AN ACT

Making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2016, 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,
That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for energy and water development and related agencies for the fiscal year ending September 30, 2016, and for other purposes, namely:

TITLE I—CORPS OF ENGINEERS—CIVIL

DEPARTMENT OF THE ARMY

Corps of Engineers—Civil

The following appropriations shall be expended under the direction of the Secretary of the Army and the supervision of the Chief of Engineers for authorized civil functions of the Department of the Army pertaining to river and harbor, flood and storm damage reduction, shore protection, aquatic ecosystem restoration, and related efforts.

INVESTIGATIONS

For expenses necessary where authorized by law for the collection and study of basic information pertaining to river and harbor, flood and storm damage reduction, shore protection, aquatic ecosystem restoration, and related needs; for surveys and detailed studies, and plans and specifications of proposed river and harbor, flood and storm damage reduction, shore protection, and aquatic ecosystem restoration projects, and related efforts prior to construction; for restudy of authorized projects; and for miscellaneous investigations, and, when authorized by law,
surveys and detailed studies, and plans and specifications
of projects prior to construction, $110,000,000 (increased
by $1,000,000), to remain available until expended.

CONSTRUCTION

For expenses necessary for the construction of river
and harbor, flood and storm damage reduction, shore pro-
tection, aquatic ecosystem restoration, and related
projects authorized by law; for conducting detailed studies,
and plans and specifications, of such projects (including
those involving participation by States, local governments,
or private groups) authorized or made eligible for selection
by law (but such detailed studies, and plans and specifica-
tions, shall not constitute a commitment of the Govern-
ment to construction); $1,631,000,000 (increased by
$3,000,000) (increased by $1,000,000) (reduced by
$10,000,000) (increased by $10,000,000), to remain avail-
able until expended; of which such sums as are necessary
to cover the Federal share of construction costs for facili-
ties under the Dredged Material Disposal Facilities pro-
gram shall be derived from the Harbor Maintenance Trust
Fund as authorized by Public Law 104–303; and of which
such sums as are necessary to cover one-half of the costs
of construction, replacement, rehabilitation, and expansion
of inland waterways projects shall be derived from the In-
land Waterways Trust Fund, except as otherwise specifically provided for in law.

MISSISSIPPI RIVER AND TRIBUTARIES

For expenses necessary for flood damage reduction projects and related efforts in the Mississippi River alluvial valley below Cape Girardeau, Missouri, as authorized by law, $275,000,000, to remain available until expended, of which such sums as are necessary to cover the Federal share of eligible operation and maintenance costs for inland harbors shall be derived from the Harbor Maintenance Trust Fund.

OPERATION AND MAINTENANCE

For expenses necessary for the operation, maintenance, and care of existing river and harbor, flood and storm damage reduction, aquatic ecosystem restoration, and related projects authorized by law; providing security for infrastructure owned or operated by the Corps, including administrative buildings and laboratories; maintaining harbor channels provided by a State, municipality, or other public agency that serve essential navigation needs of general commerce, where authorized by law; surveying and charting northern and northwestern lakes and connecting waters; clearing and straightening channels; and removing obstructions to navigation, $3,058,000,000 (increased by $36,306,000), to remain available until ex-
pended, of which such sums as are necessary to cover the Federal share of eligible operation and maintenance costs for coastal harbors and channels, and for inland harbors shall be derived from the Harbor Maintenance Trust Fund; of which such sums as become available from the special account for the Corps of Engineers established by the Land and Water Conservation Fund Act of 1965 shall be derived from that account for resource protection, research, interpretation, and maintenance activities related to resource protection in the areas at which outdoor recreation is available; and of which such sums as become available from fees collected under section 217 of Public Law 104–303 shall be used to cover the cost of operation and maintenance of the dredged material disposal facilities for which such fees have been collected: Provided, That 1 percent of the total amount of funds provided for each of the programs, projects, or activities funded under this heading shall not be allocated to a field operating activity prior to the beginning of the fourth quarter of the fiscal year and shall be available for use by the Chief of Engineers to fund such emergency activities as the Chief of Engineers determines to be necessary and appropriate, and that the Chief of Engineers shall allocate during the fourth quarter any remaining funds which have not been used for emergency activities proportionally in accordance
with the amounts provided for the programs, projects, or activities.

REGULATORY PROGRAM

For expenses necessary for administration of laws pertaining to regulation of navigable waters and wetlands, $200,000,000 (reduced by $424,000), to remain available until September 30, 2017.

FORMERLY UTILIZED SITES REMEDIAL ACTION PROGRAM

For expenses necessary to clean up contamination from sites in the United States resulting from work performed as part of the Nation’s early atomic energy program, $104,000,000, to remain available until expended.

FLOOD CONTROL AND COASTAL EMERGENCIES

For expenses necessary to prepare for flood, hurricane, and other natural disasters and support emergency operations, repairs, and other activities in response to such disasters as authorized by law, $34,000,000, to remain available until expended.

EXPENSES

For expenses necessary for the supervision and general administration of the civil works program in the headquarters of the Corps of Engineers and the offices of the Division Engineers; and for costs of management and operation of the Humphreys Engineer Center Support Activity, the Institute for Water Resources, the United States
Army Engineer Research and Development Center, and the United States Army Corps of Engineers Finance Center allocable to the civil works program, $180,000,000 (reduced by $1,000,000), to remain available until September 30, 2017, of which not to exceed $5,000 may be used for official reception and representation purposes and only during the current fiscal year: Provided, That no part of any other appropriation provided in this title shall be available to fund the civil works activities of the Office of the Chief of Engineers or the civil works executive direction and management activities of the division offices: Provided further, That any Flood Control and Coastal Emergencies appropriation may be used to fund the supervision and general administration of emergency operations, repairs, and other activities in response to any flood, hurricane, or other natural disaster.

OFFICE OF THE ASSISTANT SECRETARY OF THE ARMY FOR CIVIL WORKS

For the Office of the Assistant Secretary of the Army for Civil Works as authorized by 10 U.S.C. 3016(b)(3), $4,750,000 (increased by $30,000,000) (reduced by $30,000,000), to remain available until September 30, 2017: Provided, That not more than 25 percent of such amount may be obligated or expended until the Assistant Secretary submits to the Committees on Appropriations
of both Houses of Congress a work plan that allocates at least 95 percent of the additional funding provided under each heading in this title (as designated under such heading in the report of the Committee on Appropriations accompanying this Act) to specific programs, projects, or activities.

GENERAL PROVISIONS—CORPS OF ENGINEERS—CIVIL

(INCLUDING TRANSFER OF FUNDS)

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

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

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

(3) increases funds or personnel for any program, project, or activity for which funds have been denied or restricted by this Act;

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

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


(c) The Corps of Engineers shall submit reports on a quarterly basis to the Committees on Appropriations of both Houses of Congress detailing all the funds reprogrammed between programs, projects, activities, or categories of funding. The first quarterly report shall be submitted not later than 60 days after the date of enactment of this Act.

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

SEC. 103. The Secretary of the Army may transfer to the Fish and Wildlife Service, and the Fish and Wildlife Service may accept and expend, up to $4,700,000 of funds provided in this title under the heading “Operation and Maintenance” to mitigate for fisheries lost due to Corps of Engineers projects.

SEC. 104. None of the funds made available in this or any other Act making appropriations for Energy and Water Development for any fiscal year may be used by the Corps of Engineers to develop, adopt, implement, administer, or enforce any change to the regulations in effect on October 1, 2012, pertaining to the definitions of the terms “fill material” or “discharge of fill material” for the purposes of the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.).

SEC. 105. None of the funds made available in this or any other Act making appropriations for Energy and Water Development for any fiscal year may be used by the Corps of Engineers to develop, adopt, implement, administer, or enforce any change to the regulations and guidance in effect on October 1, 2012, pertaining to the definition of waters under the jurisdiction of the Federal

SEC. 106. None of the funds made available by this Act may be used to require a permit for the discharge of dredged or fill material under the Federal Water Pollution Control Act (33 U.S.C. 1251, et seq.) for the activities identified in subparagraphs (A) and (C) of section 404(f)(1) of the Act (33 U.S.C. 1344(f)(1)(A), (C)).

SEC. 107. As of the date of enactment of this Act and each fiscal year thereafter, the Secretary of the Army shall not promulgate or enforce any regulation that prohibits an individual from possessing a firearm, including an assembled or functional firearm, at a water resources development project covered under section 327.0 of title 36, Code of Federal Regulations (as in effect on the date of enactment of this Act), if—

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

(2) the possession of the firearm is in compliance with the law of the State in which the water resources development project is located.
SEC. 108. No funds in this Act shall be used for an open lake placement alternative of dredged material, after evaluating the least costly, environmentally acceptable manner for the disposal or management of dredged material originating from Lake Erie or tributaries thereto, unless it is approved under a State water quality certification pursuant to 33 U.S.C. 1341.

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, $9,874,000, to remain available until expended, of which $1,000,000 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, $1,300,000 shall be available until September 30, 2017, for expenses necessary in carrying out related responsibilities of the Secretary of the Interior: Provided further, That for fiscal year 2016, 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.
The following appropriations shall be expended to execute authorized functions of the Bureau of Reclamation:

WATER AND RELATED RESOURCES

(INCLUDING TRANSFERS OF FUNDS)

For management, development, and restoration of water and related natural resources and for related activities, including the operation, maintenance, and rehabilitation of reclamation and other facilities, participation in fulfilling related Federal responsibilities to Native Americans, and related grants to, and cooperative and other agreements with, State and local governments, federally recognized Indian tribes, and others, $948,640,000 (increased by $2,000,000), to remain available until expended, of which $22,000 shall be available for transfer to the Upper Colorado River Basin Fund and $5,899,000 shall be available for transfer to the Lower Colorado River Basin Development Fund; of which such amounts as may be necessary may be advanced to the Colorado River Dam Fund: Provided, That such transfers may be increased or decreased within the overall appropriation under this heading: Provided further, That of the total appropriated, the amount for program activities that can be financed by the Reclamation Fund or the Bureau of Reclamation
special fee account established by 16 U.S.C. 6806 shall be derived from that Fund or account: Provided further,
That funds contributed under 43 U.S.C. 395 are available until expended for the purposes for which the funds were contributed: Provided further, That funds advanced under 43 U.S.C. 397a shall be credited to this account and are available until expended for the same purposes as the sums appropriated under this heading: Provided further,
That of the amounts provided herein, funds may be used for high-priority projects which shall be carried out by the Youth Conservation Corps, as authorized by 16 U.S.C. 1706.

CENTRAL VALLEY PROJECT RESTORATION FUND

For carrying out the programs, projects, plans, habitat restoration, improvement, and acquisition provisions of the Central Valley Project Improvement Act, $49,528,000, to be derived from such sums as may be collected in the Central Valley Project Restoration Fund pursuant to sections 3407(d), 3404(c)(3), and 3405(f) of Public Law 102–575, to remain available until expended: Provided,
That the Bureau of Reclamation is directed to assess and collect the full amount of the additional mitigation and restoration payments authorized by section 3407(d) of Public Law 102–575: Provided further, That none of the funds made available under this heading may be used for
the acquisition or leasing of water for in-stream purposes
if the water is already committed to in-stream purposes
by a court adopted decree or order.

CALIFORNIA BAY-DELTA RESTORATION
(INCLUDING TRANSFERS OF FUNDS)
For carrying out activities authorized by the Water
Supply, Reliability, and Environmental Improvement Act,
consistent with plans to be approved by the Secretary of
the Interior, $37,000,000, to remain available until ex-
pended, of which such amounts as may be necessary to
carry out such activities may be transferred to appropriate
accounts of other participating Federal agencies to carry
out authorized purposes: Provided, That funds appro-
priated herein may be used for the Federal share of the
costs of CALFED Program management: Provided fur-
ther, That CALFED implementation shall be carried out
in a balanced manner with clear performance measures
demonstrating concurrent progress in achieving the goals
and objectives of the Program.

POLICY AND ADMINISTRATION
For expenses necessary for policy, administration,
and related functions in the Office of the Commissioner,
the Denver office, and offices in the five regions of the
Bureau of Reclamation, to remain available until Sep-
tember 30, 2017, $59,500,000, to be derived from the
Reclamation Fund and be nonreimbursable as provided in
43 U.S.C. 377: Provided, That not more than 25 percent
of such amount may be obligated or expended until Recl-
amation complies with congressional and statutory direc-
tion related to Technical Memorandum 8140–CC–2004–
1 (“Corrosion Considerations for Buried Metallic Water
Pipe”) and the associated pipeline reliability study: Pro-
vided further, That no part of any other appropriation in
this Act shall be available for activities or functions budget-
eted as policy and administration expenses.

ADMINISTRATIVE PROVISION

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

GENERAL PROVISIONS—DEPARTMENT OF THE
INTERIOR

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

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

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

(3) increases funds for any program, project, or
activity for which funds have been denied or re-
stricted by this Act;
(4) restarts or resumes any program, project or activity for which funds are not provided in this Act, unless prior approval is received from the Committees on Appropriations of both Houses of Congress;

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

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

(B) $300,000 for any program, project or activity for which less than $2,000,000 is available at the beginning of the fiscal year;

(6) transfers more than $500,000 from either the Facilities Operation, Maintenance, and Rehabilitation category or the Resources Management and Development category to any program, project, or activity in the other category; or

(7) transfers, when necessary to discharge legal obligations of the Bureau of Reclamation, more than $5,000,000 to provide adequate funds for settled contractor claims, increased contractor earnings due to accelerated rates of operations, and real estate deficiency judgments.
(b) Subsection (a)(5) shall not apply to any transfer of funds within the Facilities Operation, Maintenance, and Rehabilitation category.

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

(d) The Bureau of Reclamation shall submit reports on a quarterly basis to the Committees on Appropriations of both Houses of Congress detailing all the funds reprogrammed between programs, projects, activities, or categories of funding. The first quarterly report shall be submitted not later than 60 days after the date of enactment of this Act.

Sec. 202. (a) None of the funds appropriated or otherwise made available by this Act may be used to determine the final point of discharge for the interceptor drain for the San Luis Unit until development by the Secretary of the Interior and the State of California of a plan, which shall conform to the water quality standards of the State of California as approved by the Administrator of the Environmental Protection Agency, to minimize any detrimental effect of the San Luis drainage waters.

(b) The costs of the Kesterson Reservoir Cleanup Program and the costs of the San Joaquin Valley Drainage Program shall be classified by the Secretary of the
Interior as reimbursable or nonreimbursable and collected until fully repaid pursuant to the “Cleanup Program—Alternative Repayment Plan” and the “SJVDP—Alternative Repayment Plan” described in the report entitled “Repayment Report, Kesterson Reservoir Cleanup Program and San Joaquin Valley Drainage Program, February 1995”, prepared by the Department of the Interior, Bureau of Reclamation. Any future obligations of funds by the United States relating to, or providing for, drainage service or drainage studies for the San Luis Unit shall be fully reimbursable by San Luis Unit beneficiaries of such service or studies pursuant to Federal reclamation law.

SEC. 203. The Secretary of the Interior, acting through the Commissioner of Reclamation, shall—

(1) complete the feasibility studies described in clauses (i)(I) and (ii)(II) of section 103(d)(1)(A) of Public Law 108–361 (118 Stat. 1684) and submit such studies to the appropriate committees of the House of Representatives and the Senate not later than December 31, 2015;

(2) complete the feasibility studies described in clauses (i)(II) and (ii)(I) of section 103(d)(1)(A) of Public Law 108–361 and submit such studies to the appropriate committees of the House of Representa-
tives and the Senate not later than November 30, 2016;

(3) complete the feasibility study described in section 103(f)(1)(A) of Public Law 108–361 (118 Stat. 1694) and submit such study to the appropriate committees of the House of Representatives and the Senate not later than December 31, 2017;

and

(4) provide a progress report on the status of the feasibility studies referred to in paragraphs (1) through (3) to the appropriate committees of the House of Representatives and the Senate not later than 90 days after the date of the enactment of this Act and each 180 days thereafter until December 31, 2017, as applicable. The report shall include timelines for study completion, draft environmental impact statements, final environmental impact statements, and Records of Decision.

TITLE III—DEPARTMENT OF ENERGY

ENERGY PROGRAMS

ENERGY EFFICIENCY AND RENEWABLE ENERGY

For Department of Energy expenses including the purchase, construction, and acquisition of plant and capital equipment, and other expenses necessary for energy efficiency and renewable energy activities in carrying out
the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, $1,657,774,000 (reduced by $4,000,000) (increased by $4,000,000) (increased by $9,000,000) (increased by $2,000,000), to remain available until expended: Provided, That of such amount, $150,000,000 shall be available until September 30, 2017, for program direction.

ELECTRICITY DELIVERY AND ENERGY RELIABILITY

For Department of Energy expenses including the purchase, construction, and acquisition of plant and capital equipment, and other expenses necessary for electricity delivery and energy reliability activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, $187,500,000, to remain available until expended: Provided, That of such amount, $27,000,000 shall be available until September 30, 2017, for program direction.

NUCLEAR ENERGY

For Department of Energy expenses including the purchase, construction, and acquisition of plant and capital equipment, and other expenses necessary for nuclear
energy activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, $936,161,000, to remain available until expended: Provided, That of such amount, $80,000,000 shall be available until September 30, 2017, for program direction including official reception and representation expenses not to exceed $10,000.

Fossil Energy Research and Development

For Department of Energy expenses necessary in carrying out fossil energy research and development activities, under the authority of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition of interest, including defeasible and equitable interests in any real property or any facility or for plant or facility acquisition or expansion, and for conducting inquiries, technological investigations and research concerning the extraction, processing, use, and disposal of mineral substances without objectionable social and environmental costs (30 U.S.C. 3, 1602, and 1603), $605,000,000, to remain available until expended: Provided, That of such amount $120,000,000 shall be available until September 30, 2017, for program direction.
NAVAL PETROLEUM AND OIL SHALE RESERVES

For Department of Energy expenses necessary to carry out naval petroleum and oil shale reserve activities, $17,500,000, to remain available until expended: Provided, That, notwithstanding any other provision of law, unobligated funds remaining from prior years shall be available for all naval petroleum and oil shale reserve activities.

STRATEGIC PETROLEUM RESERVE

For Department of Energy expenses necessary for Strategic Petroleum Reserve facility development and operations and program management activities pursuant to the Energy Policy and Conservation Act (42 U.S.C. 6201 et seq.), $212,030,000, to remain available until expended.

NORTHEAST HOME HEATING OIL RESERVE

For Department of Energy expenses necessary for Northeast Home Heating Oil Reserve storage, operation, and management activities pursuant to the Energy Policy and Conservation Act (42 U.S.C. 6201 et seq.), $7,600,000, to remain available until expended.

ENERGY INFORMATION ADMINISTRATION

For Department of Energy expenses necessary in carrying out the activities of the Energy Information Administration, $117,000,000, to remain available until expended.
NON-DEFENSE ENVIRONMENTAL CLEANUP

For Department of Energy expenses, including the purchase, construction, and acquisition of plant and capital equipment and other expenses necessary for non-defense environmental cleanup activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, $229,193,000, to remain available until expended.

URANIUM ENRICHMENT DECONTAMINATION AND DECOMMISSIONING FUND

For Department of Energy expenses necessary in carrying out uranium enrichment facility decontamination and decommissioning, remedial actions, and other activities of title II of the Atomic Energy Act of 1954, and title X, subtitle A, of the Energy Policy Act of 1992, $625,000,000, to be derived from the Uranium Enrichment Decontamination and Decommissioning Fund, to remain available until expended, of which $32,959,000 shall be available in accordance with title X, subtitle A, of the Energy Policy Act of 1992.

SCIENCE

For Department of Energy expenses including the purchase, construction, and acquisition of plant and cap-
ital equipment, and other expenses necessary for science activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or facility or for plant or facility acquisition, construction, or expansion, and purchase of not more than 17 passenger motor vehicles for replacement only, including one ambulance and one bus, $5,100,000,000, to remain available until expended: Provided, That of such amount, $181,000,000 shall be available until September 30, 2017, for program direction.

NUCLEAR WASTE DISPOSAL

For nuclear waste disposal activities to carry out the purposes of the Nuclear Waste Policy Act of 1982 (Public Law 97–425), including the acquisition of real property or facility construction or expansion, $150,000,000, to remain available until expended, and to be derived from the Nuclear Waste Fund: Provided, That of the amount provided under this heading, $5,000,000 shall be made available to affected units of local government, as defined in section 2(31) of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10101(31)), to support the Yucca Mountain geologic repository, as authorized by such Act.
Advanced Research Projects Agency—Energy

For Department of Energy expenses necessary in carrying out the activities authorized by section 5012 of the America COMPETES Act (Public Law 110–69), $280,000,000, to remain available until expended: Provided, That of such amount $28,000,000 shall be available until September 30, 2017, for program direction.

Title 17 Innovative Technology Loan Guarantee Program

Such sums as are derived from amounts received from borrowers pursuant to section 1702(b) of the Energy Policy Act of 2005 under this heading in prior Acts, shall be collected in accordance with section 502(7) of the Congressional Budget Act of 1974: Provided, That, for necessary administrative expenses to carry out this Loan Guarantee program, $42,000,000 is appropriated, to remain available until September 30, 2017: Provided further, That $25,000,000 of the fees collected pursuant to section 1702(h) of the Energy Policy Act of 2005 shall be credited as offsetting collections to this account to cover administrative expenses and shall remain available until expended, so as to result in a final fiscal year 2016 appropriation from the general fund estimated at not more than $17,000,000: Provided further, That fees collected under section 1702(h) in excess of the amount appropriated for
administrative expenses shall not be available until appropriated: Provided further, That the Department of Energy shall not subordinate any loan obligation to other financing in violation of section 1702 of the Energy Policy Act of 2005 or subordinate any Guaranteed Obligation to any loan or other debt obligations in violation of section 609.10 of title 10, Code of Federal Regulations.

Advanced Technology Vehicles Manufacturing Loan Program

For Department of Energy administrative expenses necessary in carrying out the Advanced Technology Vehicles Manufacturing Loan Program, $6,000,000, to remain available until September 30, 2017.

Departmental Administration

For salaries and expenses of the Department of Energy necessary for departmental administration in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), $247,420,000 (reduced by $1,000,000) (reduced by $3,000,000) (reduced by $36,720,000) (reduced by $2,000,000) (reduced by $9,000,000) (reduced by $2,000,000) (reduced by $1,000,000) (increased by $1,000,000), to remain available until September 30, 2017, including the hire of passenger motor vehicles and official reception and representation expenses not to exceed $30,000, plus such addi-
tional amounts as necessary to cover increases in the esti-
mated amount of cost of work for others notwithstanding
the provisions of the Anti-Deficiency Act (31 U.S.C. 1511
et seq.): Provided, That such increases in cost of work are
offset by revenue increases of the same or greater amount:
Provided further, That moneys received by the Department
for miscellaneous revenues estimated to total
$117,171,000 in fiscal year 2016 may be retained and
used for operating expenses within this account, as au-
thorized by section 201 of Public Law 95–238, notwith-
standing the provisions of 31 U.S.C. 3302: Provided fur-
ther, That the sum herein appropriated shall be reduced
as collections are received during the fiscal year so as to
result in a final fiscal year 2016 appropriation from the
general fund estimated at not more than $130,249,000:
Provided further, That of the total amount made available
under this heading, $31,297,000 is for Energy Policy and
Systems Analysis.

Office of the Inspector General

For expenses necessary for the Office of the Inspector
General in carrying out the provisions of the Inspector
General Act of 1978, $46,000,000 (increased by
$424,000), to remain available until September 30, 2017.
ATOMIC ENERGY DEFENSE ACTIVITIES

NATIONAL NUCLEAR SECURITY ADMINISTRATION

Weapons Activities

For Department of Energy expenses, including the purchase, construction, and acquisition of plant and capital equipment and other incidental expenses necessary for atomic energy defense weapons activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, $8,713,000,000, to remain available until expended: Provided, That $92,000,000 shall be available until September 30, 2017, for program direction.

DEFENSE NUCLEAR NONPROLIFERATION

(including rescission of funds)

For Department of Energy expenses, including the purchase, construction, and acquisition of plant and capital equipment and other incidental expenses necessary for defense nuclear nonproliferation activities, in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion,
$1,918,000,000 (reduced by $13,802,000) (increased by $10,000,000) (increased by $3,802,000), to remain available until expended: Provided, That funds provided by this Act for Project 99–D–143, Mixed Oxide Fuel Fabrication Facility, and by prior Acts that remain unobligated for such Project, may be made available only for construction and program support activities for such Project. Provided further, That of the unobligated balances from prior year appropriations available under this heading, $10,394,000 is hereby rescinded: Provided further, That no amounts may be rescinded from amounts that were designated by the Congress as an emergency requirement pursuant to a concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985.

NAVAL REACTORS

For Department of Energy expenses necessary for naval reactors activities to carry out the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition (by purchase, condemnation, construction, or otherwise) of real property, plant, and capital equipment, facilities, and facility expansion, $1,320,394,000 (increased by $2,426,400), to remain available until expended: Provided, That $43,500,000 shall be available until September 30, 2017, for program direction.
FEDERAL SALARIES AND EXPENSES

For expenses necessary for Federal Salaries and Expenses in the National Nuclear Security Administration, $388,000,000 (reduced by $2,500,000), to remain available until September 30, 2017, including official reception and representation expenses not to exceed $12,000.

ENVIRONMENTAL AND OTHER DEFENSE ACTIVITIES

DEFENSE ENVIRONMENTAL CLEANUP

For Department of Energy expenses, including the purchase, construction, and acquisition of plant and capital equipment and other expenses necessary for atomic energy defense environmental cleanup activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, and the purchase of not to exceed one fire apparatus pumper truck and one armored vehicle for replacement only, $5,055,550,000, to remain available until expended: Provided, That of such amount $281,951,000 shall be available until September 30, 2017, for program direction.
DEFENSE URANIUM ENRICHMENT DECONTAMINATION
AND DECOMMISSIONING
(INCLUDING TRANSFER OF FUNDS)

For an additional amount for atomic energy defense environmental cleanup activities for Department of Energy contributions for uranium enrichment decontamination and decommissioning activities, $471,797,000, to be deposited into the Defense Environmental Cleanup account which shall be transferred to the “Uranium Enrichment Decontamination and Decommissioning Fund”.

OTHER DEFENSE ACTIVITIES

For Department of Energy expenses, including the purchase, construction, and acquisition of plant and capital equipment and other expenses, necessary for atomic energy defense, other defense activities, and classified activities, in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, $767,570,000, to remain available until expended: Provided, That of such amount, $253,729,000 shall be available until September 30, 2017, for program direction.
POWER MARKETING ADMINISTRATIONS

BONNEVILLE POWER ADMINISTRATION FUND

Expenditures from the Bonneville Power Administration Fund, established pursuant to Public Law 93–454, are approved for the Shoshone Paiute Trout Hatchery, the Spokane Tribal Hatchery, the Snake River Sockeye Weirs and, in addition, for official reception and representation expenses in an amount not to exceed $5,000: Provided, That during fiscal year 2016, no new direct loan obligations may be made.

OPERATION AND MAINTENANCE, SOUTHEASTERN POWER ADMINISTRATION

For expenses necessary for operation and maintenance of power transmission facilities and for marketing electric power and energy, including transmission wheeling and ancillary services, pursuant to section 5 of the Flood Control Act of 1944 (16 U.S.C. 825s), as applied to the southeastern power area, $6,900,000, including official reception and representation expenses in an amount not to exceed $1,500, to remain available until expended: Provided, That notwithstanding 31 U.S.C. 3302 and section 5 of the Flood Control Act of 1944, up to $6,900,000 collected by the Southeastern Power Administration from the sale of power and related services shall be credited to this account as discretionary offsetting collections, to remain
available until expended for the sole purpose of funding the annual expenses of the Southeastern Power Administra-
tion: Provided further, That the sum herein appropri-
ted for annual expenses shall be reduced as collections are received during the fiscal year so as to result in a final fiscal year 2016 appropriation estimated at not more than $0: Provided further, That, notwithstanding 31 U.S.C. 3302, up to $66,500,000 collected by the Southeastern Power Administration pursuant to the Flood Control Act of 1944 to recover purchase power and wheeling expenses shall be credited to this account as offsetting collections, to remain available until expended for the sole purpose of making purchase power and wheeling expenditures: Provided further, That for purposes of this appropriation, annual expenses means expenditures that are generally re-
covered in the same year that they are incurred (excluding purchase power and wheeling expenses).

OPERATION AND MAINTENANCE, SOUTHWESTERN POWER ADMINISTRATION

For expenses necessary for operation and mainte-
nance of power transmission facilities and for marketing electric power and energy, for construction and acquisition of transmission lines, substations and appurtenant facili-
ties, and for administrative expenses, including official re-
ception and representation expenses in an amount not to
exceed $1,500 in carrying out section 5 of the Flood Con-
trol Act of 1944 (16 U.S.C. 825s), as applied to the
Southwestern Power Administration, $47,361,000, to re-
main available until expended: Provided, That notwith-
standing 31 U.S.C. 3302 and section 5 of the Flood Con-
trol Act of 1944 (16 U.S.C. 825s), up to $35,961,000 col-
lected by the Southwestern Power Administration from
the sale of power and related services shall be credited to
this account as discretionary offsetting collections, to re-
main available until expended, for the sole purpose of
funding the annual expenses of the Southwestern Power
Administration: Provided further, That the sum herein ap-
propriated for annual expenses shall be reduced as collec-
tions are received during the fiscal year so as to result
in a final fiscal year 2016 appropriation estimated at not
more than $11,400,000: Provided further, That, notwith-
standing 31 U.S.C. 3302, up to $63,000,000 collected by
the Southwestern Power Administration pursuant to the
Flood Control Act of 1944 to recover purchase power and
wheeling expenses shall be credited to this account as off-
setting collections, to remain available until expended for
the sole purpose of making purchase power and wheeling
expenditures: Provided further, That, for purposes of this
appropriation, annual expenses means expenditures that
are generally recovered in the same year that they are in-
curred (excluding purchase power and wheeling expenses).

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

For carrying out the functions authorized by title III,
section 302(a)(1)(E) of the Act of August 4, 1977 (42
U.S.C. 7152), and other related activities including con-
servation and renewable resources programs as author-
ized, $307,714,000, including official reception and rep-
resentation expenses in an amount not to exceed $1,500,
to remain available until expended, of which $302,000,000
shall be derived from the Department of the Interior Re-
clamation Fund: Provided, That notwithstanding 31 U.S.C.
3302, section 5 of the Flood Control Act of 1944 (16
U.S.C. 825s), and section 1 of the Interior Department
Appropriation Act, 1939 (43 U.S.C. 392a), up to
$214,342,000 collected by the Western Area Power Ad-
ministration from the sale of power and related services
shall be credited to this account as discretionary offsetting
collections, to remain available until expended, for the sole
purpose of funding the annual expenses of the Western
Area Power Administration: Provided further, That the
sum herein appropriated for annual expenses shall be re-
duced as collections are received during the fiscal year so
as to result in a final fiscal year 2016 appropriation estimated at not more than $93,372,000, of which $87,658,000 is derived from the Reclamation Fund: Provided further, That, notwithstanding 31 U.S.C. 3302, up to $352,813,000 collected by the Western Area Power Administration pursuant to the Flood Control Act of 1944 and the Reclamation Project Act of 1939 to recover purchase power and wheeling expenses shall be credited to this account as offsetting collections, to remain available until expended for the sole purpose of making purchase power and wheeling expenditures: Provided further, That, for purposes of this appropriation, annual expenses means expenditures that are generally recovered in the same year that they are incurred (excluding purchase power and wheeling expenses).

FALCON AND AMISTAD OPERATING AND MAINTENANCE FUND

For operation, maintenance, and emergency costs for the hydroelectric facilities at the Falcon and Amistad Dams, $4,490,000, to remain available until expended, and to be derived from the Falcon and Amistad Operating and Maintenance Fund of the Western Area Power Administration, as provided in section 2 of the Act of June 18, 1954 (68 Stat. 255): Provided, That notwithstanding the provisions of that Act and of 31 U.S.C. 3302, up to
$4,262,000 collected by the Western Area Power Administration from the sale of power and related services from the Falcon and Amistad Dams shall be credited to this account as discretionary offsetting collections, to remain available until expended for the sole purpose of funding the annual expenses of the hydroelectric facilities of these Dams and associated Western Area Power Administration activities: *Provided further*, That the sum herein appropriated for annual expenses shall be reduced as collections are received during the fiscal year so as to result in a final fiscal year 2016 appropriation estimated at not more than $228,000: *Provided further*, That for purposes of this appropriation, annual expenses means expenditures that are generally recovered in the same year that they are incurred: *Provided further*, That for fiscal year 2016, the Administrator of the Western Area Power Administration may accept up to $460,000 in funds contributed by United States power customers of the Falcon and Amistad Dams for deposit into the Falcon and Amistad Operating and Maintenance Fund, and such funds shall be available for the purpose for which contributed in like manner as if said sums had been specifically appropriated for such purpose: *Provided further*, That any such funds shall be available without further appropriation and without fiscal year limitation for use by the Commissioner of the United States
Section of the International Boundary and Water Commission for the sole purpose of operating, maintaining, repairing, rehabilitating, replacing, or upgrading the hydroelectric facilities at these Dams in accordance with agreements reached between the Administrator, Commissioner, and the power customers.

**Federal Energy Regulatory Commission**

**Salaries and Expenses**

For expenses necessary for the Federal Energy Regulatory Commission to carry out the provisions of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including services as authorized by 5 U.S.C. 3109, official reception and representation expenses not to exceed $3,000, and the hire of passenger motor vehicles, $319,800,000, to remain available until expended: *Provided*, That notwithstanding any other provision of law, not to exceed $319,800,000 of revenues from fees and annual charges, and other services and collections in fiscal year 2016 shall be retained and used for expenses necessary in this account, and shall remain available until expended: *Provided further*, That the sum herein appropriated from the general fund shall be reduced as revenues are received during fiscal year 2016 so as to result in a final fiscal year 2016 appropriation from the general fund estimated at not more than $0.
GENERAL PROVISIONS—DEPARTMENT OF ENERGY

SEC. 301. (a) No appropriation, funds, or authority made available by this title for the Department of Energy shall be used to initiate or resume any program, project, or activity or to prepare or initiate Requests For Proposals or similar arrangements (including Requests for Quotations, Requests for Information, and Funding Opportunity Announcements) for a program, project, or activity if the program, project, or activity has not been funded by Congress.

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

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

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

(C) issue a letter of intent to make an allocation, award, or Agreement in excess of the limits in subparagraph (A) or (B); or
(D) announce publicly the intention to make an allocation, award, or Agreement in excess of the limits in subparagraph (A) or (B).

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

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

(c) The Department of Energy may not, with respect to any program, project, or activity that uses budget authority made available in this title under the heading “Department of Energy—Energy Programs”, enter into a multiyear contract, award a multiyear grant, or enter into a multiyear cooperative agreement unless—
(1) the contract, grant, or cooperative agreement is funded for the full period of performance as anticipated at the time of award; or

(2) the contract, grant, or cooperative agreement includes a clause conditioning the Federal Government’s obligation on the availability of future year budget authority and the Secretary notifies the Committees on Appropriations of both Houses of Congress at least 3 days in advance.

(d) Except as provided in subsections (e), (f), and (g), the amounts made available by this title shall be expended as authorized by law for the programs, projects, and activities specified in the “Bill” column in the “Department of Energy” table included under the heading “Title III—Department of Energy” in the report of the Committee on Appropriations accompanying this Act.

(e) The amounts made available by this title may be reprogrammed for any program, project, or activity, and the Department shall notify the Committees on Appropriations of both Houses of Congress at least 30 days prior to the use of any proposed reprogramming that would cause any program, project, or activity funding level to increase or decrease by more than $5,000,000 or 10 percent, whichever is less, during the time period covered by this Act.
(f) None of the funds provided in this title shall be available for obligation or expenditure through a re-
programming of funds that—

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

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

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

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

   (2) The Secretary of Energy shall notify the Commit-
tees on Appropriations of both Houses of Congress of any waiver under paragraph (1) as soon as practicable, but not later than 3 days after the date of the activity to which a requirement or restriction would otherwise have applied. Such notice shall include an explanation of the substantial risk under paragraph (1) that permitted such waiver.
Sec. 302. The unexpended balances of prior appropriations provided for activities in this Act may be available to the same appropriation accounts for such activities established pursuant to this title. Available balances may be merged with funds in the applicable established accounts and thereafter may be accounted for as one fund for the same time period as originally enacted.

Sec. 303. Funds appropriated by this or any other Act, or made available by the transfer of funds in this Act, for intelligence activities are deemed to be specifically authorized by the Congress for purposes of section 504 of the National Security Act of 1947 (50 U.S.C. 414) during fiscal year 2016 until the enactment of the Intelligence Authorization Act for fiscal year 2016.

Sec. 304. None of the funds made available in this title shall be used for the construction of facilities classified as high-hazard nuclear facilities under 10 CFR Part 830 unless independent oversight is conducted by the Office of Independent Enterprise Assessments to ensure the project is in compliance with nuclear safety requirements.

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

Sec. 306. Notwithstanding section 301(c) of this Act, none of the funds made available under the heading “Department of Energy—Energy Programs—Science” may be used for a multiyear contract, grant, cooperative agree-
ment, or Other Transaction Agreement of $1,000,000 or less unless the contract, grant, cooperative agreement, or Other Transaction Agreement is funded for the full period of performance as anticipated at the time of award.

Sec. 307. (a) None of the funds made available in this or any prior Act under the heading “Defense Nuclear Nonproliferation” may be made available to enter into new contracts with, or new agreements for Federal assistance to, the Russian Federation.

(b) The Secretary of Energy may waive the prohibi-
tion in subsection (a) if the Secretary determines that such activity is in the national security interests of the United States. This waiver authority may not be dele-
gated.

(c) A waiver under subsection (b) shall not be effec-
tive until 15 days after the date on which the Secretary submits to the Committees on Appropriations of both
Houses of Congress, in classified form if necessary, a report on the justification for the waiver.

SEC. 308. (a) Notification of Strategic Petroleum Reserve Drawdown.—None of the funds made available by this Act or any prior Act, or funds made available in the SPR Petroleum Account, may be used to conduct a drawdown (including a test drawdown) and sale or exchange of petroleum products from the Strategic Petroleum Reserve unless the Secretary of Energy provides notice, in accordance with subsection (b), of such exchange, or drawdown (including a test drawdown) to the Committees on Appropriations of both Houses of Congress.

(b)(1) Content of Notification.—The notification required under subsection (a) shall include at a minimum—

(A) the justification for the drawdown or exchange, including—

(i) a specific description of any obligation under international energy agreements; and

(ii) in the case of a test drawdown, the specific aspects of the Strategic Petroleum Reserve to be tested;

(B) the provisions of law (including regulations) authorizing the drawdown or exchange;
(C) the number of barrels of petroleum products proposed to be withdrawn or exchanged;
(D) the location of the Strategic Petroleum Reserve site or sites from which the petroleum products are proposed to be withdrawn;
(E) a good faith estimate of the expected proceeds from the sale of the petroleum products;
(F) an estimate of the total inventories of petroleum products in the Strategic Petroleum Reserve after the anticipated drawdown;
(G) a detailed plan for disposition of the proceeds after deposit into the SPR Petroleum Account; and
(H) a plan for refilling the Strategic Petroleum Reserve, including whether the acquisition will be of the same or a different petroleum product.

(2) TIMING OF NOTIFICATION.—The Secretary shall provide the notification required under subsection (a)—

(A) in the case of an exchange or a drawdown, as soon as practicable after the exchange or drawdown has occurred; and
(B) in the case of a test drawdown, not later than 30 days prior to the test drawdown.
(c) Post-Sale Notification.—In addition to reporting requirements under other provisions of law, the Secretary shall, upon the execution of all contract awards associated with a competitive sale of petroleum products, notify the Committees on Appropriations of both Houses of Congress of the actual value of the proceeds from the sale.

(d)(1) New Regional Reserves.—The Secretary may not establish any new regional petroleum product reserve unless funding for the proposed regional petroleum product reserve is explicitly requested in advance in an annual budget submission and approved by the Congress in an appropriations Act.

(2) The budget request or notification shall include—

(A) the justification for the new reserve;
(B) a cost estimate for the establishment, operation, and maintenance of the reserve, including funding sources;
(C) a detailed plan for operation of the reserve, including the conditions upon which the products may be released;
(D) the location of the reserve; and
(E) the estimate of the total inventory of the reserve.
SEC. 309. Of the amounts made available by this Act for “National Nuclear Security Administration—Weapons Activities”, up to $50,000,000 may be reprogrammed within such account for Domestic Uranium Enrichment, subject to the notice requirement in section 301(e).

SEC. 310. (a) Unobligated balances available from appropriations for fiscal years 2005 through 2010 are hereby permanently rescinded from the following accounts of the Department of Energy in the specified amounts:


(2) “Energy Programs—Electricity Delivery and Energy Reliability”, $900,000.

(3) “Energy Programs—Nuclear Energy”, $1,665,000.

(4) “Energy Programs—Fossil Energy Research and Development”, $12,064,000.


(6) “Power Marketing Administrations—Construction, Rehabilitation, Operation and Maintenance, Western Area Power Administration”, $4,832,000.

(b) No amounts may be rescinded by this section from amounts that were designated by the Congress as an emergency requirement pursuant to a concurrent reso-
lution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985.

TITLE IV—INDEPENDENT AGENCIES

APPALACHIAN REGIONAL COMMISSION

For expenses necessary to carry out the programs authorized by the Appalachian Regional Development Act of 1965, notwithstanding 40 U.S.C. 14704, and for expenses necessary for the Federal Co-Chairman and the Alternate on the Appalachian Regional Commission, for payment of the Federal share of the administrative expenses of the Commission, including services as authorized by 5 U.S.C. 3109, and hire of passenger motor vehicles, $95,000,000, to remain available until expended.

DEFENSE NUCLEAR FACILITIES SAFETY BOARD

SALARIES AND EXPENSES

For expenses necessary for the Defense Nuclear Facilities Safety Board in carrying out activities authorized by the Atomic Energy Act of 1954, as amended by Public Law 100–456, section 1441, $29,900,000, to remain available until September 30, 2017.

DELTA REGIONAL AUTHORITY

SALARIES AND EXPENSES

For expenses necessary for the Delta Regional Authority and to carry out its activities, as authorized by the Delta Regional Authority Act of 2000, notwith-
standing sections 382C(b)(2), 382F(d), 382M, and 382N of said Act, $12,000,000, to remain available until expended.

**Denali Commission**

For expenses necessary for the Denali Commission including the purchase, construction, and acquisition of plant and capital equipment as necessary and other expenses, $10,000,000, to remain available until expended, notwithstanding the limitations contained in section 306(g) of the Denali Commission Act of 1998: Provided,

That funds shall be available for construction projects in an amount not to exceed 80 percent of total project cost for distressed communities, as defined by section 307 of the Denali Commission Act of 1998 (division C, title III, Public Law 105–277), as amended by section 701 of appendix D, title VII, Public Law 106–113 (113 Stat. 1501A–280), and an amount not to exceed 50 percent for non-distressed communities.

**Northern Border Regional Commission**

For expenses necessary for the Northern Border Regional Commission in carrying out activities authorized by subtitle V of title 40, United States Code, $3,000,000, to remain available until expended: Provided, That such amounts shall be available for administrative expenses,
notwithstanding section 15751(b) of title 40, United States Code.

SOUTHEAST CRESCENT REGIONAL COMMISSION
For expenses necessary for the Southeast Crescent Regional Commission in carrying out activities authorized by subtitle V of title 40, United States Code, $250,000, to remain available until expended.

NUCLEAR REGULATORY COMMISSION
SALARIES AND EXPENSES
For expenses necessary for the Commission in carrying out the purposes of the Energy Reorganization Act of 1974 and the Atomic Energy Act of 1954, $1,003,233,000, including official representation expenses not to exceed $25,000, to remain available until expended, of which $25,000,000 shall be derived from the Nuclear Waste Fund: Provided, That of the amount appropriated herein, not more than $9,500,000 may be made available for salaries, travel, and other support costs for the Office of the Commission, to remain available until September 30, 2017, of which, notwithstanding section 201(a)(2)(c) of the Energy Reorganization Act of 1974 (42 U.S.C. 5841(a)(2)(c)), the use and expenditure shall only be approved by a majority vote of the Commission: Provided further, That revenues from licensing fees, inspection services, and other services and collections estimated at
$862,274,000 in fiscal year 2016 shall be retained and used for necessary salaries and expenses in this account, notwithstanding 31 U.S.C. 3302, and shall remain available until expended: *Provided further*, That the sum herein appropriated shall be reduced by the amount of revenues received during fiscal year 2016 so as to result in a final fiscal year 2016 appropriation estimated at not more than $140,959,000: *Provided further*, That of the amounts appropriated under this heading, $10,000,000 shall be for university research and development in areas relevant to their respective organization’s mission, and $5,000,000 shall be for a Nuclear Science and Engineering Grant Program that will support multiyear projects that do not align with programmatic missions but are critical to maintaining the discipline of nuclear science and engineering.

**OFFICE OF INSPECTOR GENERAL**

For expenses necessary for the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, $12,136,000, to remain available until September 30, 2017: *Provided*, That revenues from licensing fees, inspection services, and other services and collections estimated at $10,060,000 in fiscal year 2016 shall be retained and be available until September 30, 2017, for necessary salaries and expenses in this account, notwithstanding section 3302 of title 31, United States
Code: *Provided further*, That the sum herein appropriated shall be reduced by the amount of revenues received during fiscal year 2016 so as to result in a final fiscal year 2016 appropriation estimated at not more than $2,076,000: *Provided further*, That of the amounts appropriated under this heading, $958,000 shall be for Inspector General services for the Defense Nuclear Facilities Safety Board, which shall not be available from fee revenues.

**NUCLEAR WASTE TECHNICAL REVIEW BOARD**

**SALARIES AND EXPENSES**

For expenses necessary for the Nuclear Waste Technical Review Board, as authorized by Public Law 100–203, section 5051, $3,600,000, to be derived from the Nuclear Waste Fund, to remain available until September 30, 2017.

**OFFICE OF THE FEDERAL COORDINATOR FOR ALASKA NUCLEAR GAS TRANSPORTATION PROJECTS**

For expenses necessary for the Office of the Federal Coordinator for Alaska Natural Gas Transportation Projects pursuant to the Alaska Natural Gas Pipeline Act, $1,000,000, to remain available until September 30, 2017: *Provided*, That any fees, charges, or commissions received pursuant to section 106(h) of the Alaska Natural Gas Pipeline Act (15 U.S.C. 720d(h)) in fiscal year 2016 in
excess of $2,402,000 shall not be available for obligation until appropriated in a subsequent Act of Congress.

GENERAL PROVISIONS—INDEPENDENT AGENCIES

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

TITLE V—GENERAL PROVISIONS

Sec. 501. None of the funds appropriated by this Act may be used in any way, directly or indirectly, to influence congressional action on any legislation or appropriation matters pending before Congress, other than to communicate to Members of Congress as described in 18 U.S.C. 1913.

Sec. 502. (a) None of the funds made available in title III of this Act may be transferred to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by or transfer authority provided in this Act or any other appropriations Act for any fiscal year, transfer authority referenced in the report of the Committee on Appropriations accompanying this Act, or any authority whereby a department, agency, or instrumentality of the United States Govern-
ment may provide goods or services to another department, agency, or instrumentality.

(b) None of the funds made available for any department, agency, or instrumentality of the United States Government may be transferred to accounts funded in title III of this Act, except pursuant to a transfer made by or transfer authority provided in this Act or any other appropriations Act for any fiscal year, transfer authority referenced in the report of the Committee on Appropriations accompanying this Act, or any authority whereby a department, agency, or instrumentality of the United States Government may provide goods or services to another department, agency, or instrumentality.

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

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

Sec. 504. None of the funds made available by this Act may be used to conduct closure of adjudicatory functions, technical review, or support activities associated with the Yucca Mountain geologic repository license application, or for actions that irrevocably remove the possibility that Yucca Mountain may be a repository option in the future.

Sec. 505. None of the funds made available by this Act may be used to further implementation of the coastal and marine spatial planning and ecosystem-based management components of the National Ocean Policy developed under Executive Order No. 13547 of July 19, 2010.

Spending Reduction Account

Sec. 506. The amount by which the applicable allocation of new budget authority made by the Committee on Appropriations of the House of Representatives under section 302(b) of the Congressional Budget Act of 1974 exceeds the amount of proposed new budget authority is $0.
Sec. 507. None of the funds made available by this Act may be used to transform the National Energy Technology Laboratory into a government-owned, contractor-operated laboratory, or to consolidate or close the National Energy Technology Laboratory.

Sec. 508. None of the funds made available in this Act under the heading “Defense Nuclear Nonproliferation” may be made available to enter into new contracts with, or new agreements for Federal assistance to the Islamic Republic of Iran except for contracts or agreements that require the Islamic Republic of Iran to cease the pursuit, acquisition, and development of nuclear weapons technology.

Sec. 509. None of the funds made available by this Act may be used by the Department of Energy, the Department of the Interior, or any other Federal agency to lease or purchase new light duty vehicles for any executive fleet, or for an agency’s fleet inventory, except in accordance with Presidential Memorandum—Federal Fleet Performance, dated May 24, 2011.

Sec. 510. None of the funds made available by this Act may be used by the Department of Energy to finalize, implement, or enforce the proposed rule entitled “Standards Ceiling Fans and Ceiling Fan Light Kits” and identified by regulation identification number 1904–AC87.
SEC. 511. None of the funds made available in this Act may be used in contravention of section 2101 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2238b) or section 210 of the Water Resources Development Act of 1986 (33 U.S.C. 2238).

SEC. 512. None of the funds made available by this Act may be used for the Cape Wind Energy Project on the Outer Continental Shelf off Massachusetts, Nantucket Sound.

SEC. 513. None of the funds made available in this Act may be used—

(1) to implement or enforce section 430.32(x) of title 10, Code of Federal Regulations; or

(2) to implement or enforce the standards established by the tables contained in section 325(i)(1)(B) of the Energy Policy and Conservation Act (42 U.S.C. 6295(i)(1)(B)) with respect to BPAR incandescent reflector lamps, BR incandescent reflector lamps, and ER incandescent reflector lamps.

SEC. 514. None of the funds made available by this Act may be used to implement, administer, carry out, modify, revise, or enforce Executive Order No. 13690 (entitled “Establishing a Federal Flood Risk Management
Standard and a Process for Further Soliciting and Considering Stakeholder Input’

SEC. 515. None of the funds made available by this Act for “Department of Energy—Energy Programs—Science” may be used in contravention of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.).

SEC. 516. None of the funds in this Act may be available for the purchase by the Department of Defense (and its departments and agencies) of welded shipboard anchor and mooring chain 4 inches in diameter and under unless the anchor and mooring chain are procured from a manufacturer that is part of the national technology and industrial base.

SEC. 517. None of the funds made available by this Act may be used for the removal of any federally owned or operated dam.

SEC. 518. None of the funds made available by this Act may be used to enter into a contract with any offeror or any of its principals if the offeror certifies, as required by Federal Acquisition Regulation, that the offeror or any of its principals—

(1) within a 3-year period preceding this offer has been convicted of or had a civil judgment rendered against it for: commission of fraud or a criminal offense in connection with obtaining, attempting
to obtain, or performing a public (Federal, State, or local) contract or subcontract; violation of Federal or State antitrust statutes relating to the submission of offers; or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, tax evasion, violating Federal criminal tax laws, or receiving stolen property;

(2) are presently indicted for, or otherwise criminally or civilly charged by a governmental entity with, commission of any of the offenses enumerated above in paragraph (1); or

(3) within a 3-year period preceding this offer, has been notified of any delinquent Federal taxes in an amount that exceeds $3,000 for which the liability remains unsatisfied.

SEC. 519. None of the funds made available by this Act may be used to finalize, promulgate, or enforce the Department of Energy’s proposed rule entitled “Energy Conservation Program for Consumer Products: Energy Conservation Standards for Residential Furnaces” (80 Fed. Reg. 48: March 12, 2015).

SEC. 520. None of the funds made available by this Act may be used to continue the study conducted by the Army Corps of Engineers pursuant to section 5018(a)(1)

Sec. 521. For an additional amount for “Corps of Engineers—Civil—Department of the Army—Investigations”, there is hereby appropriated, and the amount otherwise provided by this Act for “Department of Energy—Energy Programs—Departmental Administration” is hereby reduced by $2,500,000.


Sec. 523. None of the funds made available by this Act may be used for the Department of Energy’s Climate Model Development and Validation program.

Sec. 524. None of the funds made available by this Act may be used to purchase water to supplement or enhance the instream flow requirements in the State of California that are mandated under the Endangered Species Act of 1973, the Central Valley Project Improvement Act, or the National Environmental Policy Act of 1969.
SEC. 525. None of the funds made available by this Act may be used to implement, administer, or enforce the requirement in section 323.4(a)(1)(ii) of title 33, Code of Federal Regulations, or section 232.3(c)(1)(ii)(A) of title 40, Code of Federal Regulations, that activities identified in paragraph (1)(A) of subsection (f) of section 404 of the Federal Water Pollution Control Act (33 U.S.C. 1344(f)(1)(A)) must be established or ongoing in order to receive an exemption under such subsection.

SEC. 526. None of the funds made available by this Act may be used to deliver water to the Trinity River above the minimum requirements of the Trinity Record of Decision or to supplement flows in the Klamath River.

This Act may be cited as the “Energy and Water Development and Related Agencies Appropriations Act, 2016”.

Passed the House of Representatives May 1, 2015.

Attest:

Clerk.
AN ACT

Making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2016, and for other purposes.