisions of the Inspector  
21 General Act of 1978, \$57,739,000, to remain available  
22 until September 30, 2022.

## 1           ATOMIC ENERGY DEFENSE ACTIVITIES

## 2                   NATIONAL NUCLEAR SECURITY

## 3                           ADMINISTRATION

## 4                                   WEAPONS ACTIVITIES

5           For Department of Energy expenses, including the  
6 purchase, construction, and acquisition of plant and cap-  
7 ital equipment and other incidental expenses necessary for  
8 atomic energy defense weapons activities in carrying out  
9 the purposes of the Department of Energy Organization  
10 Act (42 U.S.C. 7101 et seq.), including the acquisition or  
11 condemnation of any real property or any facility or for  
12 plant or facility acquisition, construction, or expansion,  
13 and the purchase of not to exceed one aircraft, one ambu-  
14 lance, and two passenger buses for replacement only,  
15 \$13,659,617,000, to remain available until expended: *Pro-*  
16 *vided*, That of such amount, \$123,684,000 shall be avail-  
17 able until September 30, 2022, for program direction.

## 18                   DEFENSE NUCLEAR NONPROLIFERATION

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



1 ENVIRONMENTAL AND OTHER DEFENSE  
2 ACTIVITIES  
3 DEFENSE ENVIRONMENTAL CLEANUP

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 environmental cleanup activities in car-  
8 rying out the purposes of the Department of Energy Orga-  
9 nization Act (42 U.S.C. 7101 et seq.), including the acqui-  
10 sition or condemnation of any real property or any facility  
11 or for plant or facility acquisition, construction, or expan-  
12 sion, and the purchase of not to exceed one passenger  
13 minivan for replacement only, \$6,321,000,000, to remain  
14 available until expended: *Provided*, That of such amount,  
15 \$282,093,000 shall be available until September 30, 2022,  
16 for program direction.

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

20 For an additional amount for atomic energy defense  
21 environmental cleanup activities for Department of En-  
22 ergy contributions for uranium enrichment decontamina-  
23 tion and decommissioning activities, \$821,583,000, to be  
24 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, \$942,300,000, to remain available  
13 until expended: *Provided*, That of such amount,  
14 \$346,833,000 shall be available until September 30, 2022,  
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 2021, 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, \$7,246,000, 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 \$7,246,000 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 2021 appropriation estimated at not more than  
22 \$0: *Provided further*, That notwithstanding 31 U.S.C.  
23 3302, up to \$52,000,000 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, \$47,540,000, 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 \$37,140,000 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 2021 appropriation estimated at not  
6 more than \$10,400,000: *Provided further*, That notwith-  
7 standing 31 U.S.C. 3302, up to \$15,000,000 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 For carrying out the functions authorized by title III,  
21 section 302(a)(1)(E) of the Act of August 4, 1977 (42  
22 U.S.C. 7152), and other related activities including con-  
23 servation and renewable resources programs as author-  
24 ized, \$259,126,000, including official reception and rep-  
25 resentation expenses in an amount not to exceed \$1,500,

1 to remain available until expended, of which \$259,126,000  
2 shall be derived from the Department of the Interior Rec-  
3 lamation Fund: *Provided*, That notwithstanding 31 U.S.C.  
4 3302, section 5 of the Flood Control Act of 1944 (16  
5 U.S.C. 825s), and section 1 of the Interior Department  
6 Appropriation Act, 1939 (43 U.S.C. 392a), up to  
7 \$169,754,000 collected by the Western Area Power Ad-  
8 ministration from the sale of power and related services  
9 shall be credited to this account as discretionary offsetting  
10 collections, to remain available until expended, for the sole  
11 purpose of funding the annual expenses of the Western  
12 Area Power Administration: *Provided further*, That the  
13 sum herein appropriated for annual expenses shall be re-  
14 duced as collections are received during the fiscal year so  
15 as to result in a final fiscal year 2021 appropriation esti-  
16 mated at not more than \$89,372,000, of which  
17 \$89,372,000 is derived from the Reclamation Fund: *Pro-*  
18 *vided further*, That notwithstanding 31 U.S.C. 3302, up  
19 to \$172,000,000 collected by the Western Area Power Ad-  
20 ministration pursuant to the Flood Control Act of 1944  
21 and the Reclamation Project Act of 1939 to recover pur-  
22 chase power and wheeling expenses shall be credited to  
23 this account as offsetting collections, to remain available  
24 until expended for the sole purpose of making purchase  
25 power and wheeling expenditures: *Provided further*, That

1 for purposes of this appropriation, annual expenses means  
2 expenditures that are generally recovered in the same year  
3 that they are incurred (excluding purchase power and  
4 wheeling expenses).

5 FALCON AND AMISTAD OPERATING AND MAINTENANCE  
6 FUND

7 For operation, maintenance, and emergency costs for  
8 the hydroelectric facilities at the Falcon and Amistad  
9 Dams, \$5,776,000, to remain available until expended,  
10 and to be derived from the Falcon and Amistad Operating  
11 and Maintenance Fund of the Western Area Power Ad-  
12 ministration, as provided in section 2 of the Act of June  
13 18, 1954 (68 Stat. 255): *Provided*, That notwithstanding  
14 the provisions of that Act and of 31 U.S.C. 3302, up to  
15 \$5,548,000 collected by the Western Area Power Adminis-  
16 tration from the sale of power and related services from  
17 the Falcon and Amistad Dams shall be credited to this  
18 account as discretionary offsetting collections, to remain  
19 available until expended for the sole purpose of funding  
20 the annual expenses of the hydroelectric facilities of these  
21 Dams and associated Western Area Power Administration  
22 activities: *Provided further*, That the sum herein appro-  
23 priated for annual expenses shall be reduced as collections  
24 are received during the fiscal year so as to result in a final  
25 fiscal year 2021 appropriation estimated at not more than

1 \$228,000: *Provided further*, That for purposes of this ap-  
2 propriation, annual expenses means expenditures that are  
3 generally recovered in the same year that they are in-  
4 curred: *Provided further*, That for fiscal year 2021, the  
5 Administrator of the Western Area Power Administration  
6 may accept up to \$1,526,000 in funds contributed by  
7 United States power customers of the Falcon and Amistad  
8 Dams for deposit into the Falcon and Amistad Operating  
9 and Maintenance Fund, and such funds shall be available  
10 for the purpose for which contributed in like manner as  
11 if said sums had been specifically appropriated for such  
12 purpose: *Provided further*, That any such funds shall be  
13 available without further appropriation and without fiscal  
14 year limitation for use by the Commissioner of the United  
15 States Section of the International Boundary and Water  
16 Commission for the sole purpose of operating, maintain-  
17 ing, repairing, rehabilitating, replacing, or upgrading the  
18 hydroelectric facilities at these Dams in accordance with  
19 agreements reached between the Administrator, Commis-  
20 sioner, and the power customers.

21 FEDERAL ENERGY REGULATORY COMMISSION

22 SALARIES AND EXPENSES

23 For expenses necessary for the Federal Energy Regu-  
24 latory Commission to carry out the provisions of the De-  
25 partment of Energy Organization Act (42 U.S.C. 7101 et



1 tivity if the program, project, or activity has not been  
2 funded by Congress.

3 (b)(1) Unless the Secretary of Energy notifies the  
4 Committees on Appropriations of both Houses of Congress  
5 at least 3 full business days in advance, none of the funds  
6 made available in this title may be used to—

7 (A) make a grant allocation or discretionary  
8 grant award totaling \$1,000,000 or more;

9 (B) make a discretionary contract award or  
10 Other Transaction Agreement totaling \$1,000,000  
11 or more, including a contract covered by the Federal  
12 Acquisition Regulation;

13 (C) issue a letter of intent to make an alloca-  
14 tion, award, or Agreement in excess of the limits in  
15 subparagraph (A) or (B); or

16 (D) announce publicly the intention to make an  
17 allocation, award, or Agreement in excess of the lim-  
18 its in subparagraph (A) or (B).

19 (2) The Secretary of Energy shall submit directly to  
20 the Committees on Appropriations of both Houses of Con-  
21 gress within 15 days of the conclusion of each quarter a  
22 report detailing each grant allocation or discretionary  
23 grant award totaling less than \$1,000,000 provided during  
24 the previous quarter.

1           (3) The notification required by paragraph (1) and  
2 the report required by paragraph (2) shall include the re-  
3 cipient of the award, the amount of the award, the fiscal  
4 year for which the funds for the award were appropriated,  
5 the account and program, project, or activity from which  
6 the funds are being drawn, the title of the award, and  
7 a brief description of the activity for which the award is  
8 made.

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

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

18                 (2) the contract, grant, or cooperative agree-  
19 ment includes a clause conditioning the Federal Gov-  
20 ernment’s obligation on the availability of future  
21 year budget authority and the Secretary notifies the  
22 Committees on Appropriations of both Houses of  
23 Congress at least 3 days in advance.

24           (d) Except as provided in subsections (e), (f), and (g),  
25 the amounts made available by this title shall be expended



1 as authorized by law for the programs, projects, and ac-  
2 tivities specified in the “Bill” column in the “Department  
3 of Energy” table included under the heading “Title III—  
4 Department of Energy” in the report of the Committee  
5 on Appropriations accompanying this Act.

6 (e) The amounts made available by this title may be  
7 reprogrammed for any program, project, or activity, and  
8 the Department shall notify the Committees on Appropria-  
9 tions of both Houses of Congress at least 30 days prior  
10 to the use of any proposed reprogramming that would  
11 cause any program, project, or activity funding level to  
12 increase or decrease by more than \$5,000,000 or 10 per-  
13 cent, whichever is less, during the time period covered by  
14 this Act.

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

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

20 (2) increases funds or personnel for any pro-  
21 gram, project, or activity for which funds are denied  
22 or restricted by this Act; or

23 (3) reduces funds that are directed to be used  
24 for a specific program, project, or activity by this  
25 Act.

1           (g)(1) The Secretary of Energy may waive any re-  
2     quirement or restriction in this section that applies to the  
3     use of funds made available for the Department of Energy  
4     if compliance with such requirement or restriction would  
5     pose a substantial risk to human health, the environment,  
6     welfare, or national security.

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

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

21          SEC. 302. Funds appropriated by this or any other  
22    Act, or made available by the transfer of funds in this  
23    Act, for intelligence activities are deemed to be specifically  
24    authorized by the Congress for purposes of section 504  
25    of the National Security Act of 1947 (50 U.S.C. 3094)

1 during fiscal year 2021 until the enactment of the Intel-  
2 ligence Authorization Act for fiscal year 2021.

3       SEC. 303. None of the funds made available in this  
4 title shall be used for the construction of facilities classi-  
5 fied as high-hazard nuclear facilities under 10 CFR Part  
6 830 unless independent oversight is conducted by the Of-  
7 fice of Enterprise Assessments to ensure the project is in  
8 compliance with nuclear safety requirements.

9       SEC. 304. None of the funds made available in this  
10 title may be used to approve critical decision-2 or critical  
11 decision-3 under Department of Energy Order 413.3B, or  
12 any successive departmental guidance, for construction  
13 projects where the total project cost exceeds  
14 \$100,000,000, until a separate independent cost estimate  
15 has been developed for the project for that critical deci-  
16 sion.

17       SEC. 305. Notwithstanding section 161 of the Energy  
18 Policy and Conservation Act (42 U.S.C. 6241), upon a  
19 determination by the President in this fiscal year that a  
20 regional supply shortage of refined petroleum product of  
21 significant scope and duration exists, that a severe in-  
22 crease in the price of refined petroleum product will likely  
23 result from such shortage, and that a draw down and sale  
24 of refined petroleum product would assist directly and sig-  
25 nificantly in reducing the adverse impact of such shortage,

1 the Secretary of Energy may draw down and sell refined  
2 petroleum product from the Strategic Petroleum Reserve.  
3 Proceeds from a sale under this section shall be deposited  
4 into the SPR Petroleum Account established in section  
5 167 of the Energy Policy and Conservation Act (42 U.S.C.  
6 6247), and such amounts shall be available for obligation,  
7 without fiscal year limitation, consistent with that section.

8       SEC. 306. (a) Of the offsetting collections, including  
9 unobligated balances of such collections, in the “Depart-  
10 ment of Energy—Power Marketing Administration—Col-  
11 orado River Basins Power Marketing Fund, Western Area  
12 Power Administration”, \$21,400,000 shall be transferred  
13 to the “Department of the Interior—Bureau of Reclama-  
14 tion—Upper Colorado River Basin Fund” for the Bureau  
15 of Reclamation to carry out environmental stewardship  
16 and endangered species recovery efforts.

17       (b) No funds shall be transferred directly from “De-  
18 partment of Energy—Power Marketing Administration—  
19 Colorado River Basins Power Marketing Fund, Western  
20 Area Power Administration” to the general fund of the  
21 Treasury in the current fiscal year.

22       SEC. 307. (a) None of the funds made available in  
23 this Act or any other Act for any fiscal year may be used  
24 to take an action described in subsection (b) unless—

1           (1) the Secretary of Energy submits a written  
2 notification to the Committees on Appropriations of  
3 both Houses of Congress regarding such action, in-  
4 cluding—

5           (A) a detailed justification and information  
6 about the assumptions underlying such action;  
7 and

8           (B) with respect to an action described in  
9 paragraph (1) or (3) of such subsection—

10           (i) a preliminary cost range for the  
11 nuclear weapon program affected by such  
12 action;

13           (ii) the estimated costs for such pro-  
14 gram during the five-year period following  
15 the notification; and

16           (iii) the source and amount of funds  
17 for such action by program, project, or ac-  
18 tivity level.

19           (2) a period of 15 business days elapses fol-  
20 lowing the date of such notification.

21           (b) An action described in this subsection is any of  
22 the following:

23           (1) Approving the development of a new nuclear  
24 weapon or the modification of a nuclear weapon, in-

1 including as described in section 179(d)(8) of title 10,  
2 United States Code.

3 (2) Studying whether to develop a new or modi-  
4 fied nuclear weapon.

5 (3) Changing the scope of a nuclear weapon  
6 program if such change modifies the cost of such  
7 program by \$300,000,000 or more.

8 SEC. 308. None of the funds made available by this  
9 Act or any other Act making appropriations for energy  
10 and water development and related agencies for any fiscal  
11 year may be used to conduct, or make specific prepara-  
12 tions for, any explosive nuclear weapons test that produces  
13 any yield.

14 SEC. 309. None of the funds made available by this  
15 Act or any other Act making appropriations for energy  
16 and water development and related agencies may be used  
17 in furtherance of working through the Nuclear Weapons  
18 Council to guide, advise, assist, develop, or execute a budg-  
19 et for the National Nuclear Security Administration.

## 20 TITLE IV

### 21 INDEPENDENT AGENCIES

#### 22 APPALACHIAN REGIONAL COMMISSION

23 For expenses necessary to carry out the programs au-  
24 thorized by the Appalachian Regional Development Act of  
25 1965, as amended, notwithstanding 40 U.S.C. 14704, and

1 for expenses necessary for the Federal Co-Chairman and  
2 the Alternate on the Appalachian Regional Commission,  
3 for payment of the Federal share of the administrative ex-  
4 penses of the Commission, including services as authorized  
5 by section 3109 of title 5, United States Code, and hire  
6 of passenger motor vehicles, \$175,000,000, to remain  
7 available until expended.

8           DEFENSE NUCLEAR FACILITIES SAFETY BOARD  
9                           SALARIES AND EXPENSES

10          For expenses necessary for the Defense Nuclear Fa-  
11 cilities Safety Board in carrying out activities authorized  
12 by the Atomic Energy Act of 1954, as amended by Public  
13 Law 100–456, section 1441, \$31,000,000, to remain  
14 available until September 30, 2022.

15                           DELTA REGIONAL AUTHORITY  
16                           SALARIES AND EXPENSES

17          For expenses necessary for the Delta Regional Au-  
18 thority and to carry out its activities, as authorized by  
19 the Delta Regional Authority Act of 2000, notwith-  
20 standing sections 382F(d), 382M, and 382N of said Act,  
21 \$15,000,000, to remain available until expended.

22                           DENALI COMMISSION

23          For expenses necessary for the Denali Commission  
24 including the purchase, construction, and acquisition of  
25 plant and capital equipment as necessary and other ex-

1 penses, \$15,000,000, to remain available until expended,  
2 notwithstanding the limitations contained in section  
3 306(g) of the Denali Commission Act of 1998: *Provided*,  
4 That funds shall be available for construction projects in  
5 an amount not to exceed 80 percent of total project cost  
6 for distressed communities, as defined by section 307 of  
7 the Denali Commission Act of 1998 (division C, title III,  
8 Public Law 105–277), as amended by section 701 of ap-  
9 pendix D, title VII, Public Law 106–113 (113 Stat.  
10 1501A–280), and an amount not to exceed 50 percent for  
11 non-distressed communities: *Provided further*, That not-  
12 withstanding any other provision of law regarding pay-  
13 ment of a non-Federal share in connection with a grant-  
14 in-aid program, amounts under this heading shall be avail-  
15 able for the payment of such a non-Federal share for pro-  
16 grams undertaken to carry out the purposes of the Com-  
17 mission.

18           NORTHERN BORDER REGIONAL COMMISSION

19           For expenses necessary for the Northern Border Re-  
20 gional Commission in carrying out activities authorized by  
21 subtitle V of title 40, United States Code, \$25,000,000,  
22 to remain available until expended: *Provided*, That such  
23 amounts shall be available for administrative expenses,  
24 notwithstanding section 15751(b) of title 40, United  
25 States Code.



## 1           SOUTHEAST CRESCENT REGIONAL COMMISSION

2           For expenses necessary for the Southeast Crescent  
3 Regional Commission in carrying out activities authorized  
4 by subtitle V of title 40, United States Code, \$1,000,000,  
5 to remain available until expended.

## 6           SOUTHWEST BORDER REGIONAL COMMISSION

7           For expenses necessary for the Southwest Border Re-  
8 gional Commission in carrying out activities authorized by  
9 subtitle V of title 40, United States Code, \$250,000, to  
10 remain available until expended.

## 11                   NUCLEAR REGULATORY COMMISSION

## 12                           SALARIES AND EXPENSES

13           For expenses necessary for the Commission in car-  
14 rying out the purposes of the Energy Reorganization Act  
15 of 1974 and the Atomic Energy Act of 1954,  
16 \$849,900,000, including official representation expenses  
17 not to exceed \$25,000, to remain available until expended:  
18 *Provided*, That of the amount appropriated herein, not  
19 more than \$9,500,000 may be made available for salaries,  
20 travel, and other support costs for the Office of the Com-  
21 mission, to remain available until September 30, 2022, of  
22 which, notwithstanding section 201(a)(2)(c) of the Energy  
23 Reorganization Act of 1974 (42 U.S.C. 5841(a)(2)(c)),  
24 the use and expenditure shall only be approved by a major-  
25 ity vote of the Commission: *Provided further*, That reve-

1 nues from licensing fees, inspection services, and other  
2 services and collections estimated at \$729,293,000 in fis-  
3 cal year 2021 shall be retained and used for necessary  
4 salaries and expenses in this account, notwithstanding 31  
5 U.S.C. 3302, and shall remain available until expended:  
6 *Provided further*, That of the amounts appropriated under  
7 this heading, \$10,500,000 shall be for university research  
8 and development in areas relevant to the Commission's  
9 mission, and \$5,500,000 shall be for a Nuclear Science  
10 and Engineering Grant Program that will support multi-  
11 year projects that do not align with programmatic mis-  
12 sions but are critical to maintaining the discipline of nu-  
13 clear science and engineering: *Provided further*, That of  
14 the amounts appropriated under this heading,  
15 \$17,709,000 shall be for activities related to the develop-  
16 ment of regulatory infrastructure for advanced nuclear  
17 technologies, and \$13,349,000 shall be for international  
18 activities, except that the amounts provided under this  
19 proviso shall not be derived from fee revenues: *Provided*  
20 *further*, That the sum herein appropriated shall be reduced  
21 by the amount of revenues received during fiscal year  
22 2021 so as to result in a final fiscal year 2021 appropria-  
23 tion estimated at not more than \$120,607,000.

## 1 OFFICE OF INSPECTOR GENERAL

2 For expenses necessary for the Office of Inspector  
3 General in carrying out the provisions of the Inspector  
4 General Act of 1978, \$13,499,000, to remain available  
5 until September 30, 2022: *Provided*, That revenues from  
6 licensing fees, inspection services, and other services and  
7 collections estimated at \$11,106,000 in fiscal year 2021  
8 shall be retained and be available until September 30,  
9 2022, for necessary salaries and expenses in this account,  
10 notwithstanding section 3302 of title 31, United States  
11 Code: *Provided further*, That the sum herein appropriated  
12 shall be reduced by the amount of revenues received dur-  
13 ing fiscal year 2021 so as to result in a final fiscal year  
14 2021 appropriation estimated at not more than  
15 \$2,393,000: *Provided further*, That of the amounts appro-  
16 priated under this heading, \$1,206,000 shall be for In-  
17 spector General services for the Defense Nuclear Facilities  
18 Safety Board.

## 19 NUCLEAR WASTE TECHNICAL REVIEW BOARD

## 20 SALARIES AND EXPENSES

21 For expenses necessary for the Nuclear Waste Tech-  
22 nical Review Board, as authorized by Public Law 100-  
23 203, section 5051, \$3,600,000, to be derived from the Nu-  
24 clear Waste Fund, to remain available until September 30,  
25 2022.

1           GENERAL PROVISIONS—INDEPENDENT  
2   AGENCIES

3           SEC. 401. The Nuclear Regulatory Commission shall  
4 comply with the July 5, 2011, version of Chapter VI of  
5 its Internal Commission Procedures when responding to  
6 Congressional requests for information, consistent with  
7 Department of Justice guidance for all federal agencies.

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

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

22           (2) The Nuclear Regulatory Commission shall notify  
23 the Committees on Appropriations of both Houses of Con-  
24 gress of any waiver under paragraph (1) as soon as prac-  
25 ticable, but not later than 3 days after the date of the

1 activity to which a requirement or restriction would other-  
2 wise have applied. Such notice shall include an explanation  
3 of the substantial risk under paragraph (1) that permitted  
4 such waiver and shall provide a detailed report to the  
5 Committees of such waiver and changes to funding levels  
6 to programs, projects, or activities.

7 (c) Except as provided in subsections (a), (b), and  
8 (d), the amounts made available by this title for “Nuclear  
9 Regulatory Commission—Salaries and Expenses” shall be  
10 expended as directed in the report of the Committee on  
11 Appropriations accompanying this Act.

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

18 (e) The Commission shall provide a monthly report  
19 to the Committees on Appropriations of both Houses of  
20 Congress, which includes the following for each program,  
21 project, or activity, including any prior year appropria-  
22 tions—

- 23 (1) total budget authority;
- 24 (2) total unobligated balances; and
- 25 (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 of the Committee on Appropriations accom-  
14 panying this Act, or any authority whereby a department,  
15 agency, or instrumentality of the United States Govern-  
16 ment may provide goods or services to another depart-  
17 ment, agency, or instrumentality.

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

1 priations Act for any fiscal year, transfer authority ref-  
2 erenced in the report of the Committee on Appropriations  
3 accompanying this Act, or any authority whereby a de-  
4 partment, agency, or instrumentality of the United States  
5 Government may provide goods or services to another de-  
6 partment, agency, or instrumentality.

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

20 SEC. 503. None of the funds made available by this  
21 Act may be used in contravention of Executive Order No.  
22 12898 of February 11, 1994 (Federal Actions to Address  
23 Environmental Justice in Minority Populations and Low-  
24 Income Populations).

1           SEC. 504. (a) None of the funds made available in  
2 this Act may be used to maintain or establish a computer  
3 network unless such network blocks the viewing,  
4 downloading, and exchanging of pornography.

5           (b) Nothing in subsection (a) shall limit the use of  
6 funds necessary for any Federal, State, tribal, or local law  
7 enforcement agency or any other entity carrying out crimi-  
8 nal investigations, prosecution, or adjudication activities.

## 9   TITLE VI

### 10          ADDITIONAL INFRASTRUCTURE INVESTMENTS

#### 11   DEPARTMENT OF THE ARMY

##### 12   CORPS OF ENGINEERS—CIVIL

###### 13   INVESTIGATIONS

14           For an additional amount for “Investigations”,  
15 \$110,000,000, to remain available until expended, for nec-  
16 essary expenses related to the completion, or initiation and  
17 completion, of studies which are currently authorized or  
18 which are authorized after the date of enactment of this  
19 Act: *Provided*, That the Secretary may initiate additional  
20 new project starts with funds provided in this paragraph,  
21 without regard to other limitations in this Act: *Provided*  
22 *further*, That such amount is designated by the Congress  
23 as being for an emergency requirement pursuant to sec-  
24 tion 251(b)(2)(A)(i) of the Balanced Budget and Emer-  
25 gency Deficit Control Act of 1985.



## CONSTRUCTION

1  
2 For an additional amount for “Construction”,  
3 \$10,000,000,000, to remain available until expended, of  
4 which not less than \$500,000,000 shall be for water-re-  
5 lated environmental infrastructure assistance and  
6 \$3,000,000,000 shall be for inland waterways projects:  
7 *Provided*, That section 102 of Public Law 109–103 (33  
8 U.S.C. 2221) shall not apply to funds provided in this  
9 paragraph: *Provided further*, That notwithstanding any  
10 other provision of law, section 102 of the Water Resources  
11 Development Act of 1986 (Public Law 99–662; 33 U.S.C.  
12 2212) shall not apply to funds provided in this paragraph:  
13 *Provided further*, That the Secretary may initiate addi-  
14 tional new construction starts with funds provided in this  
15 paragraph without regard to section 110 of this Act: *Pro-*  
16 *vided further*, That the limitation concerning total project  
17 costs in section 902 of the Water Resources Development  
18 Act of 1986 (Public Law 99–662; 33 U.S.C. 2280), as  
19 amended, shall not apply to any project receiving funds  
20 provided in this paragraph: *Provided further*, That funds  
21 appropriated in this paragraph may be used by the Sec-  
22 retary of the Army, acting through the Chief of Engineers,  
23 to undertake work authorized to be carried out in accord-  
24 ance with section 14 of the Flood Control Act of 1946  
25 (33 U.S.C. 701r), section 205 of the Flood Control Act

1 of 1948 (33 U.S.C. 701s), section 206 of the Water Re-  
2 sources Development Act of 1996 (Public Law 104–303;  
3 33 U.S.C. 2330), or section 1135 of the Water Resources  
4 Development Act of 1986 (Public Law 99–662; 33 U.S.C.  
5 2309a), notwithstanding the program cost limitations set  
6 forth in those sections: *Provided further*, That such  
7 amount is designated by the Congress as being for an  
8 emergency requirement pursuant to section  
9 251(b)(2)(A)(i) of the Balanced Budget and Emergency  
10 Deficit Control Act of 1985.

11                                   MISSISSIPPI RIVER AND TRIBUTARIES

12           For an additional amount for “Mississippi River and  
13 Tributaries”, \$875,000,000, to remain available until ex-  
14 pended, of which \$150,000,000 shall be used for necessary  
15 expenses to address emergency situations at Corps of En-  
16 gineers Federal projects caused by natural disasters: *Pro-*  
17 *vided*, That the Secretary may initiate additional new  
18 study starts and additional new construction starts with  
19 funds provided under this paragraph without regard to  
20 other limitations in this Act: *Provided further*, That the  
21 limitation concerning total project costs in section 902 of  
22 the Water Resources Development Act of 1986 (Public  
23 Law 99–662; 33 U.S.C. 2280), as amended, shall not  
24 apply to any project receiving funds provided in this para-  
25 graph: *Provided further*, That funds provided in this para-

1 graph may not be used to update the final determination  
2 73 Fed. Reg. 54398 (September 19, 2008) or to construct  
3 or provide for the construction of “Alternative 5” as de-  
4 scribed in the Reformulation Main Report and Final Sup-  
5 plemental Environmental Impact Statement released by  
6 the Corps of Engineers in November 2007: *Provided fur-*  
7 *ther*, That such amount is designated by the Congress as  
8 being for an emergency requirement pursuant to section  
9 251(b)(2)(A)(i) of the Balanced Budget and Emergency  
10 Deficit Control Act of 1985.

11 OPERATION AND MAINTENANCE

12 For an additional amount for “Operation and Main-  
13 tenance”, \$5,000,000,000, to remain available until ex-  
14 pended, of which \$655,000,000 shall be used for necessary  
15 expenses to dredge Federal navigation projects in response  
16 to, and repair damages to Corps of Engineers Federal  
17 projects caused by, natural disasters: *Provided*, That sec-  
18 tion 9006 of the Water Resources Development Act of  
19 2007 (Public Law 110–114; 33. U.S.C. 3305) shall not  
20 apply to funds provided in this paragraph: *Provided fur-*  
21 *ther*, That such amount is designated by the Congress as  
22 being for an emergency requirement pursuant to section  
23 251(b)(2)(A)(i) of the Balanced Budget and Emergency  
24 Deficit Control Act of 1985.

## 1 REGULATORY PROGRAM

2 For an additional amount for “Regulatory Program”,  
3 \$50,000,000, to remain available until expended, for ex-  
4 penses necessary to carry out the administration of laws  
5 pertaining to regulation of navigable waters and wetlands:  
6 *Provided*, That such amount is designated by the Congress  
7 as being for an emergency requirement pursuant to sec-  
8 tion 251(b)(2)(A)(i) of the Balanced Budget and Emer-  
9 gency Deficit Control Act of 1985.

## 10 FORMERLY UTILIZED SITES REMEDIAL ACTION PROGRAM

11 For an additional amount for “Formerly Utilized  
12 Sites Remedial Action Program”, \$500,000,000, to re-  
13 main available until expended: *Provided*, That such  
14 amount is designated by the Congress as being for an  
15 emergency requirement pursuant to section  
16 251(b)(2)(A)(i) of the Balanced Budget and Emergency  
17 Deficit Control Act of 1985.

## 18 FLOOD CONTROL AND COASTAL EMERGENCIES

19 For an additional amount for “Flood Control and  
20 Coastal Emergencies”, \$415,000,000, to remain available  
21 until expended, for necessary expenses to prepare for  
22 flood, hurricane, and other natural disasters and support  
23 emergency operations, repairs, and other activities in re-  
24 sponse to such disasters as authorized by law: *Provided*,  
25 That funding utilized for authorized shore protection

1 projects shall restore such projects to the full project pro-  
2 file at full Federal expense: *Provided further*, That such  
3 amount is designated by the Congress as being for an  
4 emergency requirement pursuant to section  
5 251(b)(2)(A)(i) of the Balanced Budget and Emergency  
6 Deficit Control Act of 1985.

7  
8 EXPENSES

8 For an additional amount for “Expenses”,  
9 \$50,000,000, to remain available until expended, for nec-  
10 essary expenses to administer and oversee the obligation  
11 and expenditure of amounts provided in this title for the  
12 Corps of Engineers: *Provided*, That such amount is des-  
13 ignated by the Congress as being for an emergency re-  
14 quirement pursuant to section 251(b)(2)(A)(i) of the Bal-  
15 anced Budget and Emergency Deficit Control Act of 1985.

16 DEPARTMENT OF THE INTERIOR

17 BUREAU OF RECLAMATION

18 WATER AND RELATED RESOURCES

19 (INCLUDING TRANSFERS OF FUNDS)

20 For an additional amount for “Water and Related  
21 Resources”, \$3,000,000,000, to remain available until ex-  
22 pended, of which—

23 (1) \$50,000,000 shall be for water reclamation  
24 and reuse projects authorized under title XVI of the

1 Reclamation Projects Authorization and Adjustment  
2 Act of 1992 (Public Law 102–575);

3 (2) not less than \$300,000,000 shall be for  
4 WaterSMART grants;

5 (3) not less than \$200,000,000 shall be for con-  
6 struction activities, for which the Federal share of  
7 the cost shall not be more than 50 percent and for  
8 which the non-Federal share of not less than 50 per-  
9 cent may be provided in cash or in-kind, related to  
10 projects found to be feasible by the Secretary of the  
11 Interior and which are ready to initiate for the re-  
12 pair of critical Reclamation canals where operational  
13 conveyance capacity has been seriously impaired by  
14 factors such as age or land subsidence, focusing on  
15 those that would imminently jeopardize Reclama-  
16 tion’s ability to meet water delivery obligations;

17 (4) not less than \$605,000,000 shall be used  
18 for titles III, IV, V, and VI of the Claims Resolution  
19 Act of 2010 (Public Law 111–291), as amended,  
20 title III, subtitle G of the Water Infrastructure Im-  
21 provements for the Nation Act (Public Law 114–  
22 322), title X, subtitle B, part III of the Omnibus  
23 Public Land Management Act of 2009 (Public Law  
24 111–11), and the Arizona Water Settlements Act  
25 (Public Law 108–451), as amended;

1           (5) not less than \$100,000,000 shall be used  
2 for rural water projects and shall include water in-  
3 take and treatment facilities of such projects;

4           (6) \$100,000,000 shall be for Environmental  
5 Restoration and Compliance;

6           (7) \$8,500,000 shall be for activity associated  
7 with emergency remediation or repair of any Rec-  
8 lamation facility which has had a failure or there is  
9 imminent threat of failure in 2020, in order to re-  
10 store and maintain water deliveries for irrigation;

11           (8) \$100,000,000 shall be transferred to the  
12 Department of the Interior for programs, projects,  
13 and activities authorized by the Central Utah  
14 Project Completion Act (titles II–V of Public Law  
15 102–575), of which \$1,300,000 shall be transferred  
16 to the “Central Utah Project Completion Account”  
17 for use by the Utah Reclamation and Mitigation and  
18 Conservation Commission for emergency assistance;

19           (9) \$250,000,000 shall be for programs,  
20 projects, and activities authorized by the Central  
21 Valley Project Improvement Act (Public Law 102–  
22 575);

23           (10) \$250,000,000 shall be for programs,  
24 projects, and activities authorized by Title I of the

1 California Bay-Delta Restoration Act (Public Law  
2 108–361), as amended; and

3 (11) \$200,000,000 shall be for Section 10004  
4 of the Omnibus Public Land Management Act of  
5 2009 (Public Law 111–11):

6 *Provided*, That funds provided under this heading in this  
7 title may not be used for the Shasta Dam and Reservoir  
8 Enlargement Project: *Provided further*, That such amount  
9 is designated by the Congress as being for an emergency  
10 requirement pursuant to section 251(b)(2)(A)(i) of the  
11 Balanced Budget and Emergency Deficit Control Act of  
12 1985.

13 DEPARTMENT OF ENERGY

14 ENERGY EFFICIENCY AND RENEWABLE ENERGY

15 For an additional amount for “Energy Efficiency and  
16 Renewable Energy”, \$7,780,000,000, to remain available  
17 until expended, of which—

18 (1) \$3,000,000,000 shall be for the Weatheriza-  
19 tion Assistance Program under part A of title IV of  
20 the Energy Conservation and Production Act (Public  
21 Law 94–385; 42 U.S.C. 6861 et seq.), of which  
22 \$300,000,000 shall be for enhancements and innova-  
23 tion as described in section 603 of this Act, and  
24 \$2,000,000 shall be for training and technical assist-



1       ance to strengthen and increase weatherization ap-  
2       prenticeship pathways;

3               (2) \$730,000,000 shall be for the State Energy  
4       Program authorized under part D of title III of the  
5       Energy Policy and Conservation Act (Public Law  
6       94–163; 42 U.S.C. 6321 et seq);

7               (3) \$2,000,000,000 shall be for Energy Effi-  
8       ciency and Conservation Block Grants for implemen-  
9       tation of programs authorized under subtitle E of  
10      title V of the Energy Independence and Security Act  
11      of 2007 (Public Law 110–140; 42 U.S.C. 17151 et  
12      seq.), of which \$1,500,000,000 is available through  
13      the formula in subtitle E;

14              (4) \$1,000,000,000 shall be for the Vehicles  
15      Technologies Office to develop electric and alter-  
16      native vehicle infrastructure;

17              (5) \$500,000,000 shall be for the Advanced  
18      Manufacturing Office, of which—

19                      (A) \$250,000,000 shall be for battery sup-  
20                      ply chain support;

21                      (B) \$125,000,000 shall be for a grant pro-  
22                      gram to improve energy efficiency at water and  
23                      wastewater plants; and

24                      (C) \$125,000,000 shall be for a domestic  
25                      manufacturing conversion grant program au-

1           thorized under section 132 of subtitle B in title  
2           I of the Energy Independence and Security Act  
3           of 2007 (Public Law 110–140; 42 U.S.C.  
4           17011 et seq);

5           (6) \$200,000,000 shall be for grants to deploy  
6           solar and distributed energy systems in low-income  
7           and underserved communities, for which no cost  
8           share is required;

9           (7) \$100,000,000 shall be for the Hydrogen  
10          and Fuel Cell Technologies Office for H2@Scale  
11          demonstration and deployment activities related to  
12          hydrogen production, storage, transport, and infra-  
13          structure;

14          (8) \$230,000,000 shall be for facilities and in-  
15          frastructure; and

16          (9) \$20,000,000 shall be for program direction:  
17          *Provided*, That funds provided under this heading in this  
18          title may not be used for any activities related to the En-  
19          ergy Materials and Processing at Scale Research Facility:  
20          *Provided further*, That notwithstanding section 3304 of  
21          title 5, United States Code, and without regard to the pro-  
22          visions of sections 3309 through 3318 of such title 5, the  
23          Secretary of Energy, upon a determination that there is  
24          a severe shortage of candidates or a critical hiring need  
25          for particular positions to carry out the activities funded

1 under this heading in this title, may from within the funds  
2 provided under this heading in this title, recruit and di-  
3 rectly appoint highly qualified individuals into the com-  
4 petitive service: *Provided further*, That such authority  
5 shall not apply to positions in the Excepted Service or the  
6 Senior Executive Service: *Provided further*, That any ac-  
7 tion authorized herein shall be consistent with the merit  
8 principles of section 2301 of such title 5, and the Depart-  
9 ment shall comply with the public notice requirements of  
10 section 3327 of such title 5: *Provided further*, That such  
11 amount is designated by the Congress as being for an  
12 emergency requirement pursuant to section  
13 251(b)(2)(A)(i) of the Balanced Budget and Emergency  
14 Deficit Control Act of 1985.

15 ELECTRICITY

16 For an additional amount for “Electricity”,  
17 \$3,350,000,000, to remain available until expended, for  
18 necessary expenses related to grid modernization pro-  
19 grams, of which—

20 (1) \$2,000,000,000 shall be for grants and  
21 demonstrations to enhance the resilience, reliability,  
22 and energy security of electric infrastructure, to im-  
23 prove preparedness and restoration time to mitigate  
24 power disturbances, to continue delivery of power to  
25 critical facilities and electricity-dependent essential

1 services, to enhance regional grid resilience, and to  
2 facilitate greater incorporation of renewable energy  
3 generation;

4 (2) \$56,500,000 shall be for construction of the  
5 Grid Storage Launchpad;

6 (3) \$500,000,000 shall be for energy storage  
7 demonstration projects across a portfolio of tech-  
8 nologies and approaches; and

9 (4) not less than \$770,500,000 shall be for  
10 grants to manufacturers in the United States for the  
11 manufacturing of advanced batteries and compo-  
12 nents:

13 *Provided*, That the Secretary shall ensure regional diver-  
14 sity among eligible entities that receive the funds for  
15 grants, technical assistance, and demonstrations provided  
16 under this heading in this title: *Provided further*, That  
17 funds provided for these activities shall not be subject to  
18 cost share requirements for state, local, and other govern-  
19 ment recipients: *Provided further*, That notwithstanding  
20 section 3304 of title 5, United States Code, and without  
21 regard to the provisions of sections 3309 through 3318  
22 of such title 5, the Secretary of Energy, upon a determina-  
23 tion that there is a severe shortage of candidates or a crit-  
24 ical hiring need for particular positions to carry out the  
25 activities funded under this heading in this title, may from

1 within the funds provided under this heading in this title,  
2 recruit and directly appoint highly qualified individuals  
3 into the competitive service: *Provided further*, That such  
4 authority shall not apply to positions in the Excepted  
5 Service or the Senior Executive Service: *Provided further*,  
6 That any action authorized herein shall be consistent with  
7 the merit principles of section 2301 of such title 5, and  
8 the Department shall comply with the public notice re-  
9 quirements of section 3327 of such title 5: *Provided fur-*  
10 *ther*, That such amount is designated by the Congress as  
11 being for an emergency requirement pursuant to section  
12 251(b)(2)(A)(i) of the Balanced Budget and Emergency  
13 Deficit Control Act of 1985.

14 NUCLEAR ENERGY

15 For an additional amount for “Nuclear Energy”,  
16 \$1,250,000,000, to remain available until expended, of  
17 which—

18 (1) \$700,000,000 shall be for the Advanced Re-  
19 actor Demonstration Program;

20 (2) not less than \$192,300,000 shall be for the  
21 Advanced Small Modular Reactor program: *Pro-*  
22 *vided*, That the cost share for any demonstration  
23 project shall be up to 50 percent from the Depart-  
24 ment and not less than 50 percent from non-federal

1 sources: *Provided further*, That any demonstration  
2 project must meet the following criteria:

3 (A) technical feasibility that the dem-  
4 onstration can be operational in five to seven  
5 years;

6 (B) likelihood that the design can be li-  
7 censed for safe operations by the Nuclear Regu-  
8 latory Commission;

9 (C) use of certified fuel design or dem-  
10 onstration of a clear path to certification within  
11 five to seven years;

12 (D) affordability of the design for full-scale  
13 construction and cost of electricity generation;

14 (E) ability of the team to provide its por-  
15 tion of the cost share; and

16 (F) technical abilities and qualifications of  
17 teams desiring to demonstrate a proposed ad-  
18 vanced nuclear reactor technology;

19 (3) \$100,000,000 shall be for integrated hydro-  
20 gen-nuclear demonstration projects;

21 (4) \$66,000,000 shall be for construction of the  
22 Sample Preparation Laboratory;

23 (5) \$61,700,000 shall be for Materials and  
24 Fuels Complex Plant Health Investments; and

1           (6) \$125,000,000 shall be for Advanced Test  
2       Reactor Recapitalization:  
3   *Provided*, That such amount is designated by the Congress  
4 as being for an emergency requirement pursuant to sec-  
5 tion 251(b)(2)(A)(i) of the Balanced Budget and Emer-  
6 gency Deficit Control Act of 1985.

7       FOSSIL ENERGY RESEARCH AND DEVELOPMENT

8       For an additional amount for “Fossil Energy Re-  
9 search and Development”, \$1,250,000,000, to remain  
10 available until expended, of which—

11           (1) \$750,000,000 shall be for a carbon capture  
12 and utilization technology commercialization pro-  
13 gram to improve the efficiency, effectiveness, cost,  
14 and environmental performance of fossil fuel-fired  
15 facilities, including the industrial sector, through  
16 front end engineering design, commercial demonstra-  
17 tion of advanced carbon capture technology projects,  
18 commercial demonstration of direct air capture tech-  
19 nology projects, and commercialization projects of  
20 large-scale carbon dioxide storage sites in saline geo-  
21 logical formations, including activities exploring, cat-  
22 egorizing, and developing storage sites and necessary  
23 pipeline infrastructure;

24           (2) not less than \$239,500,000 shall be for  
25 demonstrations of negative emissions technologies;

1           (3) \$23,000,000 shall be for Joule 2 and Joule  
2           3;

3           (4) \$25,000,000 shall be for the Computational  
4           Science and Engineering Center;

5           (5) \$25,000,000 shall be for the Extreme Con-  
6           dition Reactive Fluids Lab;

7           (6) \$25,000,000 shall be for the Materials and  
8           Minerals Characterization Center;

9           (7) \$25,000,000 shall be for the Combustion  
10          Development Facility;

11          (8) \$25,000,000 shall be for the Direct Air  
12          Capture Center;

13          (9) \$20,000,000 shall be for the Center for  
14          Data Analytics and Machine Learning;

15          (10) \$15,000,000 shall be for the Advanced  
16          Alloy Development Facility;

17          (11) \$15,000,000 shall be for the Carbon Utili-  
18          zation Center;

19          (12) \$15,000,000 shall be for the Scale-up Phe-  
20          nomena Laboratory;

21          (13) \$10,000,000 shall be for Materials Engi-  
22          neering Manufacturing laboratory upgrades;

23          (14) \$9,500,000 shall be for NETL campus in-  
24          frastructure utilities;



1           (15) \$8,000,000 shall be for the Geological En-  
2           vironmental Science Center;

3           (16) \$6,000,000 shall be for Cross Cutting Re-  
4           search and Innovation Center laboratory renova-  
5           tions; and

6           (17) \$4,000,000 shall be for demolition of ex-  
7           cess and aging infrastructure:

8           *Provided*, That such amount is designated by the Congress  
9           as being for an emergency requirement pursuant to sec-  
10          tion 251(b)(2)(A)(i) of the Balanced Budget and Emer-  
11          gency Deficit Control Act of 1985.

12           NON-DEFENSE ENVIRONMENTAL CLEANUP

13          For an additional amount for “Non-Defense Environ-  
14          mental Cleanup”, \$200,000,000, to remain available until  
15          expended, of which—

16           (1) \$50,500,000 shall be for the Moab Uranium  
17          Mill Tailings Remedial Action Project;

18           (2) \$48,000,000 shall be for the Energy Tech-  
19          nology Engineering Center;

20           (3) \$45,500,000 shall be for Lawrence Berkeley  
21          National Laboratory; and

22           (4) \$56,000,000 shall be for the West Valley  
23          Demonstration Project:

24          *Provided*, That such amount is designated by the Congress  
25          as being for an emergency requirement pursuant to sec-

1 tion 251(b)(2)(A)(i) of the Balanced Budget and Emer-  
2 gency Deficit Control Act of 1985.

3 URANIUM ENRICHMENT DECONTAMINATION AND  
4 DECOMMISSIONING FUND

5 For an additional amount for “Uranium Enrichment  
6 Decontamination and Decommissioning Fund”,  
7 \$240,000,000, to remain available until expended, for nec-  
8 essary expenses related to cleanup of uranium gaseous dif-  
9 fusion plants, of which \$120,000,000 shall be for the  
10 Portsmouth Gaseous Diffusion Plant Site and  
11 \$120,000,000 shall be for the Paducah Gaseous Diffusion  
12 Site: *Provided*, That such amount is designated by the  
13 Congress as being for an emergency requirement pursuant  
14 to section 251(b)(2)(A)(i) of the Balanced Budget and  
15 Emergency Deficit Control Act of 1985.

16 SCIENCE

17 For an additional amount for “Science”,  
18 \$6,250,000,000, to remain available until expended, for  
19 necessary expenses related to scientific infrastructure, of  
20 which—

21 (1) \$340,000,000 shall be for procurement of  
22 the exascale systems at the Argonne Leadership  
23 Computing Facility;

1           (2) \$332,000,000 shall be for procurement of  
2 the exascale systems at the Oak Ridge Leadership  
3 Computing Facility;

4           (3) \$75,000,000 shall be for equipment and in-  
5 frastructure for the Quantum Information Science  
6 Research Centers;

7           (4) \$100,000,000 shall be for existing advanced  
8 computing systems at the Leadership Computing  
9 Facilities;

10          (5) \$20,000,000 shall be for power upgrades at  
11 the National Energy Research Scientific Computing  
12 Center;

13          (6) \$4,530,000 shall be for the Exascale Com-  
14 puting Project;

15          (7) \$2,250,000 shall be for ESnet;

16          (8) \$1,500,000 shall be for National Energy  
17 Research Scientific Computing Center 9 infrastruc-  
18 ture;

19          (9) \$1,300,000 shall be for the Argonne Lead-  
20 ership Computing Facility;

21          (10) \$700,000 shall be for the Oak Ridge Lead-  
22 ership Computing Facility;

23          (11) \$50,000,000 shall be for Environmental  
24 Molecular Sciences Laboratory equipment upgrades;

1           (12) \$50,000,000 shall be for Joint Genome In-  
2           stitute equipment upgrades;

3           (13) \$50,000,000 shall be for Atmospheric Ra-  
4           diation Measurement User Facility fixed and mobile  
5           sites equipment upgrades;

6           (14) \$214,000,000 shall be for the Linac Co-  
7           herent Light Source-II-High Energy;

8           (15) \$207,300,000 shall be for the Spallation  
9           Neutron Source Second Target Station;

10          (16) \$200,000,000 shall be for Ames main  
11          building modernization;

12          (17) \$170,000,000 shall be for the Advanced  
13          Light Source Upgrade;

14          (18) \$151,000,000 shall be for the Advanced  
15          Photon Source Upgrade;

16          (19) \$91,200,000 shall be for the Spallation  
17          Neutron Source Proton Power Upgrade;

18          (20) \$75,000,000 shall be for the Linac Coher-  
19          ent Light Source-II;

20          (21) \$73,000,000 shall be for the Cryomodule  
21          Repair & Maintenance Facility;

22          (22) \$60,000,000 shall be for Nanoscale  
23          Science Research Centers Recapitalization;

24          (23) \$59,500,000 shall be for NSLS-II Experi-  
25          mental Tools-II;

- 1           (24) \$65,000,000 shall be for ITER;
- 2           (25) \$110,000,000 shall be for the Matter in  
3 Extreme Conditions Upgrade;
- 4           (26) \$134,254,000 shall be for Materials Plas-  
5 ma Exposure experiment equipment;
- 6           (27) \$641,000,000 shall be for Long Baseline  
7 Neutrino Facility;
- 8           (28) \$284,380,000 shall be for the Proton Im-  
9 provement Plan II;
- 10          (29) \$200,300,000 shall be for Large Hadron  
11 Collider computing and equipment;
- 12          (30) \$100,000,000 shall be for Wilson Hall ren-  
13 ovations;
- 14          (31) \$62,000,000 shall be for Cosmic Micro-  
15 wave Background - Stage 4;
- 16          (32) \$9,000,000 shall be for Muon to Electron  
17 Conversion Experiment equipment;
- 18          (33) \$6,000,000 shall be for Super Cryogenic  
19 Dark Matter Search equipment;
- 20          (34) \$2,100,000 shall be for the Large Synoptic  
21 Survey Telescope project;
- 22          (35) \$448,200,000 shall be for the Electron Ion  
23 Collider;
- 24          (36) \$202,900,000 shall be for the U.S. Stable  
25 Isotope Production and Research Center;

1           (37) \$145,500,000 shall be for Ton Scale  
2 Neutrinoless Double Beta Decay equipment;

3           (38) \$87,000,000 shall be for the High Rigidity  
4 Spectrometer;

5           (39) \$45,000,000 shall be for isotope capabilities  
6 at the Facility for Rare Isotope Beams;

7           (40) \$43,100,000 shall be for Measurement of  
8 a Lepton-Lepton Electroweak Reaction equipment;

9           (41) \$39,100,000 shall be for the Gamma-Ray  
10 Energy Tracking Array;

11           (42) \$2,400,000 shall be for Super Pioneering  
12 High Energy Nuclear Interaction Experiment equipment;  
13

14           (43) \$1,000,000 shall be for Facility for Rare  
15 Isotope Beams construction;

16           (44) \$77,000,000 shall be for the Utilities Infrastructure  
17 Project;

18           (45) \$65,000,000 shall be for the ORNL Infrastructure  
19 Improvements project;

20           (46) \$63,000,000 shall be for the Linear Assets  
21 Modernization Project;

22           (47) \$211,036,000 shall be for General Plant  
23 Projects;

24           (48) \$73,000,000 shall be for the Argonne Utilities  
25 Upgrade project;

1           (49) \$107,000,000 shall be for the Critical Util-  
2           ities Infrastructure Revitalization project;

3           (50) \$52,000,000 shall be for the Critical Utili-  
4           ties Rehabilitation Project;

5           (51) \$83,750,000 shall be for the BioEPIC  
6           Building;

7           (52) \$59,000,000 shall be for the Princeton  
8           Plasma Innovation Center;

9           (53) \$70,000,000 shall be for CEBAF Renova-  
10          tion and Expansion;

11          (54) \$59,500,000 shall be for the Critical Infra-  
12          structure Recovery and Renewal project;

13          (55) \$75,400,000 shall be for the Seismic and  
14          Safety Modernization project;

15          (56) \$50,000,000 shall be for the Craft Re-  
16          source Facility;

17          (57) \$45,000,000 shall be for the Large Scale  
18          Collaboration Center;

19          (58) \$43,000,000 shall be for the Science User  
20          Support Center;

21          (59) \$39,750,000 shall be for the Translational  
22          Research Capacity construction project;

23          (60) \$28,000,000 shall be for the Ames Infra-  
24          structure Modernization project;

1           (61) \$5,750,000 shall be for the Energy  
2       Sciences Capability project;

3           (62) \$5,500,000 shall be for the Integrated En-  
4       gineering Research Center;

5           (63) \$1,400,000 shall be for Tritium System  
6       Demolition and Disposal;

7           (64) \$1,300,000 shall be for the Core Facility  
8       Revitalization construction project;

9           (65) \$1,000,000 shall be for the Electrical Ca-  
10      pacity and Distribution Capability project;

11          (66) \$65,000,000 shall be for the TJNAF In-  
12      frastructure Improvement project; and

13          (67) \$12,100,000 shall be for addressing Office  
14      of Science cybersecurity infrastructure deficiencies:

15   *Provided*, That such amount is designated by the Congress  
16   as being for an emergency requirement pursuant to sec-  
17   tion 251(b)(2)(A)(i) of the Balanced Budget and Emer-  
18   gency Deficit Control Act of 1985.

19    ADVANCED RESEARCH PROJECTS AGENCY—ENERGY

20      For an additional amount for “Advanced Research  
21   Projects Agency—Energy”, \$250,000,000, to remain  
22   available until expended, for necessary expenses for dem-  
23   onstrations projects: *Provided*, That such amount is des-  
24   ignated by the Congress as being for an emergency re-



1 requirement pursuant to section 251(b)(2)(A)(i) of the Bal-  
2 anced Budget and Emergency Deficit Control Act of 1985.

3 OFFICE OF INDIAN ENERGY POLICY AND PROGRAMS

4 For an additional amount for “Office of Indian En-  
5 ergy Policy and Programs”, \$150,000,000, to remain  
6 available until expended, for necessary expenses for the  
7 development and deployment of energy infrastructure on  
8 Indian lands that results in the reduction of energy costs,  
9 assistance in economic development, and electrification in  
10 tribal communities: *Provided*, That such funds shall not  
11 be subject to cost share requirements: *Provided further*,  
12 That such amount is designated by the Congress as being  
13 for an emergency requirement pursuant to section  
14 251(b)(2)(A)(i) of the Balanced Budget and Emergency  
15 Deficit Control Act of 1985.

16 OFFICE OF THE INSPECTOR GENERAL

17 For an additional amount for “Office of the Inspector  
18 General”, \$20,000,000, to remain available until ex-  
19 pended, for necessary expenses of the Office of the Inspec-  
20 tor General in carrying out the provisions of the Inspector  
21 General Act of 1978 (Public Law 95–452), as amended,  
22 and for providing oversight of the funds provided for the  
23 Department of Energy in this title: *Provided*, That such  
24 amount is designated by the Congress as being for an  
25 emergency requirement pursuant to section

1 251(b)(2)(A)(i) of the Balanced Budget and Emergency  
2 Deficit Control Act of 1985.

3 DEFENSE ENVIRONMENTAL CLEANUP

4 For an additional amount for “Defense Environ-  
5 mental Cleanup”, \$2,685,000,000, to remain available  
6 until expended, of which—

7 (1) \$941,000,000 shall be for the Hanford Site,  
8 of which—

9 (A) \$350,000,000 shall be for site infra-  
10 structure upgrades;

11 (B) \$230,000,000 shall be for tank farm  
12 infrastructure;

13 (C) \$175,000,000 shall be for Area 105 K  
14 West Basin disposition;

15 (D) \$71,000,000 shall be for Area 300/296  
16 Waste Site remediation;

17 (E) \$50,000,000 shall be for River Cor-  
18 ridor decontamination and decommissioning;

19 (F) \$35,000,000 shall be for tank farm  
20 evaporator upgrades; and

21 (G) \$30,000,000 shall be for A/AX farms  
22 single shell tank retrievals;

23 (2) \$711,000,000 shall be for the Savannah  
24 River Site, of which—

1 (A) \$200,000,000 shall be for H Canyon  
2 Basin Dewatering Project;

3 (B) \$140,000,000 shall be for building  
4 235-F decontamination and decommissioning;

5 (C) \$82,000,000 shall be for utilities sys-  
6 tem upgrades;

7 (D) \$75,000,000 shall be for roads and re-  
8 lated infrastructure;

9 (E) \$75,000,000 shall be for critical spares  
10 and infrastructure at the Defense Waste Proc-  
11 essing Facility;

12 (F) \$60,000,000 shall be for Separations  
13 Engineering Development decontamination and  
14 decommissioning;

15 (G) \$32,000,000 shall be for Salt Disposal  
16 Units 8-12;

17 (H) \$25,000,000 shall be for the Nuclear  
18 Materials Storage Vault; and

19 (I) \$22,000,000 shall be for Defense  
20 Waste Processing Facility laboratory instru-  
21 ments and computers;

22 (3) \$375,000,000 shall be for the Waste Isola-  
23 tion Pilot Plant, of which—

24 (A) \$200,000,000 shall be for the Hoist  
25 Capability Project;

1 (B) \$90,000,000 shall be for the Safety  
2 Significant Ventilation Confinement System;

3 (C) \$55,000,000 shall be for shipping sys-  
4 tem upgrades and shielded containers; and

5 (D) \$30,000,000 shall be for underground  
6 combustion fume reduction activities;

7 (4) \$240,000,000 shall be for the Idaho Site, of  
8 which—

9 (A) \$124,000,000 shall be for accelerated  
10 cleanup, decontamination and decommissioning,  
11 and groundwater;

12 (B) \$72,000,000 shall be for infrastructure  
13 improvements,

14 (C) \$24,000,000 shall be for shielded con-  
15 tainers and assay equipment; and

16 (D) \$20,000,000 shall be for Idaho Nu-  
17 clear Technology and Engineering Center infra-  
18 structure;

19 (5) \$140,000,000 shall be for the Oak Ridge  
20 Site, of which—

21 (A) \$90,000,000 shall be for Y-12 Na-  
22 tional Security Complex and Oak Ridge Na-  
23 tional Laboratory excess facilities decontamina-  
24 tion and decommissioning;

1 (B) \$30,000,000 shall be for liquid gas-  
2 eous waste operating facilities decontamination  
3 and decommissioning; and

4 (C) \$20,000,000 shall be for Transuranic  
5 Waste Processing Center infrastructure;

6 (6) \$170,000,000 shall be for Lawrence Liver-  
7 more National Laboratory excess facilities decon-  
8 tamination and decommissioning;

9 (7) \$58,000,000 shall be for Los Alamos excess  
10 facilities decontamination and decommissioning; and

11 (8) \$50,000,000 shall be for Los Alamos middle  
12 DP road site investigation and remediation:

13 *Provided*, That such amount is designated by the Congress  
14 as being for an emergency requirement pursuant to sec-  
15 tion 251(b)(2)(A)(i) of the Balanced Budget and Emer-  
16 gency Deficit Control Act of 1985.

17 OTHER DEFENSE ACTIVITIES

18 For an additional amount for “Other Defense Activi-  
19 ties”, \$50,000,000, to remain available until expended, for  
20 necessary expenses related to secure compartmented intel-  
21 ligence facility infrastructure and IT modernization: *Pro-*  
22 *vided*, That funds made available under this paragraph for  
23 intelligence activities are deemed to be specifically author-  
24 ized by Congress for purposes of section 504 of the Na-  
25 tional Security Act of 1947 (50 U.S.C. 3094): *Provided*

1 *further*, That such amount is designated by the Congress  
2 as being for an emergency requirement pursuant to sec-  
3 tion 251(b)(2)(A)(i) of the Balanced Budget and Emer-  
4 gency Deficit Control Act of 1985.

5           GENERAL PROVISIONS—ADDITIONAL  
6           INFRASTRUCTURE INVESTMENTS

7           SEC. 601. The heads of agencies funded under this  
8 title shall submit a monthly report to the Committees on  
9 Appropriations of the House of Representatives and the  
10 Senate detailing the allocation, obligation, and expendi-  
11 tures of these funds, including new projects selected to be  
12 initiated with funds provided in this title, beginning not  
13 later than 45 days after the date of enactment of this Act.

14           SEC. 602. The Secretary of Energy shall, in consulta-  
15 tion with the Secretaries of Health and Human Services,  
16 Housing and Urban Development, and Veterans Affairs,  
17 develop an inter-agency collaboration effort to increase  
18 cross-participation in the Department of Energy’s Weath-  
19 erization Assistance Program, the Department of Health  
20 and Human Services Low Income Home Energy Assist-  
21 ance Program, the HUD Lead Hazard Control and  
22 Healthy Homes Program, and the Department of Vet-  
23 erans Affairs.

24           SEC. 603. The Secretary of Energy shall, within  
25 funds made available in this title, distribute funds to WAP

1 grantees via the formula in part A of title IV of the En-  
2 ergy Conservation and Production Act (Public Law 94–  
3 385; 42 U.S.C. 6861 et seq.), for the purpose of innovative  
4 activities that will increase the number of dwelling units  
5 that become weatherization-ready through critical repairs,  
6 promote the deployment of renewable energy systems and  
7 emerging technologies, include community-based weather-  
8 ization concepts, and improve indoor environments  
9 through healthy homes measures. Grantees may also use  
10 such funds for innovative outreach and education, quality  
11 control of work performed, data collection, measurement,  
12 verification, program monitoring, oversight, evaluation, re-  
13 porting, training, and planning related to such work. Such  
14 funding is not subject to the savings-to-investment ratio  
15 requirements in 10 CFR § 440.21.

16       SEC. 604. (a) Section 415(c)(1) of the Energy Con-  
17 servation and Production Act (Public Law 94–385; 42  
18 U.S.C. 6865(c)(1)) is amended by striking “\$6,500” and  
19 inserting “\$10,000”.

20       (b) Section 415(a)(1) of the Energy Conservation and  
21 Production Act (Public Law 94–385; 42 U.S.C.  
22 6865(a)(1)) is amended by striking “10 percent” and in-  
23 serting “12.5 percent”.

24       (c) Paragraph (2) of section 415(c) of the Energy  
25 Conservation and Production Act (Public Law 94–385; 42

1 U.S.C. 6865(c)(2)) is amended to read as follows: “(2)  
2 Dwelling units weatherized (including dwelling units par-  
3 tially weatherized) under this part, or under other Federal  
4 programs (in this paragraph referred to as ‘previous  
5 weatherization’), may not receive further financial assist-  
6 ance for weatherization under this part until the date that  
7 is 15 years after the date such previous weatherization  
8 was completed. This paragraph does not preclude dwelling  
9 units that have received previous weatherization from re-  
10 ceiving assistance and services (including the provision of  
11 information and education to assist with energy manage-  
12 ment and evaluation of the effectiveness of installed  
13 weatherization materials) other than weatherization under  
14 this part or under other Federal programs, or from receiv-  
15 ing non-Federal assistance for weatherization.”.

16 SEC. 605. (a) No later than 6 months after the date  
17 of enactment of this Act, the Secretary of Energy, in co-  
18 ordination with the Secretary of Commerce, shall—

19 (1) determine any geographic area within the  
20 contiguous United States that lacks a Federal power  
21 marketing agency;

22 (2) develop a plan or criteria for the geographic  
23 areas identified in paragraph (1) regarding invest-  
24 ment in renewable energy and associated infrastruc-  
25 ture within an area identified in paragraph (1); and



1           (3) identify any Federal agency within an area  
2           in paragraph (1) that has, or could develop, the abil-  
3           ity to facilitate the investment in paragraph (2).

4           (b) The Secretary of Energy, in coordination with the  
5 Secretary of Commerce, shall provide the determinations  
6 made under subsection (a) to the Committee on Appro-  
7 priations and the Committee on Energy and Commerce  
8 of the House of Representatives.

9           (c) Based upon the determinations made pursuant to  
10 subsection (a), the Secretary of Energy, in coordination  
11 with the Secretary of Commerce, shall recommend to the  
12 Committee on Energy and Commerce of the House of  
13 Representatives the establishment of any new Federal  
14 lending authority, including authorization of additional  
15 lending authority for existing Federal agencies, not to ex-  
16 ceed \$3,500,000,000 per geographic area identified in  
17 subsection (a)(1).

18          (d) There is hereby appropriated \$25,000,000 to  
19 carry out this section.

20          (e) The amounts provided by this section are des-  
21 ignated by the Congress as being for an emergency re-  
22 quirement pursuant to section 251(b)(2)(A)(i) of the Bal-  
23 anced Budget and Emergency Deficit Control Act of 1985.

24          SEC. 606. (a) Requirements relating to non-Federal  
25 cost-share grants and cooperative agreements for the

1 Delta Regional Authority under section 382D of the Agri-  
2 cultural Act of 1961 and Consolidated Farm and Rural  
3 Development Act (7 U.S.C. 2009aa—3) are waived for  
4 grants awarded in fiscal year 2020 and in subsequent  
5 years in response to economic distress directly related to  
6 the impacts of the Coronavirus Disease (COVID-19).

7 (b) Requirements relating to non-Federal cost-share  
8 grants and cooperative agreements for the Northern Bor-  
9 der Regional Commission under section 15501(d) of title  
10 40, United States Code, are waived for grants awarded  
11 in fiscal year 2020 and in subsequent years in response  
12 to economic distress directly related to the impacts of the  
13 Coronavirus Disease (COVID-19).

14 (c) Requirements relating to non-Federal cost-share  
15 grants and cooperative agreements for the Denali Com-  
16 mission are waived for grants awarded in fiscal year 2020  
17 and in subsequent years in response to economic distress  
18 directly related to the impacts of the Coronavirus Disease  
19 (COVID-19).

20 SEC. 607. Each amount designated in this Act by the  
21 Congress as being for an emergency requirement pursuant  
22 to section 251(b)(2)(A)(i) of the Balanced Budget and  
23 Emergency Deficit Control Act of 1985 shall be available  
24 (or rescinded or transferred, if applicable) only if the

1 President subsequently so designates all such amounts  
2 and transmits such designations to the Congress.

3       This Act may be cited as the “Energy and Water De-  
4 velopment and Related Agencies Appropriations Act,  
5 2021”.

Union Calendar No. 361

116<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

**H. R. 7613**

[Report No. 116-449]

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## **A BILL**

Making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2021, and for other purposes.

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JULY 15, 2020

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