

**Calendar No. 204**116TH CONGRESS  
1ST SESSION**S. 2470****[Report No. 116-102]**

Making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2020, and for other purposes.

---

## IN THE SENATE OF THE UNITED STATES

SEPTEMBER 12, 2019

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

---

**A BILL**

Making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2020, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*  
3 That the following sums are appropriated, out of any  
4 money in the Treasury not otherwise appropriated, for en-  
5 ergy and water development and related agencies for the  
6 fiscal year ending September 30, 2020, and for other pur-  
7 poses, namely:

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

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

11 INVESTIGATIONS

12 For expenses necessary where authorized by law for  
13 the collection and study of basic information pertaining  
14 to river and harbor, flood and storm damage reduction,  
15 shore protection, aquatic ecosystem restoration, and re-  
16 lated needs; for surveys and detailed studies, and plans  
17 and specifications of proposed river and harbor, flood and  
18 storm damage reduction, shore protection, and aquatic  
19 ecosystem restoration projects, and related efforts prior to  
20 construction; for restudy of authorized projects; and for  
21 miscellaneous investigations, and, when authorized by law,  
22 surveys and detailed studies, and plans and specifications  
23 of projects prior to construction, \$154,880,000, to remain  
24 available until expended: *Provided*, That the Secretary  
25 shall initiate six new study starts during fiscal year 2020:

1 *Provided further*, That the Secretary shall not deviate from  
2 the new starts proposed in the work plan, once the plan  
3 has been submitted to the Committees on Appropriations  
4 of both Houses of Congress.

5 CONSTRUCTION

6 For expenses necessary for the construction of river  
7 and harbor, flood and storm damage reduction, shore pro-  
8 tection, aquatic ecosystem restoration, and related  
9 projects authorized by law; for conducting detailed studies,  
10 and plans and specifications, of such projects (including  
11 those involving participation by States, local governments,  
12 or private groups) authorized or made eligible for selection  
13 by law (but such detailed studies, and plans and specifica-  
14 tions, shall not constitute a commitment of the Govern-  
15 ment to construction); \$2,795,148,000, to remain avail-  
16 able until expended; of which such sums as are necessary  
17 to cover the Federal share of construction costs for facili-  
18 ties under the Dredged Material Disposal Facilities pro-  
19 gram shall be derived from the Harbor Maintenance Trust  
20 Fund as authorized by Public Law 104–303; and of which  
21 such sums as are necessary to cover one-half of the costs  
22 of construction, replacement, rehabilitation, and expansion  
23 of inland waterways projects, except for Chickamauga  
24 Lock, Tennessee River, Tennessee, which shall be 25 per-  
25 cent during the fiscal year covered by this Act, shall be

1 derived from the Inland Waterways Trust Fund, except  
2 as otherwise specifically provided for in law: *Provided*,  
3 That the Secretary shall initiate six new construction  
4 starts during fiscal year 2020: *Provided further*, That for  
5 new construction projects, project cost sharing agreements  
6 shall be executed as soon as practicable but no later than  
7 September 30, 2020: *Provided further*, That no allocation  
8 for a new start shall be considered final and no work al-  
9 lowance shall be made until the Secretary provides to the  
10 Committees on Appropriations of both Houses of Congress  
11 an out-year funding scenario demonstrating the afford-  
12 ability of the selected new starts and the impacts on other  
13 projects: *Provided further*, That the Secretary may not de-  
14 viate from the new starts proposed in the work plan, once  
15 the plan has been submitted to the Committees on Appro-  
16 priations of both Houses of Congress.

17                   MISSISSIPPI RIVER AND TRIBUTARIES

18           For expenses necessary for flood damage reduction  
19 projects and related efforts in the Mississippi River allu-  
20 vial valley below Cape Girardeau, Missouri, as authorized  
21 by law, \$368,000,000, to remain available until expended,  
22 of which such sums as are necessary to cover the Federal  
23 share of eligible operation and maintenance costs for in-  
24 land harbors shall be derived from the Harbor Mainte-  
25 nance Trust Fund.

## 1 OPERATION AND MAINTENANCE

2 For expenses necessary for the operation, mainte-  
3 nance, and care of existing river and harbor, flood and  
4 storm damage reduction, aquatic ecosystem restoration,  
5 and related projects authorized by law; providing security  
6 for infrastructure owned or operated by the Corps, includ-  
7 ing administrative buildings and laboratories; maintaining  
8 harbor channels provided by a State, municipality, or  
9 other public agency that serve essential navigation needs  
10 of general commerce, where authorized by law; surveying  
11 and charting northern and northwestern lakes and con-  
12 necting waters; clearing and straightening channels; and  
13 removing obstructions to navigation, \$3,798,972,000, to  
14 remain available until expended, of which such sums as  
15 are necessary to cover the Federal share of eligible oper-  
16 ation and maintenance costs for coastal harbors and chan-  
17 nels, and for inland harbors shall be derived from the Har-  
18 bor Maintenance Trust Fund; of which such sums as be-  
19 come available from the special account for the Corps of  
20 Engineers established by the Land and Water Conserva-  
21 tion Fund Act of 1965 shall be derived from that account  
22 for resource protection, research, interpretation, and  
23 maintenance activities related to resource protection in the  
24 areas at which outdoor recreation is available; and of  
25 which such sums as become available from fees collected

1 under section 217 of Public Law 104–303 shall be used  
2 to cover the cost of operation and maintenance of the  
3 dredged material disposal facilities for which such fees  
4 have been collected: *Provided*, That 1 percent of the total  
5 amount of funds provided for each of the programs,  
6 projects, or activities funded under this heading shall not  
7 be allocated to a field operating activity prior to the begin-  
8 ning of the fourth quarter of the fiscal year and shall be  
9 available for use by the Chief of Engineers to fund such  
10 emergency activities as the Chief of Engineers determines  
11 to be necessary and appropriate, and that the Chief of En-  
12 gineers shall allocate during the fourth quarter any re-  
13 maining funds which have not been used for emergency  
14 activities proportionally in accordance with the amounts  
15 provided for the programs, projects, or activities.

16 REGULATORY PROGRAM

17 For expenses necessary for administration of laws  
18 pertaining to regulation of navigable waters and wetlands,  
19 \$200,000,000, to remain available until September 30,  
20 2021.

21 FORMERLY UTILIZED SITES REMEDIAL ACTION PROGRAM

22 For expenses necessary to clean up contamination  
23 from sites in the United States resulting from work per-  
24 formed as part of the Nation’s early atomic energy pro-  
25 gram, \$200,000,000, to remain available until expended.

## 1 FLOOD CONTROL AND COASTAL EMERGENCIES

2 For expenses necessary to prepare for flood, hurri-  
3 cane, and other natural disasters and support emergency  
4 operations, repairs, and other activities in response to  
5 such disasters as authorized by law, \$35,000,000, to re-  
6 main available until expended.

## 7 EXPENSES

8 For expenses necessary for the supervision and gen-  
9 eral administration of the civil works program in the head-  
10 quarters of the Corps of Engineers and the offices of the  
11 Division Engineers; and for costs of management and op-  
12 eration of the Humphreys Engineer Center Support Activ-  
13 ity, the Institute for Water Resources, the United States  
14 Army Engineer Research and Development Center, and  
15 the United States Army Corps of Engineers Finance Cen-  
16 ter allocable to the civil works program, \$193,000,000, to  
17 remain available until September 30, 2021, of which not  
18 to exceed \$5,000 may be used for official reception and  
19 representation purposes and only during the current fiscal  
20 year: *Provided*, That no part of any other appropriation  
21 provided in this title shall be available to fund the civil  
22 works activities of the Office of the Chief of Engineers  
23 or the civil works executive direction and management ac-  
24 tivities of the division offices: *Provided further*, That any  
25 Flood Control and Coastal Emergencies appropriation

1 may be used to fund the supervision and general adminis-  
2 tration of emergency operations, repairs, and other activi-  
3 ties in response to any flood, hurricane, or other natural  
4 disaster.

5 OFFICE OF THE ASSISTANT SECRETARY OF THE ARMY  
6 FOR CIVIL WORKS

7 For the Office of the Assistant Secretary of the Army  
8 for Civil Works as authorized by 10 U.S.C. 3016(b)(3),  
9 \$5,000,000, to remain available until September 30, 2021:  
10 *Provided*, That not more than 25 percent of such amount  
11 may be obligated or expended until the Assistant Sec-  
12 retary submits to the Committees on Appropriations of  
13 both Houses of Congress a work plan that allocates at  
14 least 95 percent of the additional funding provided under  
15 each heading in this title, as designated under such head-  
16 ing in the report of the Committee on Appropriations ac-  
17 companying this Act, to specific programs, projects, or ac-  
18 tivities.

19 GENERAL PROVISIONS—CORPS OF  
20 ENGINEERS—CIVIL  
21 (INCLUDING TRANSFER OF FUNDS)

22 SEC. 101. (a) None of the funds provided in title I  
23 of this Act, or provided by previous appropriations Acts  
24 to the agencies or entities funded in title I of this Act  
25 that remain available for obligation or expenditure in fiscal

1 year 2020, shall be available for obligation or expenditure  
2 through a reprogramming of funds that:

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

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

6 (3) increases funds or personnel for any pro-  
7 gram, project, or activity for which funds have been  
8 denied or restricted by this Act, unless prior ap-  
9 proval is received from the House and Senate Com-  
10 mittees on Appropriations;

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

15 (5) augments or reduces existing programs,  
16 projects, or activities in excess of the amounts con-  
17 tained in paragraphs (6) through (10), unless prior  
18 approval is received from the House and Senate  
19 Committees on Appropriations;

20 (6) INVESTIGATIONS.—For a base level over  
21 \$100,000, reprogramming of 25 percent of the base  
22 amount up to a limit of \$150,000 per project, study  
23 or activity is allowed: *Provided*, That for a base level  
24 less than \$100,000, the reprogramming limit is  
25 \$25,000: *Provided further*, That up to \$25,000 may

1 be reprogrammed into any continuing study or activ-  
2 ity that did not receive an appropriation for existing  
3 obligations and concomitant administrative expenses;

4 (7) CONSTRUCTION.—For a base level over  
5 \$2,000,000, reprogramming of 15 percent of the  
6 base amount up to a limit of \$3,000,000 per project,  
7 study or activity is allowed: *Provided*, That for a  
8 base level less than \$2,000,000, the reprogramming  
9 limit is \$300,000: *Provided further*, That up to  
10 \$3,000,000 may be reprogrammed for settled con-  
11 tractor claims, changed conditions, or real estate de-  
12 ficiency judgments: *Provided further*, That up to  
13 \$300,000 may be reprogrammed into any continuing  
14 study or activity that did not receive an appropria-  
15 tion for existing obligations and concomitant admin-  
16 istrative expenses;

17 (8) OPERATION AND MAINTENANCE.—Unlim-  
18 ited reprogramming authority is granted for the  
19 Corps to be able to respond to emergencies: *Pro-*  
20 *vided*, That the Chief of Engineers shall notify the  
21 House and Senate Committees on Appropriations of  
22 these emergency actions as soon thereafter as prac-  
23 ticable: *Provided further*, That for a base level over  
24 \$1,000,000, reprogramming of 15 percent of the  
25 base amount up to a limit of \$5,000,000 per project,

1 study, or activity is allowed: *Provided further*, That  
2 for a base level less than \$1,000,000, the re-  
3 programming limit is \$150,000: *Provided further*,  
4 That \$150,000 may be reprogrammed into any con-  
5 tinuing study or activity that did not receive an ap-  
6 propriation;

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

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

16 (b) DE MINIMUS REPROGRAMMINGS.—In no case  
17 should a reprogramming for less than \$50,000 be sub-  
18 mitted to the House and Senate Committees on Appro-  
19 priations.

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

23 (d) Not later than 60 days after the date of enact-  
24 ment of this Act, the Secretary shall submit a report to  
25 the House and Senate Committees on Appropriations to

1 establish the baseline for application of reprogramming  
2 and transfer authorities for the current fiscal year which  
3 shall include:

4           (1) A table for each appropriation with a sepa-  
5           rate column to display the President's budget re-  
6           quest, adjustments made by Congress, adjustments  
7           due to enacted rescissions, if applicable, and the fis-  
8           cal year enacted level; and

9           (2) A delineation in the table for each appro-  
10          priation both by object class and program, project  
11          and activity as detailed in the budget appendix for  
12          the respective appropriations; and

13          (3) An identification of items of special congres-  
14          sional interest.

15          SEC. 102. The Secretary shall allocate funds made  
16          available in this Act solely in accordance with the provi-  
17          sions of this Act and the report of the Committee on Ap-  
18          propriations accompanying this Act, including the deter-  
19          mination and designation of new starts.

20          SEC. 103. None of the funds made available in this  
21          title may be used to award or modify any contract that  
22          commits funds beyond the amounts appropriated for that  
23          program, project, or activity that remain unobligated, ex-  
24          cept that such amounts may include any funds that have

1 been made available through reprogramming pursuant to  
2 section 101.

3       SEC. 104. The Secretary of the Army may transfer  
4 to the Fish and Wildlife Service, and the Fish and Wildlife  
5 Service may accept and expend, up to \$5,400,000 of funds  
6 provided in this title under the heading “Operation and  
7 Maintenance” to mitigate for fisheries lost due to Corps  
8 of Engineers projects.

9       SEC. 105. None of the funds in this Act shall be used  
10 for an open lake placement alternative for dredged mate-  
11 rial, after evaluating the least costly, environmentally ac-  
12 ceptable manner for the disposal or management of  
13 dredged material originating from Lake Erie or tributaries  
14 thereto, unless it is approved under a State water quality  
15 certification pursuant to section 401 of the Federal Water  
16 Pollution Control Act (33 U.S.C. 1341): *Provided*, That  
17 until an open lake placement alternative for dredged mate-  
18 rial is approved under a State water quality certification,  
19 the Corps of Engineers shall continue upland placement  
20 of such dredged material consistent with the requirements  
21 of section 101 of the Water Resources Development Act  
22 of 1986 (33 U.S.C. 2211).

23       SEC. 106. None of the funds made available by this  
24 Act or any other Act may be used to reorganize or to  
25 transfer the Civil Works functions or authority of the

1 Corps of Engineers or the Secretary of the Army to an-  
2 other department or agency.

3       SEC. 107. None of the funds made available by this  
4 Act may be used to require a permit for the discharge  
5 of dredged or fill material under the Federal Water Pollu-  
6 tion Control Act (33 U.S.C. 1251 et seq.) for the activities  
7 identified in subparagraphs (A) and (C) of section  
8 404(f)(1) of the Act (33 U.S.C. 1344(f)(1)(A), (C)).

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22

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, 2021, for expenses necessary in carrying out related responsibilities of the Secretary of the Interior: *Provided further*, That for fiscal year 2020, 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, \$1,582,151,000, to  
11 remain available until expended, of which \$69,900,000  
12 shall be available for transfer to the Upper Colorado River  
13 Basin Fund and \$5,000,000 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 \$10,000,000 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 the unobligated balances in “Water and Related Re-  
21 sources” for the Blackfeet Water Rights Settlement Act  
22 may be transferred to the Blackfeet Water Settlement Im-  
23 plementation Fund account: *Provided further*, That such  
24 transfers may be increased or decreased within the overall  
25 appropriation under this heading: *Provided further*, That

1 within available funds, \$250,000 shall be for grants and  
2 financial assistance for educational activities: *Provided*  
3 *further*, That of the total appropriated, the amount for  
4 program activities that can be financed by the Reclama-  
5 tion Fund or the Bureau of Reclamation special fee ac-  
6 count established by 16 U.S.C. 6806 shall be derived from  
7 that Fund or account: *Provided further*, That funds con-  
8 tributed under 43 U.S.C. 395 are available until expended  
9 for the purposes for which the funds were contributed:  
10 *Provided further*, That funds advanced under 43 U.S.C.  
11 397a shall be credited to this account and are available  
12 until expended for the same purposes as the sums appro-  
13 priated under this heading: *Provided further*, That of the  
14 amounts provided herein, funds may be used for high-pri-  
15 ority projects which shall be carried out by the Youth Con-  
16 servation Corps, as authorized by 16 U.S.C. 1706: *Pro-*  
17 *vided further*, That of the amounts made available under  
18 this heading, \$4,000,000 shall be for one payment for de-  
19 ferred construction funding to the Navajo Nation to fulfill  
20 the construction obligations described in section 15(b) of  
21 the Colorado Ute Indian Water Rights Settlement Act of  
22 1988 (Public Law 100–585), as amended by the Colorado  
23 Ute Settlement Act Amendments of 2000 (Public Law  
24 106–554), and to complete the commissioning and title  
25 transfer of the Navajo Nation Municipal Pipeline: *Pro-*

1 *vided further*, That in accordance with section 4009(c) of  
2 Public Law 114–322, and as recommended by the Sec-  
3 retary in a letter dated February 13, 2019, funding pro-  
4 vided for such purpose in fiscal year 2018 shall be made  
5 available to the Expanding Recycled Water Delivery  
6 Project (VenturaWaterPure), the Pure Water Monterey  
7 Groundwater Replenishment Project, the Groundwater  
8 Reliability Improvement Program (GRIP) Recycled Water  
9 Project, the North Valley Regional Recycled Water Pro-  
10 gram, the South Sacramento County Agriculture and  
11 Habitat Lands Recycled Water Program, and the Central  
12 Coast Blue project: *Provided further*, That the Secretary  
13 may also use funds appropriated pursuant to section  
14 4009(c) in fiscal years 2019 and 2020 for additional fund-  
15 ing for such projects in the preceding proviso without fur-  
16 ther Congressional approval: *Provided further*, That in ac-  
17 cordance with section 4007 of Public Law 114–322, and  
18 as recommended by the Secretary in a letter dated Feb-  
19 ruary 13, 2019, funding provided for such purpose in fis-  
20 cal years 2017 and 2018 shall be made available to the  
21 Cle Elum Pool Raise, the Boise River Basin Feasibility  
22 Study, the Del Puerto Water District, the Los Vaqueros  
23 Reservoir Phase 2 Expansion Project, the North-of-the  
24 Delta Off stream Storage (Sites Reservoir Project), and  
25 the Friant-Kern Canal Capacity Correction Resulting

1 Subsidence: *Provided further*, That the Secretary may use  
2 any other funds appropriated pursuant to section 4007 in  
3 fiscal years 2017 to 2020 solely for projects approved in  
4 the preceding proviso without further Congressional ap-  
5 proval: *Provided further*, That the Secretary may not use  
6 funds for any specific project for construction activities  
7 pursuant to sections 4007, 4009(a), and 4009(c) of Public  
8 Law 114–322 unless Congress has previously approved a  
9 request for construction funding for that specific project:  
10 *Provided further*, That in accordance with section 4009(a)  
11 of Public Law 114–322, and as recommended by the Sec-  
12 retary in a letter dated February 13, 2019, funding pro-  
13 vided for such purpose in fiscal years 2017 and 2018 shall  
14 be made available to the Doheny Ocean Desalination  
15 Project, the Kay Bailey Hutchison Desalination Plant, the  
16 North Pleasant Valley Desalter Facility, and the Mission  
17 Basin Groundwater Purification Facility Well Expansion  
18 and Brine Minimization: *Provided further*, That the Sec-  
19 retary may also use funds appropriated pursuant to sec-  
20 tion 4009(a) in fiscal years 2019 and 2020 for additional  
21 funding for such projects in the preceding proviso without  
22 further Congressional approval.

23 CENTRAL VALLEY PROJECT RESTORATION FUND

24 For carrying out the programs, projects, plans, habi-  
25 tat restoration, improvement, and acquisition provisions of

1 the Central Valley Project Improvement Act, \$54,849,000,  
2 to be derived from such sums as may be collected in the  
3 Central Valley Project Restoration Fund pursuant to sec-  
4 tions 3407(d), 3404(c)(3), and 3405(f) of Public Law  
5 102–575, to remain available until expended: *Provided*,  
6 That the Bureau of Reclamation is directed to assess and  
7 collect the full amount of the additional mitigation and  
8 restoration payments authorized by section 3407(d) of  
9 Public Law 102–575: *Provided further*, That none of the  
10 funds made available under this heading may be used for  
11 the acquisition or leasing of water for in-stream purposes  
12 if the water is already committed to in-stream purposes  
13 by a court adopted decree or order.

14 CALIFORNIA BAY-DELTA RESTORATION

15 (INCLUDING TRANSFERS OF FUNDS)

16 For carrying out activities authorized by the Water  
17 Supply, Reliability, and Environmental Improvement Act,  
18 consistent with plans to be approved by the Secretary of  
19 the Interior, \$33,000,000, to remain available until ex-  
20 pended, of which such amounts as may be necessary to  
21 carry out such activities may be transferred to appropriate  
22 accounts of other participating Federal agencies to carry  
23 out authorized purposes: *Provided*, That funds appro-  
24 priated herein may be used for the Federal share of the  
25 costs of CALFED Program management: *Provided fur-*

1 *ther*, That CALFED implementation shall be carried out  
 2 in a balanced manner with clear performance measures  
 3 demonstrating concurrent progress in achieving the goals  
 4 and objectives of the Program.

5 POLICY AND ADMINISTRATION

6 For expenses necessary for policy, administration,  
 7 and related functions in the Office of the Commissioner,  
 8 the Denver office, and offices in the five regions of the  
 9 Bureau of Reclamation, to remain available until Sep-  
 10 tember 30, 2021, \$60,000,000, to be derived from the  
 11 Reclamation Fund and be nonreimbursable as provided in  
 12 43 U.S.C. 377: *Provided*, That no part of any other appro-  
 13 priation in this Act shall be available for activities or func-  
 14 tions budgeted as policy and administration expenses.

15 ADMINISTRATIVE PROVISION

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

19 GENERAL PROVISIONS—DEPARTMENT OF THE  
 20 INTERIOR

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

1 or expenditure in fiscal year 2020, shall be available for  
2 obligation or expenditure through a reprogramming of  
3 funds that—

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

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

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

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

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

21 (A) 15 percent for any program, project or  
22 activity for which \$2,000,000 or more is avail-  
23 able 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, unless prior approval  
9 is received from the Committees on Appropriations  
10 of the House of Representatives and the Senate; or

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

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

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

1 (d) The Bureau of Reclamation shall submit reports  
2 on a quarterly basis to the Committees on Appropriations  
3 of the House of Representatives and the Senate detailing  
4 all the funds reprogrammed between programs, projects,  
5 activities, or categories of funding. The first quarterly re-  
6 port shall be submitted not later than 60 days after the  
7 date of enactment of this Act.

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

17 (b) The costs of the Kesterson Reservoir Cleanup  
18 Program and the costs of the San Joaquin Valley Drain-  
19 age Program shall be classified by the Secretary of the  
20 Interior as reimbursable or nonreimbursable and collected  
21 until fully repaid pursuant to the “Cleanup Program—  
22 Alternative Repayment Plan” and the “SJVDP—Alter-  
23 native Repayment Plan” described in the report entitled  
24 “Repayment Report, Kesterson Reservoir Cleanup Pro-  
25 gram and San Joaquin Valley Drainage Program, Feb-

1 ruary 1995”, prepared by the Department of the Interior,  
2 Bureau of Reclamation. Any future obligations of funds  
3 by the United States relating to, or providing for, drainage  
4 service or drainage studies for the San Luis Unit shall  
5 be fully reimbursable by San Luis Unit beneficiaries of  
6 such service or studies pursuant to Federal reclamation  
7 law.

8       SEC. 203. Section 9504(e) of the Omnibus Public  
9 Land Management Act of 2009 (42 U.S.C. 10364(e)) is  
10 amended by striking “\$480,000,000” and inserting  
11 “\$540,000,000”.

12       SEC. 204. Title I of Public Law 108–361 (the  
13 CALFED Bay-Delta Authorization Act)(118 Stat. 1681),  
14 as amended by Section 4007(k) of Public Law 114–322,  
15 is amended by striking “2019” each place it appears and  
16 inserting “2020”.

17       SEC. 205. Section 9106(g)(2) of Public Law 111–11  
18 (Omnibus Public Land Management Act of 2009) is  
19 amended by striking “2019” and inserting “2020”.

1 TITLE III  
2 DEPARTMENT OF ENERGY  
3 ENERGY PROGRAMS  
4 ENERGY EFFICIENCY AND RENEWABLE ENERGY  
5 (INCLUDING RESCISSION OF FUNDS)  
6 For Department of Energy expenses including the  
7 purchase, construction, and acquisition of plant and cap-  
8 ital equipment, and other expenses necessary for energy  
9 efficiency and renewable energy activities in carrying out  
10 the purposes of the Department of Energy Organization  
11 Act (42 U.S.C. 7101 et seq.), including the acquisition or  
12 condemnation of any real property or any facility or for  
13 plant or facility acquisition, construction, or expansion,  
14 \$2,858,000,000, to remain available until expended: *Pro-*  
15 *vided*, That of such amount, \$165,000,000 shall be avail-  
16 able until September 30, 2021, for program direction: *Pro-*  
17 *vided further*, That of the unobligated balances from prior  
18 year appropriations available under this heading,  
19 \$58,000,000 is hereby rescinded: *Provided further*, That  
20 no amounts may be rescinded from amounts that were  
21 designated by the Congress as an emergency requirement  
22 pursuant to the Concurrent Resolution on the Budget or  
23 the Balanced Budget and Emergency Deficit Control Act  
24 of 1985.

1 CYBERSECURITY, ENERGY SECURITY, AND EMERGENCY  
2 RESPONSE

3 For Department of Energy expenses including the  
4 purchase, construction, and acquisition of plant and cap-  
5 ital equipment, and other expenses necessary for energy  
6 sector cybersecurity, energy security, and emergency re-  
7 sponse activities in carrying out the purposes of the De-  
8 partment of Energy Organization Act (42 U.S.C. 7101 et  
9 seq.), including the acquisition or condemnation of any  
10 real property or any facility or for plant or facility acqui-  
11 sition, construction, or expansion, \$179,000,000, to remain  
12 available until expended: *Provided*, That of such amount,  
13 \$13,000,000 shall be available until September 30, 2021,  
14 for program direction.

15 ELECTRICITY

16 For Department of Energy expenses including the  
17 purchase, construction, and acquisition of plant and cap-  
18 ital equipment, and other expenses necessary for elec-  
19 tricity delivery activities in carrying out the purposes of  
20 the Department of Energy Organization Act (42 U.S.C.  
21 7101 et seq.), including the acquisition or condemnation  
22 of any real property or any facility or for plant or facility  
23 acquisition, construction, or expansion, \$221,000,000, to  
24 remain available until expended: *Provided*, That of such

1 amount, \$19,600,000 shall be available until September  
2 30, 2021, for program direction.

3 NUCLEAR ENERGY

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 nuclear  
7 energy activities in carrying out the purposes of the De-  
8 partment of Energy Organization Act (42 U.S.C. 7101 et  
9 seq.), including the acquisition or condemnation of any  
10 real property or any facility or for plant or facility acquisi-  
11 tion, construction, or expansion, \$1,517,808,000, to re-  
12 main available until expended: *Provided*, That of such  
13 amount, \$80,000,000 shall be available until September  
14 30, 2021, for program direction.

15 FOSSIL ENERGY RESEARCH AND DEVELOPMENT

16 For Department of Energy expenses necessary in car-  
17 rying out fossil energy research and development activi-  
18 ties, under the authority of the Department of Energy Or-  
19 ganization Act (42 U.S.C. 7101 et seq.), including the ac-  
20 quisition of interest, including defeasible and equitable in-  
21 terests in any real property or any facility or for plant  
22 or facility acquisition or expansion, and for conducting in-  
23 quiries, technological investigations and research con-  
24 cerning the extraction, processing, use, and disposal of  
25 mineral substances without objectionable social and envi-

1 ronmental costs (30 U.S.C. 3, 1602, and 1603),  
2 \$800,000,000, to remain available until expended: *Pro-*  
3 *vided*, That of such amount \$64,000,000 shall be available  
4 until September 30, 2021, for program direction.

5 NAVAL PETROLEUM AND OIL SHALE RESERVES

6 For Department of Energy expenses necessary to  
7 carry out naval petroleum and oil shale reserve activities,  
8 \$14,000,000, to remain available until expended: *Pro-*  
9 *vided*, That notwithstanding any other provision of law,  
10 unobligated funds remaining from prior years shall be  
11 available for all naval petroleum and oil shale reserve ac-  
12 tivities.

13 STRATEGIC PETROLEUM RESERVE

14 For Department of Energy expenses necessary for  
15 Strategic Petroleum Reserve facility development and op-  
16 erations and program management activities pursuant to  
17 the Energy Policy and Conservation Act (42 U.S.C. 6201  
18 et seq.), \$174,000,000, to remain available until expended:  
19 *Provided*, That, as authorized by section 404 of the Bipar-  
20 tisan Budget Act of 2015 (Public Law 114–74; 42 U.S.C.  
21 6239 note), the Secretary of Energy shall draw down and  
22 sell not to exceed \$450,000,000 of crude oil from the Stra-  
23 tegic Petroleum Reserve in fiscal year 2020: *Provided fur-*  
24 *ther*, That the proceeds from such drawdown and sale shall  
25 be deposited into the “Energy Security and Infrastructure

1 Modernization Fund” during fiscal year 2020: *Provided*  
2 *further*, That such amounts shall be made available and  
3 shall remain available until expended for necessary ex-  
4 penses to carry out the Life Extension II project for the  
5 Strategic Petroleum Reserve.

6 SPR PETROLEUM ACCOUNT

7 For the acquisition, transportation, and injection of  
8 petroleum products, and for other necessary expenses pur-  
9 suant to the Energy Policy and Conservation Act of 1975,  
10 as amended (42 U.S.C. 6201 et seq.), sections 403 and  
11 404 of the Bipartisan Budget Act of 2015 (42 U.S.C.  
12 6241, 6239 note), and section 5010 of the 21st Century  
13 Cures Act (Public Law 114–255), \$10,000,000, to remain  
14 available until expended.

15 NORTHEAST HOME HEATING OIL RESERVE

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

21 ENERGY INFORMATION ADMINISTRATION

22 For Department of Energy expenses necessary in car-  
23 rying out the activities of the Energy Information Admin-  
24 istration, \$132,000,000, to remain available until ex-  
25 pended.

## 1           NON-DEFENSE ENVIRONMENTAL CLEANUP

2           For Department of Energy expenses, including the  
3 purchase, construction, and acquisition of plant and cap-  
4 ital equipment and other expenses necessary for non-de-  
5 fense environmental cleanup activities in carrying out the  
6 purposes of the Department of Energy Organization Act  
7 (42 U.S.C. 7101 et seq.), including the acquisition or con-  
8 demnation of any real property or any facility or for plant  
9 or facility acquisition, construction, or expansion,  
10 \$318,000,000, to remain available until expended: *Pro-*  
11 *vided*, That \$200,000 of the funds provided are for com-  
12 munity support.

13           URANIUM ENRICHMENT DECONTAMINATION AND  
14   DECOMMISSIONING FUND

15           For Department of Energy expenses necessary in car-  
16 rying out uranium enrichment facility decontamination  
17 and decommissioning, remedial actions, and other activi-  
18 ties of title II of the Atomic Energy Act of 1954, and  
19 title X, subtitle A, of the Energy Policy Act of 1992,  
20 \$906,695,000, to be derived from the Uranium Enrich-  
21 ment Decontamination and Decommissioning Fund, to re-  
22 main available until expended, of which \$30,695,000 shall  
23 be available in accordance with title X, subtitle A, of the  
24 Energy Policy Act of 1992.

## 1 SCIENCE

2 For Department of Energy expenses including the  
3 purchase, construction, and acquisition of plant and cap-  
4 ital equipment, and other expenses necessary for science  
5 activities in carrying out the purposes of the Department  
6 of Energy Organization Act (42 U.S.C. 7101 et seq.), in-  
7 cluding the acquisition or condemnation of any real prop-  
8 erty or any facility or for plant or facility acquisition, con-  
9 struction, or expansion, and purchase of not more than  
10 16 passenger motor vehicles including one bus, and one  
11 airplane for replacement only, \$7,215,000,000, to remain  
12 available until expended: *Provided*, That of such amount,  
13 \$188,000,000 shall be available until September 30, 2021,  
14 for program direction.

## 15 ADVANCED RESEARCH PROJECTS AGENCY—ENERGY

16 For Department of Energy expenses necessary in car-  
17 rying out the activities authorized by section 5012 of the  
18 America COMPETES Act (Public Law 110–69),  
19 \$428,000,000, to remain available until expended: *Pro-*  
20 *vided*, That of such amount, \$35,000,000 shall be avail-  
21 able until September 30, 2021, for program direction.

22 TITLE 17 INNOVATIVE TECHNOLOGY LOAN GUARANTEE  
23 PROGRAM

24 Such sums as are derived from amounts received  
25 from borrowers pursuant to section 1702(b) of the Energy

1 Policy Act of 2005 under this heading in prior Acts, shall  
2 be collected in accordance with section 502(7) of the Con-  
3 gressional Budget Act of 1974: *Provided*, That for nec-  
4 essary administrative expenses of the Title 17 Innovative  
5 Technology Loan Guarantee Program, as authorized,  
6 \$32,000,000 is appropriated, to remain available until  
7 September 30, 2021: *Provided further*, That up to  
8 \$32,000,000 of fees collected in fiscal year 2020 pursuant  
9 to section 1702(h) of the Energy Policy Act of 2005 shall  
10 be credited as offsetting collections under this heading and  
11 used for necessary administrative expenses in this appro-  
12 priation and shall remain available until September 30,  
13 2021: *Provided further*, That to the extent that fees col-  
14 lected in fiscal year 2021 exceed \$32,000,000, those ex-  
15 cess amounts shall be credited as offsetting collections  
16 under this heading and available in future fiscal years only  
17 to the extent provided in advance in appropriations Acts:  
18 *Provided further*, That the sum herein appropriated from  
19 the general fund shall be reduced (1) as such fees are re-  
20 ceived during fiscal year 2020 (estimated at \$3,000,000)  
21 and (2) to the extent that any remaining general fund ap-  
22 propriations can be derived from fees collected in previous  
23 fiscal years that are not otherwise appropriated, so as to  
24 result in a final fiscal year 2020 appropriation from the  
25 general fund estimated at \$0: *Provided further*, That the



## 1 DEPARTMENTAL ADMINISTRATION

2 For salaries and expenses of the Department of En-  
3 ergy necessary for departmental administration in car-  
4 rying out the purposes of the Department of Energy Orga-  
5 nization Act (42 U.S.C. 7101 et seq.), \$249,378,000, to  
6 remain available until September 30, 2021, including the  
7 hire of passenger motor vehicles and official reception and  
8 representation expenses not to exceed \$30,000, plus such  
9 additional amounts as necessary to cover increases in the  
10 estimated amount of cost of work for others notwith-  
11 standing the provisions of the Anti-Deficiency Act (31  
12 U.S.C. 1511 et seq.): *Provided*, That such increases in  
13 cost of work are offset by revenue increases of the same  
14 or greater amount: *Provided further*, That moneys received  
15 by the Department for miscellaneous revenues estimated  
16 to total \$93,378,000 in fiscal year 2020 may be retained  
17 and used for operating expenses within this account, as  
18 authorized by section 201 of Public Law 95–238, notwith-  
19 standing the provisions of 31 U.S.C. 3302: *Provided fur-*  
20 *ther*, That the sum herein appropriated shall be reduced  
21 as collections are received during the fiscal year so as to  
22 result in a final fiscal year 2020 appropriation from the  
23 general fund estimated at not more than \$156,000,000.

## 1           OFFICE OF THE INSPECTOR GENERAL

2           For expenses necessary for the Office of the Inspector  
3 General in carrying out the provisions of the Inspector  
4 General Act of 1978, \$54,215,000, to remain available  
5 until September 30, 2021.

## 6           ATOMIC ENERGY DEFENSE ACTIVITIES

## 7           NATIONAL NUCLEAR SECURITY

## 8           ADMINISTRATION

## 9           WEAPONS ACTIVITIES

10          For Department of Energy expenses, including the  
11 purchase, construction, and acquisition of plant and cap-  
12 ital equipment and other incidental expenses necessary for  
13 atomic energy defense weapons activities in carrying out  
14 the purposes of the Department of Energy Organization  
15 Act (42 U.S.C. 7101 et seq.), including the acquisition or  
16 condemnation of any real property or any facility or for  
17 plant or facility acquisition, construction, or expansion,  
18 and the purchase of not to exceed one ambulance for re-  
19 placement only, \$12,742,000,000, to remain available  
20 until expended: *Provided*, That of such amount,  
21 \$107,660,000 shall be available until September 30, 2021,  
22 for program direction.

## 23          DEFENSE NUCLEAR NONPROLIFERATION

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

1 ital equipment and other incidental expenses necessary for  
2 defense nuclear nonproliferation 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 and the purchase of not to exceed two aircraft,  
8 \$2,085,000,000, to remain available until expended.

#### 9 NAVAL REACTORS

10 For Department of Energy expenses necessary for  
11 naval reactors activities to carry out the Department of  
12 Energy Organization Act (42 U.S.C. 7101 et seq.), includ-  
13 ing the acquisition (by purchase, condemnation, construc-  
14 tion, or otherwise) of real property, plant, and capital  
15 equipment, facilities, and facility expansion,  
16 \$1,648,396,000, to remain available until expended: *Pro-*  
17 *vided*, That of such amount, \$50,500,000 shall be avail-  
18 able until September 30, 2021, for program direction.

#### 19 FEDERAL SALARIES AND EXPENSES

20 For expenses necessary for Federal Salaries and Ex-  
21 penses in the National Nuclear Security Administration,  
22 \$434,699,000, to remain available until September 30,  
23 2021, including official reception and representation ex-  
24 penses not to exceed \$17,000.

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, \$6,226,000,000, to remain available until expended:  
13 *Provided*, That of such amount, \$293,734,000 shall be  
14 available until September 30, 2021, for program direction.

15 OTHER DEFENSE ACTIVITIES

16 For Department of Energy expenses, including the  
17 purchase, construction, and acquisition of plant and cap-  
18 ital equipment and other expenses, necessary for atomic  
19 energy defense, other defense activities, and classified ac-  
20 tivities, in carrying out the purposes of the Department  
21 of Energy Organization Act (42 U.S.C. 7101 et seq.), in-  
22 cluding the acquisition or condemnation of any real prop-  
23 erty or any facility or for plant or facility acquisition, con-  
24 struction, or expansion, and purchase of not more than  
25 one passenger motor vehicle, \$895,097,000, to remain

1 available until expended: *Provided*, That of such amount,  
2 \$320,917,000 shall be available until September 30, 2021,  
3 for program direction.

4 POWER MARKETING ADMINISTRATIONS

5 BONNEVILLE POWER ADMINISTRATION FUND

6 Expenditures from the Bonneville Power Administra-  
7 tion Fund, established pursuant to Public Law 93-454,  
8 are approved for official reception and representation ex-  
9 penses in an amount not to exceed \$5,000: *Provided*, That  
10 during fiscal year 2020, no new direct loan obligations  
11 may be made.

12 OPERATION AND MAINTENANCE, SOUTHEASTERN POWER  
13 ADMINISTRATION

14 For expenses necessary for operation and mainte-  
15 nance of power transmission facilities and for marketing  
16 electric power and energy, including transmission wheeling  
17 and ancillary services, pursuant to section 5 of the Flood  
18 Control Act of 1944 (16 U.S.C. 825s), as applied to the  
19 southeastern power area, \$6,597,000, including official re-  
20 ception and representation expenses in an amount not to  
21 exceed \$1,500, to remain available until expended: *Pro-*  
22 *vided*, That notwithstanding 31 U.S.C. 3302 and section  
23 5 of the Flood Control Act of 1944, up to \$6,597,000 col-  
24 lected by the Southeastern Power Administration from the  
25 sale of power and related services shall be credited to this

1 account as discretionary offsetting collections, to remain  
2 available until expended for the sole purpose of funding  
3 the annual expenses of the Southeastern Power Adminis-  
4 tration: *Provided further*, That the sum herein appro-  
5 priated for annual expenses shall be reduced as collections  
6 are received during the fiscal year so as to result in a final  
7 fiscal year 2020 appropriation estimated at not more than  
8 \$0: *Provided further*, That notwithstanding 31 U.S.C.  
9 3302, up to \$56,000,000 collected by the Southeastern  
10 Power Administration pursuant to the Flood Control Act  
11 of 1944 to recover purchase power and wheeling expenses  
12 shall be credited to this account as offsetting collections,  
13 to remain available until expended for the sole purpose  
14 of making purchase power and wheeling expenditures:  
15 *Provided further*, That for purposes of this appropriation,  
16 annual expenses means expenditures that are generally re-  
17 covered in the same year that they are incurred (excluding  
18 purchase power and wheeling expenses).

19       OPERATION AND MAINTENANCE, SOUTHWESTERN  
20                           POWER ADMINISTRATION

21       For expenses necessary for operation and mainte-  
22 nance of power transmission facilities and for marketing  
23 electric power and energy, for construction and acquisition  
24 of transmission lines, substations and appurtenant facili-  
25 ties, and for administrative expenses, including official re-

1 ception and representation expenses in an amount not to  
2 exceed \$1,500 in carrying out section 5 of the Flood Con-  
3 trol Act of 1944 (16 U.S.C. 825s), as applied to the  
4 Southwestern Power Administration, \$47,775,000, to re-  
5 main available until expended: *Provided*, That notwith-  
6 standing 31 U.S.C. 3302 and section 5 of the Flood Con-  
7 trol Act of 1944 (16 U.S.C. 825s), up to \$37,375,000 col-  
8 lected by the Southwestern Power Administration from  
9 the sale of power and related services shall be credited to  
10 this account as discretionary offsetting collections, to re-  
11 main available until expended, for the sole purpose of  
12 funding the annual expenses of the Southwestern Power  
13 Administration: *Provided further*, That the sum herein ap-  
14 propriated for annual expenses shall be reduced as collec-  
15 tions are received during the fiscal year so as to result  
16 in a final fiscal year 2019 appropriation estimated at not  
17 more than \$10,400,000: *Provided further*, That notwith-  
18 standing 31 U.S.C. 3302, up to \$15,000,000 collected by  
19 the Southwestern Power Administration pursuant to the  
20 Flood Control Act of 1944 to recover purchase power and  
21 wheeling expenses shall be credited to this account as off-  
22 setting collections, to remain available until expended for  
23 the sole purpose of making purchase power and wheeling  
24 expenditures: *Provided further*, That for purposes of this  
25 appropriation, annual expenses means expenditures that

1 are generally recovered in the same year that they are in-  
2 curred (excluding purchase power and wheeling expenses).

3 CONSTRUCTION, REHABILITATION, OPERATION AND  
4 MAINTENANCE, WESTERN AREA POWER ADMINIS-  
5 TRATION

6 For carrying out the functions authorized by title III,  
7 section 302(a)(1)(E) of the Act of August 4, 1977 (42  
8 U.S.C. 7152), and other related activities including con-  
9 servation and renewable resources programs as author-  
10 ized, \$262,959,000, including official reception and rep-  
11 resentation expenses in an amount not to exceed \$1,500,  
12 to remain available until expended, of which \$262,959,000  
13 shall be derived from the Department of the Interior Rec-  
14 lamation Fund: *Provided*, That notwithstanding 31 U.S.C.  
15 3302, section 5 of the Flood Control Act of 1944 (16  
16 U.S.C. 825s), and section 1 of the Interior Department  
17 Appropriation Act, 1939 (43 U.S.C. 392a), up to  
18 \$173,587,000 collected by the Western Area Power Ad-  
19 ministration from the sale of power and related services  
20 shall be credited to this account as discretionary offsetting  
21 collections, to remain available until expended, for the sole  
22 purpose of funding the annual expenses of the Western  
23 Area Power Administration: *Provided further*, That the  
24 sum herein appropriated for annual expenses shall be re-  
25 duced as collections are received during the fiscal year so

1 as to result in a final fiscal year 2020 appropriation esti-  
2 mated at not more than \$89,372,000, of which  
3 \$89,372,000 is derived from the Reclamation Fund: *Pro-*  
4 *vided further*, That notwithstanding 31 U.S.C. 3302, up  
5 to \$168,000,000 collected by the Western Area Power Ad-  
6 ministration pursuant to the Flood Control Act of 1944  
7 and the Reclamation Project Act of 1939 to recover pur-  
8 chase power and wheeling expenses shall be credited to  
9 this account as offsetting collections, to remain available  
10 until expended for the sole purpose of making purchase  
11 power and wheeling expenditures: *Provided further*, That  
12 for purposes of this appropriation, annual expenses means  
13 expenditures that are generally recovered in the same year  
14 that they are incurred (excluding purchase power and  
15 wheeling expenses).

16 FALCON AND AMISTAD OPERATING AND MAINTENANCE  
17 FUND

18 For operation, maintenance, and emergency costs for  
19 the hydroelectric facilities at the Falcon and Amistad  
20 Dams, \$3,160,000, to remain available until expended,  
21 and to be derived from the Falcon and Amistad Operating  
22 and Maintenance Fund of the Western Area Power Ad-  
23 ministration, as provided in section 2 of the Act of June  
24 18, 1954 (68 Stat. 255): *Provided*, That notwithstanding  
25 the provisions of that Act and of 31 U.S.C. 3302, up to

1 \$2,932,000 collected by the Western Area Power Adminis-  
2 tration from the sale of power and related services from  
3 the Falcon and Amistad Dams shall be credited to this  
4 account as discretionary offsetting collections, to remain  
5 available until expended for the sole purpose of funding  
6 the annual expenses of the hydroelectric facilities of these  
7 Dams and associated Western Area Power Administration  
8 activities: *Provided further*, That the sum herein appro-  
9 priated for annual expenses shall be reduced as collections  
10 are received during the fiscal year so as to result in a final  
11 fiscal year 2020 appropriation estimated at not more than  
12 \$228,000: *Provided further*, That for purposes of this ap-  
13 propriation, annual expenses means expenditures that are  
14 generally recovered in the same year that they are in-  
15 curred: *Provided further*, That for fiscal year 2020, the  
16 Administrator of the Western Area Power Administration  
17 may accept up to \$1,187,000 in funds contributed by  
18 United States power customers of the Falcon and Amistad  
19 Dams for deposit into the Falcon and Amistad Operating  
20 and Maintenance Fund, and such funds shall be available  
21 for the purpose for which contributed in like manner as  
22 if said sums had been specifically appropriated for such  
23 purpose: *Provided further*, That any such funds shall be  
24 available without further appropriation and without fiscal  
25 year limitation for use by the Commissioner of the United

1 States Section of the International Boundary and Water  
2 Commission for the sole purpose of operating, maintain-  
3 ing, repairing, rehabilitating, replacing, or upgrading the  
4 hydroelectric facilities at these Dams in accordance with  
5 agreements reached between the Administrator, Commis-  
6 sioner, and the power customers.

7 FEDERAL ENERGY REGULATORY COMMISSION

8 SALARIES AND EXPENSES

9 For expenses necessary for the Federal Energy Regu-  
10 latory Commission to carry out the provisions of the De-  
11 partment of Energy Organization Act (42 U.S.C. 7101 et  
12 seq.), including services as authorized by 5 U.S.C. 3109,  
13 official reception and representation expenses not to ex-  
14 ceed \$3,000, and the hire of passenger motor vehicles,  
15 \$382,000,000, to remain available until expended: *Pro-*  
16 *vided*, That notwithstanding any other provision of law,  
17 not to exceed \$382,000,000 of revenues from fees and an-  
18 nual charges, and other services and collections in fiscal  
19 year 2020 shall be retained and used for expenses nec-  
20 essary in this account, and shall remain available until ex-  
21 pended: *Provided further*, That the sum herein appro-  
22 priated from the general fund shall be reduced as revenues  
23 are received during fiscal year 2020 so as to result in a  
24 final fiscal year 2020 appropriation from the general fund  
25 estimated at not more than \$0.



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

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

10          (3) The notification required by paragraph (1) and  
11          the report required by paragraph (2) shall include the re-  
12          cipient of the award, the amount of the award, the fiscal  
13          year for which the funds for the award were appropriated,  
14          the account and program, project, or activity from which  
15          the funds are being drawn, the title of the award, and  
16          a brief description of the activity for which the award is  
17          made.

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

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

4           (2) the contract, grant, or cooperative agree-  
5           ment includes a clause conditioning the Federal Gov-  
6           ernment’s obligation on the availability of future  
7           year budget authority and the Secretary notifies the  
8           Committees on Appropriations of both Houses of  
9           Congress at least 3 days in advance.

10          (d) Except as provided in subsections (e), (f), and (g),  
11          the amounts made available by this title shall be expended  
12          as authorized by law for the programs, projects, and ac-  
13          tivities specified in the “FY 2020 Senate” column in the  
14          “Department of Energy” table included under the heading  
15          “Title III—Department of Energy” in the report of the  
16          Committee on Appropriations accompanying this Act.

17          (e) The amounts made available by this title may be  
18          reprogrammed for any program, project, or activity, and  
19          the Department shall notify, and obtain the prior approval  
20          of, the Committees on Appropriations of both Houses of  
21          Congress at least 30 days prior to the use of any proposed  
22          reprogramming that would cause any program, project, or  
23          activity funding level to increase or decrease by more than  
24          \$5,000,000 or 10 percent, whichever is less, during the  
25          time period covered by this Act.

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

4 (1) creates, initiates, or eliminates a program,  
5 project, or activity;

6 (2) increases funds or personnel for any pro-  
7 gram, project, or activity for which funds are denied  
8 or restricted by this Act; or

9 (3) reduces funds that are directed to be used  
10 for a specific program, project, or activity by this  
11 Act.

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

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

1 (h) The unexpended balances of prior appropriations  
2 provided for activities in this Act may be available to the  
3 same appropriation accounts for such activities established  
4 pursuant to this title. Available balances may be merged  
5 with funds in the applicable established accounts and  
6 thereafter may be accounted for as one fund for the same  
7 time period as originally enacted.

8 SEC. 302. Funds appropriated by this or any other  
9 Act, or made available by the transfer of funds in this  
10 Act, for intelligence activities are deemed to be specifically  
11 authorized by the Congress for purposes of section 504  
12 of the National Security Act of 1947 (50 U.S.C. 3094)  
13 during fiscal year 2020 until the enactment of the Intel-  
14 ligence Authorization Act for fiscal year 2020.

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

21 SEC. 304. None of the funds made available in this  
22 title may be used to approve critical decision-2 or critical  
23 decision-3 under Department of Energy Order 413.3B, or  
24 any successive departmental guidance, for construction  
25 projects where the total project cost exceeds

1 \$100,000,000, until a separate independent cost estimate  
2 has been developed for the project for that critical deci-  
3 sion.

4 SEC. 305. Of the offsetting collections, including un-  
5 obligated balances of such collections, in the “Department  
6 of Energy—Power Marketing Administration—Colorado  
7 River Basins Power Marketing Fund, Western Area  
8 Power Administration”, \$21,400,000 shall be transferred  
9 to the “Department of Interior—Bureau of Reclama-  
10 tion—Upper Colorado River Basin Fund” for the Bureau  
11 of Reclamation to carry out environmental stewardship  
12 and endangered species recovery efforts.

13 SEC. 306. (a) DEFINITIONS.—In this section:

14 (1) AFFECTED INDIAN TRIBE.—The term “af-  
15 fected Indian tribe” has the meaning given the term  
16 in section 2 of the Nuclear Waste Policy Act of 1982  
17 (42 U.S.C. 10101).

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

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

1           (4) SECRETARY.—The term “Secretary” means  
2           the Secretary of Energy.

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

7           (b) PILOT PROGRAM.—Notwithstanding any provi-  
8           sion of the Nuclear Waste Policy Act of 1982 (42 U.S.C.  
9           10101 et seq.), the Secretary is authorized, in the current  
10          fiscal year and subsequent fiscal years, to conduct a pilot  
11          program to license, construct, and operate 1 or more Fed-  
12          eral consolidated storage facilities to provide interim stor-  
13          age as needed for spent nuclear fuel and high-level radio-  
14          active nuclear fuel located on sites without an operating  
15          nuclear reactor.

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

20                 (1) to obtain any license necessary from the  
21                 Nuclear Regulatory Commission for the construction  
22                 of 1 or more consolidated storage facilities;

23                 (2) to demonstrate the safe transportation of  
24                 spent nuclear fuel and high-level radioactive waste,  
25                 as applicable; and

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

7           (d) CONSENT-BASED APPROVAL.—Prior to siting a  
8 consolidated storage facility pursuant to this section, the  
9 Secretary shall enter into an agreement to host the facility  
10 with—

11           (1) the Governor of the State;

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

15           (3) each affected Indian tribe.

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

18           (1) all licensing requirements and regulations of  
19 the Nuclear Regulatory Commission; and

20           (2) all other applicable laws (including regula-  
21 tions).

22           (f) PILOT PROGRAM PLAN.—Not later than 120 days  
23 after the date on which the Secretary issues the request  
24 for proposals under subsection (c), the Secretary shall sub-

1 mit to Congress a plan to carry out this section that in-  
2 cludes—

3 (1) an estimate of the cost of licensing, con-  
4 structing, and operating a consolidated storage facil-  
5 ity, including the transportation costs, on an annual  
6 basis, over the expected lifetime of the facility;

7 (2) a schedule for—

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

11 (B) constructing the facility;

12 (C) transporting spent fuel to the facility;

13 and

14 (D) removing the spent fuel and decom-  
15 missioning the facility;

16 (3) an estimate of the cost of any financial as-  
17 sistance, compensation, or incentives proposed to be  
18 paid to the host State, Indian tribe, or local govern-  
19 ment;

20 (4) an estimate of any future reductions in the  
21 damages expected to be paid by the United States  
22 for the delay of the Department of Energy in accept-  
23 ing spent fuel expected to result from the pilot pro-  
24 gram;

1           (5) recommendations for any additional legisla-  
2           tion needed to authorize and implement the pilot  
3           program; and

4           (6) recommendations for a mechanism to en-  
5           sure that any spent nuclear fuel or high-level radio-  
6           active waste stored at a consolidated storage facility  
7           pursuant to this section shall move to deep geologic  
8           disposal capacity, following a consent-based approval  
9           process for that deep geologic disposal capacity con-  
10          sistent with subsection (d), within a reasonable time  
11          after the issuance of a license to construct and oper-  
12          ate the consolidated storage facility.

13          (g) PUBLIC PARTICIPATION.—Prior to choosing a  
14          site for the construction of a consolidated storage facility  
15          under this section, the Secretary shall conduct 1 or more  
16          public hearings in the vicinity of each potential site and  
17          in at least 1 other location within the State in which the  
18          site is located to solicit public comments and recommenda-  
19          tions.

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

23          SEC. 307. (a) Of the unobligated balances available  
24          from amounts appropriated in prior Acts under the head-

1 ing “Title III—Department of Energy—Energy Pro-  
2 grams”, \$96,000,000 is hereby rescinded.

3 (b) No amounts may be rescinded under (a) from  
4 amounts that were designated by the Congress as an  
5 emergency requirement pursuant to a concurrent resolu-  
6 tion on the budget or the Balanced Budget and Emer-  
7 gency Deficit Control Act of 1985.

8 SEC. 308. The Secretary of Energy may not transfer  
9 more than \$276,096,000 from the amounts made available  
10 under this title to the working capital fund established  
11 under section 653 of the Department of Energy Organiza-  
12 tion Act (42 U.S.C. 7263): *Provided*, That the Secretary  
13 may transfer additional amounts to the working capital  
14 fund after the Secretary provides notification in advance  
15 of any such transfer to the Committees on Appropriations  
16 of both Houses of Congress: *Provided further*, That any  
17 such notification shall identify the sources of funds by pro-  
18 gram, project, or activity: *Provided further*, That the Sec-  
19 retary shall notify the Committees on Appropriations of  
20 both Houses of Congress before adding or removing any  
21 activities from the fund.

1 TITLE IV  
2 INDEPENDENT AGENCIES  
3 APPALACHIAN REGIONAL COMMISSION

4 For expenses necessary to carry out the programs au-  
5 thorized by the Appalachian Regional Development Act of  
6 1965, and for expenses necessary for the Federal Co-  
7 Chairman and the Alternate on the Appalachian Regional  
8 Commission, for payment of the Federal share of the ad-  
9 ministrative expenses of the Commission, including serv-  
10 ices as authorized by 5 U.S.C. 3109, and hire of passenger  
11 motor vehicles, \$175,000,000, to remain available until ex-  
12 pended.

13 DEFENSE NUCLEAR FACILITIES SAFETY BOARD  
14 SALARIES AND EXPENSES

15 For expenses necessary for the Defense Nuclear Fa-  
16 cilities Safety Board in carrying out activities authorized  
17 by the Atomic Energy Act of 1954, as amended by Public  
18 Law 100–456, section 1441, \$31,000,000, to remain  
19 available until September 30, 2021: *Provided*, That none  
20 of the funds made available by this or any prior Act for  
21 the salaries and expenses of the Defense Nuclear Facilities  
22 Safety Board shall be available to implement any reform  
23 and reorganization plan of the Defense Nuclear Facilities  
24 Safety Board, including the plan announced on August 15,

1 2018, unless any such reform and reorganization plan is  
2 specifically authorized by law.

3 DELTA REGIONAL AUTHORITY

4 SALARIES AND EXPENSES

5 For expenses necessary for the Delta Regional Au-  
6 thority and to carry out its activities, as authorized by  
7 the Delta Regional Authority Act of 2000, notwith-  
8 standing sections 382F(d), 382M, and 382N of said Act,  
9 \$30,000,000, to remain available until expended.

10 DENALI COMMISSION

11 For expenses necessary for the Denali Commission  
12 including the purchase, construction, and acquisition of  
13 plant and capital equipment as necessary and other ex-  
14 penses, \$15,000,000, to remain available until expended,  
15 notwithstanding the limitations contained in section  
16 306(g) of the Denali Commission Act of 1998: *Provided*,  
17 That funds shall be available for construction projects in  
18 an amount not to exceed 80 percent of total project cost  
19 for distressed communities, as defined by section 307 of  
20 the Denali Commission Act of 1998 (division C, title III,  
21 Public Law 105–277), as amended by section 701 of ap-  
22 pendix D, title VII, Public Law 106–113 (113 Stat.  
23 1501A–280), and an amount not to exceed 50 percent for  
24 non-distressed communities: *Provided further*, That not-  
25 withstanding any other provision of law regarding pay-

1 ment of a non-Federal share in connection with a grant-  
2 in-aid program, amounts under this heading shall be avail-  
3 able for the payment of such a non-Federal share for pro-  
4 grams undertaken to carry out the purposes of the Com-  
5 mission.

6           NORTHERN BORDER REGIONAL COMMISSION

7           For expenses necessary for the Northern Border Re-  
8 gional Commission in carrying out activities authorized by  
9 subtitle V of title 40, United States Code, \$25,000,000,  
10 to remain available until expended: *Provided*, That such  
11 amounts shall be available for administrative expenses,  
12 notwithstanding section 15751(b) of title 40, United  
13 States Code.

14           NUCLEAR REGULATORY COMMISSION

15                           SALARIES AND EXPENSES

16           For expenses necessary for the Commission in car-  
17 rying out the purposes of the Energy Reorganization Act  
18 of 1974 and the Atomic Energy Act of 1954,  
19 \$841,236,000, including official representation expenses  
20 not to exceed \$25,000, to remain available until expended:  
21 *Provided*, That of the amount appropriated herein, not  
22 more than \$9,500,000 may be made available for salaries,  
23 travel, and other support costs for the Office of the Com-  
24 mission, to remain available until September 30, 2022, of  
25 which, notwithstanding section 201(a)(2)(c) of the Energy

1 Reorganization Act of 1974 (42 U.S.C. 5841(a)(2)(c)),  
2 the use and expenditure shall only be approved by a major-  
3 ity vote of the Commission: *Provided further*, That reve-  
4 nues from licensing fees, inspection services, and other  
5 services and collections estimated at \$723,469,000 in fis-  
6 cal year 2020 shall be retained and used for necessary  
7 salaries and expenses in this account, notwithstanding 31  
8 U.S.C. 3302, and shall remain available until expended:  
9 *Provided further*, That of the amounts appropriated under  
10 this heading, not less than \$15,478,000 shall be for activi-  
11 ties related to the development of regulatory infrastruc-  
12 ture for advanced nuclear technologies, except that the  
13 amounts provided under this proviso shall not be derived  
14 from fee revenues, notwithstanding 42 U.S.C. 2214: *Pro-*  
15 *vided further*, That of the amounts appropriated under  
16 this heading, \$6,451,000 of the amount used for inter-  
17 national activities shall not be derived from fee revenues,  
18 notwithstanding 42 U.S.C. 2214: *Provided further*, That  
19 the sum herein appropriated shall be reduced by the  
20 amount of revenues received during fiscal year 2020 so  
21 as to result in a final fiscal year 2020 appropriation esti-  
22 mated at not more than \$117,767,000: *Provided further*,  
23 That of the amounts appropriated under this heading,  
24 \$15,000,000 shall be for university research and develop-  
25 ment in areas relevant to the Commission's mission, with-

1 in which \$5,000,000 shall be for a Nuclear Science and  
2 Engineering Grant Program that will support multiyear  
3 projects that do not align with programmatic missions but  
4 are critical to maintaining the discipline of nuclear science  
5 and engineering.

6 OFFICE OF INSPECTOR GENERAL

7 For expenses necessary for the Office of Inspector  
8 General in carrying out the provisions of the Inspector  
9 General Act of 1978, \$13,314,000, to remain available  
10 until September 30, 2021: *Provided*, That revenues from  
11 licensing fees, inspection services, and other services and  
12 collections estimated at \$10,929,000 in fiscal year 2020  
13 shall be retained and be available until September 30,  
14 2021, for necessary salaries and expenses in this account,  
15 notwithstanding section 3302 of title 31, United States  
16 Code: *Provided further*, That the sum herein appropriated  
17 shall be reduced by the amount of revenues received dur-  
18 ing fiscal year 2020 so as to result in a final fiscal year  
19 2020 appropriation estimated at not more than  
20 \$2,385,000: *Provided further*, That of the amounts appro-  
21 priated under this heading, \$1,171,000 shall be for In-  
22 spector General services for the Defense Nuclear Facilities  
23 Safety Board, which shall not be available from fee reve-  
24 nues.



1 compliance with such requirement would pose a substan-  
2 tial risk to human health, the environment, welfare, or na-  
3 tional security.

4       (2) The Nuclear Regulatory Commission shall notify  
5 the Committees on Appropriations of both Houses of Con-  
6 gress of any waiver under paragraph (1) as soon as prac-  
7 ticable, but not later than 3 days after the date of the  
8 activity to which a requirement or restriction would other-  
9 wise have applied. Such notice shall include an explanation  
10 of the substantial risk under paragraph (1) that permitted  
11 such waiver and shall provide a detailed report to the  
12 Committees of such waiver and changes to funding levels  
13 to programs, projects, or activities.

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

19       (d) None of the funds provided for the Nuclear Regu-  
20 latory Commission shall be available for obligation or ex-  
21 penditure through a reprogramming of funds that in-  
22 creases funds or personnel for any program, project, or  
23 activity for which funds are denied or restricted by this  
24 Act.

1           (e) The Commission shall provide a monthly report  
2 to the Committees on Appropriations of both Houses of  
3 Congress, which includes the following for each program,  
4 project, or activity, including any prior year appropria-  
5 tions—

- 6           (1) total budget authority;
- 7           (2) total unobligated balances; and
- 8           (3) total unliquidated obligations.

## TITLE V

## GENERAL PROVISIONS

(INCLUDING TRANSFER OF FUNDS)

1  
2  
3  
4       SEC. 501. None of the funds appropriated by this Act  
5 may be used in any way, directly or indirectly, to influence  
6 congressional action on any legislation or appropriation  
7 matters pending before Congress, other than to commu-  
8 nicate to Members of Congress as described in 18 U.S.C.  
9 1913.

10       SEC. 502. (a) None of the funds made available in  
11 title III of this Act may be transferred to any department,  
12 agency, or instrumentality of the United States Govern-  
13 ment, except pursuant to a transfer made by or transfer  
14 authority provided in this Act or any other appropriations  
15 Act for any fiscal year, transfer authority referenced in  
16 the report of the Committee on Appropriations accom-  
17 panying this Act, or any authority whereby a department,  
18 agency, or instrumentality of the United States Govern-  
19 ment may provide goods or services to another depart-  
20 ment, agency, or instrumentality.

21       (b) None of the funds made available for any depart-  
22 ment, agency, or instrumentality of the United States  
23 Government may be transferred to accounts funded in title  
24 III of this Act, except pursuant to a transfer made by or  
25 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       This Act may be cited as the “Energy and Water De-  
10 velopment and Related Agencies Appropriations Act,  
11 2020”.

Calendar No. 204

116<sup>TH</sup> CONGRESS  
1<sup>ST</sup> Session

**S. 2470**

[Report No. 116-102]

---

---

## **A BILL**

Making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2020, and for other purposes.

---

---

SEPTEMBER 12, 2019

Read twice and placed on the calendar