AN ACT

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

1  Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,
1 That the following sums are appropriated, out of any
2 money in the Treasury not otherwise appropriated, for en-
3 ergy and water development and related agencies for the
4 fiscal year ending September 30, 2015, and for other pur-
5 poses, namely:
6
7 TITLE I—CORPS OF ENGINEERS—CIVIL
8 DEPARTMENT OF THE ARMY
9 Corps of Engineers—Civil
10
11 The following appropriations shall be expended under
12 the direction of the Secretary of the Army and the super-
13 vision of the Chief of Engineers for authorized civil func-
14 tions of the Department of the Army pertaining to river
15 and harbor, flood and storm damage reduction, shore pro-
16 tection, aquatic ecosystem restoration, and related efforts.
17
18 INVESTIGATIONS
19
20 For expenses necessary where authorized by law for
21 the collection and study of basic information pertaining
22 to river and harbor, flood and storm damage reduction,
23 shore protection, aquatic ecosystem restoration, and re-
24 lated needs; for surveys and detailed studies, and plans
25 and specifications of proposed river and harbor, flood and
26 storm damage reduction, shore protection, and aquatic
27 ecosystem restoration, projects and related efforts prior to
28 construction; for restudy of authorized projects; and for
29 miscellaneous investigations, and, when authorized by law,
such service or studies pursuant to Federal reclamation law.

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, $1,789,000,000 (reduced by $7,000,000) (increased by $9,000,000), to remain available until expended: Provided, That of such amount, $150,000,000 shall be available until September 30, 2016, 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, $160,000,000, to remain available until expended: Provided, That of such amount, $27,500,000 shall be available until September 30, 2016, 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, $899,000,000 (reduced by $73,309,100.00), to remain available until expended: Provided, That of such amount, $73,000,000 shall be available until September 30, 2016, for program direction including official reception and representation expenses not to exceed $10,000.

FOSSIL ENERGY RESEARCH AND DEVELOPMENT

For necessary expenses 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 expan-
sion, and for conducting inquiries, technological investiga-
tions and research concerning the extraction, processing,
use, and disposal of mineral substances without objection-
able social and environmental costs (30 U.S.C. 3, 1602,
and 1603), $593,000,000, to remain available until ex-
pended: Provided, That of such amount, $120,000,000
shall be available until September 30, 2016, for program
direction.

NAVAL PETROLEUM AND OIL SHALE RESERVES

For expenses necessary to carry out naval petroleum
and oil shale reserve activities, $19,950,000, 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.

ELK HILLS SCHOOL LANDS FUND

For necessary expenses in fulfilling the final payment
under the Settlement Agreement entered into by the
United States and the State of California on October 11,
1996, as authorized by section 3415 of Public Law 104–
106 (10 U.S.C. 7420 note), $15,579,815, for payment to
the State of California for the Teachers’ Retirement Fund
of the State, of which $15,579,815 shall be derived from
the Elk Hills School Lands Fund.
STRATEGIC PETROLEUM RESERVE

For necessary expenses 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.), $205,000,000, to remain available until expended.

NORTHEAST HOME HEATING OIL RESERVE

(INCLUDING RESCISSION OF FUNDS)

For necessary expenses 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: Provided, That of the unobligated balances from prior year appropriations available under this heading, $6,000,000 is hereby permanently 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.

ENERGY INFORMATION ADMINISTRATION

For necessary expenses in carrying out the activities of the Energy Information Administration, $120,000,000 (reduced by $500,000), 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, $241,174,000 (increased by $4,000,000), to remain available until expended.

URANIUM ENRICHMENT DECONTAMINATION AND DECOMMISSIONING FUND

For necessary expenses 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, $585,976,000, to be derived from the Uranium Enrichment Decontamination and Decommissioning Fund, to remain available until expended.

SCIENCE

For Department of Energy expenses including the purchase, construction, and acquisition of plant and capital 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 two buses, $5,071,000,000 (reduced by $300,000) (increased by $300,000), to remain available until expended: Provided, That of such amount, $180,000,000 shall be available until September 30, 2016, for program direction: Provided further, That no funding may be made available for United States cash contributions to the International Thermonuclear Experimental Reactor project until its governing Council implements the recommendations of the Third Biennial International Organization Management Assessment Report: Provided further, That the Secretary of Energy may waive this requirement upon submission to the Committees on Appropriations of the House of Representatives and the Senate a determination that the Council is making satisfactory progress towards implementation of such recommendations.

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 re-
main available until expended, and to be derived from the
Nuclear Waste Fund.

**ADVANCED RESEARCH PROJECTS AGENCY—ENERGY**

For necessary expenses in carrying out the activities
authorized by section 5012 of the America COMPETES
Act (42 U.S.C. 16538), $280,000,000 (increased by
$20,000,000), to remain available until expended: Pro-
vided, That of such amount, $28,000,000 shall be avail-
able until September 30, 2016, 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 (42 U.S.C. 16512(b)) under this head-
ing in prior Acts, shall be collected in accordance with sec-
tion 502(7) of the Congressional Budget Act of 1974: Pro-
vided, That, for necessary administrative expenses to carry
out this Loan Guarantee program, $42,000,000 is appro-
priated, to remain available until September 30, 2016:
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 ac-
count to cover administrative expenses and shall remain
available until expended, so as to result in a final fiscal
year 2015 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 administrative expenses in carrying out the Advanced Technology Vehicles Manufacturing Loan Program, $4,000,000, to remain available until September 30, 2016.

**CLEAN COAL TECHNOLOGY**

(including rescission of funds)

Of the unobligated balances from prior year appropriations under this heading, $6,600,000 is hereby permanently rescinded: *Provided*, That no amounts may be rescinded from amounts that were designated by the Congress as an emergency requirement pursuant to a concur-
rent resolution on the budget or the Balanced Budget and
Emergency Deficit Control Act of 1985, as amended.

DEPARTMENTAL ADMINISTRATION

For salaries and expenses of the Department of En-
ergy necessary for departmental administration in car-
ying out the purposes of the Department of Energy Orga-
nization Act (42 U.S.C. 7101 et seq.), $255,171,000 (re-
duced by $500,000) (reduced by $5,000,000) (reduced by
$1,000,000) (reduced by $6,000,000) (increased by
$500,000) (reduced by $4,000,000) (reduced by
$1,000,000) (increased by $1,000,000) (reduced by
$9,000,000) (reduced by $20,000,000), to remain avail-
able until September 30, 2016, including the hire of pas-
senger motor vehicles and official reception and represen-
tation expenses not to exceed $30,000, plus such addi-
tional amounts as necessary to cover increases in the es-
imated 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
$119,171,000 in fiscal year 2015 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 2015 appropriation from the
general fund estimated at not more than $136,000,000.

OFFICE OF THE INSPECTOR GENERAL

For necessary expenses of the Office of the Inspector
General in carrying out the provisions of the Inspector
General Act of 1978, $42,120,000, to remain available
until September 30, 2016.

ATOMIC ENERGY DEFENSE ACTIVITIES

NATIONAL NUCLEAR SECURITY

ADMINISTRATION

WEAPONS ACTIVITIES

For Department of Energy expenses, including the
purchase, construction, and acquisition of plant and cap-
ital 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,
and the purchase of not to exceed 4 passenger vehicles,
$8,204,209,000, to remain available until expended: Pro-
vided, That of such amount, $97,118,000 shall be available until September 30, 2016, 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, $1,592,156,000, 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, $37,000,000 is hereby permanently 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, $1,215,342,000, to remain available until expended: Provided, That of such amount, $41,500,000 shall be available until September 30, 2016, for program direction.

Office of the Administrator

For necessary expenses of the Office of the Administrator in the National Nuclear Security Administration, $386,863,000, to remain available until September 30, 2016, 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 acqui-
sition 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 sport utility vehicle, one heavy duty truck, two ambulances, and one ladder fire truck for replacement only, $4,801,280,000, to remain available until expended: Provided, That of such amount, $280,784,000 shall be available until September 30, 2016, for program direction.

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 for plant or facility acquisition, construction, or expansion, $754,000,000, to remain available until expended: Provided, That of such amount, $249,378,000 shall be available until September 30, 2016, 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 Black Canyon Trout Hatchery and, in addition, for official reception and representation expenses in an amount not to exceed $5,000: **Provided**, That during fiscal year 2015, no new direct loan obligations may be made.

**Operation and Maintenance, Southeastern Power Administration**

For necessary expenses of operation and maintenance of power transmission facilities and of 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, and including official reception and representation expenses in an amount not to exceed $1,500, $7,220,000, 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 $7,220,000 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 Administration: **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 2015 appropriation estimated at not more than
$0: Provided further, That, notwithstanding 31 U.S.C.
3302, up to $73,579,000 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 necessary expenses of operation and maintenance
of power transmission facilities and of marketing electric
power and energy, for construction and acquisition of
transmission lines, substations and appurtenant facilities,
and for administrative expenses, including official recep-
tion and representation expenses in an amount not to ex-
ceed $1,500 in carrying out section 5 of the Flood Control
Act of 1944 (16 U.S.C. 825s), as applied to the South-
western Power Administration, $46,240,000, to remain
available until expended: Provided, That notwithstanding
31 U.S.C. 3302 and section 5 of the Flood Control Act
of 1944 (16 U.S.C. 825s), up to $34,840,000 collected by the Southwestern 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 Southwestern Power Administration: 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 2015 appropriation estimated at not more than $11,400,000: Provided further, That, notwithstanding 31 U.S.C. 3302, up to $53,000,000 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 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).
CONSTRUCTION, REHABILITATION, OPERATION AND MAINTENANCE, WESTERN AREA POWER ADMINISTRATION

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 conservation and renewable resources programs as authorized, including official reception and representation expenses in an amount not to exceed $1,500, $304,402,000, to remain available until expended, of which $296,321,000 shall be derived from the Department of the Interior Reclamation 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 $211,030,000 collected by the Western Area 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 Western Area Power Administration: 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 2015 appropriation estimated at not more than $93,372,000, of which
$85,291,000 is derived from the Reclamation Fund: Provided further, That, notwithstanding 31 U.S.C. 3302, up to $260,510,000 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, $4,727,000, 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 $4,499,000 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 appro-
priated for annual expenses shall be reduced as collections
are received during the fiscal year so as to result in a final
fiscal year 2015 appropriation estimated at not more than
$228,000: Provided further, That for purposes of this ap-
propriation, annual expenses means expenditures that are
generally recovered in the same year that they are in-
curred: Provided further, That for fiscal year 2015, the
Administrator of the Western Area Power Administration
may accept up to $802,000 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 limi-
tation for use by the Commissioner of the United States
Section of the International Boundary and Water Com-
mission for the sole purpose of operating, maintaining, re-
pairing, rehabilitating, replacing, or upgrading the hydro-
electric facilities at these Dams in accordance with agree-
ments reached between the Administrator, Commissioner,
and the power customers.

Federal Energy Regulatory Commission

Salaries and Expenses

For necessary expenses of the Federal Energy Regu-
latory Commission to carry out the provisions of the De-
partment of Energy Organization Act (42 U.S.C. 7101 et seq.), including services as authorized by 5 U.S.C. 3109,
the hire of passenger motor vehicles, and official reception
and representation expenses not to exceed $3,000,
$304,389,000, to remain available until expended: Pro-
vided, That of the amount appropriated herein, not more
than $5,400,000 may be made available for salaries, trav-
el, and other support costs for the offices of the Commis-
ioners: Provided further, That notwithstanding any other
provision of law, not to exceed $304,389,000 of revenues
from fees and annual charges, and other services and col-
lections in fiscal year 2015 shall be retained and used for
necessary expenses in this account, and shall remain avail-
able until expended: Provided further, That the sum herein
appropriated from the general fund shall be reduced as
revenues are received during fiscal year 2015 so as to re-
result in a final fiscal year 2015 appropriation from the general fund estimated at not more than $0.

GENERAL PROVISIONS—DEPARTMENT OF ENERGY

(INCLUDING TRANSFER AND RESCISSIONS OF FUNDS)

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 the House of Representatives and the Senate 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 the House of Representatives and the Senate 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 agree-
ment is funded for the full period of performance as
anticipated at the time of award; or

(2) the contract, grant, or cooperative agree-
ment includes a clause conditioning the Federal Gov-
ernment’s obligation on the availability of future
year budget authority and the Secretary notifies the
Committees on Appropriations of the House of Rep-
resentatives and the Senate at least 3 days in ad-

(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 ac-
tivities 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 Appropria-
tions of the House of Representatives and the Senate at
least 30 days prior to the use of any proposed reprogram-
mee which 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 the House of Representatives
and the Senate 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 expla­
nation of the substantial risk under paragraph (1) that
permitted such waiver.

SEC. 302. The unexpended balances of prior appro­
priations provided for activities in this Act may be avail­
able to the same appropriation accounts for such activities
established pursuant to this title. Available balances may
be merged with funds in the applicable established ac­
counts 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) dur­
ing fiscal year 2015 until the enactment of the Intelligence

SEC. 304. None of the funds made available in this
title shall be used for the construction of facilities classi­
fied as high-hazard nuclear facilities under 10 CFR Part
830 unless independent oversight is conducted by the Of­
face 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. (a) Any determination (including a deter-
mination made prior to the date of enactment of this Act)
by the Secretary pursuant to section 3112(d)(2)(B) of the
USEC Privatization Act (42 U.S.C. 2297h–10(d)(2)(B)),
as amended, shall be valid for not more than 2 calendar
years subsequent to such determination.

(b) Not less than 30 days prior to the provision of
uranium in any form the Secretary of Energy shall notify
the Committees on Appropriations of the House of Rep-
resentatives and the Senate of—

(1) the amount of uranium to be provided;

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

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

(4) the recipient of the uranium; and
(5) the value the Secretary expects to receive in
exchange for the uranium, including any adjust-
ments to the gross fair market value of the uranium.

(c) If on the expected date of provision, the estimated
gross fair market value of the uranium hexafluoride
(UF6), comprising of uranium and conversion, is more
than 10 percent lower than the gross fair market value
on the date the most recent determination was signed by
the Secretary, the Secretary shall issue a new determi-
nation pursuant to section 3112(d)(2)(B) of the USEC Pri-
vatization Act (42 U.S.C. 2297h–10(d)(2)(B)) before the
provision can be processed.

Sec. 307. Notwithstanding section 301(c) of this Act,
none of the funds made available under the heading “De-
partment 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. 308. In fiscal year 2015 and subsequent fiscal
years, the Secretary of Energy shall submit to the congres-
sional defense committees (as defined in U.S.C.
101(a)(16)) a report, on each major warhead refurbish-
ment program that reaches the Phase 6.3 milestone, that
provides an analysis of alternatives. Such report shall in-
clude—

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

(2) a comparison of the costs and benefits of
each of those alternatives, to include an analysis of
trade-offs among cost, schedule, and performance
objectives against each alternative considered;

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

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

(5) a comparative analysis of the risks, costs,
and scheduling needs for any military requirement
intended to enhance warhead safety, security, or
maintainability, including any requirement to con-
solidate and/or integrate warhead systems or mods
as compared to at least one other feasible refurbish-
ment alternative the Nuclear Weapons Council con-
siders appropriate; and
(6) a life-cycle cost estimate for the alternative selected that details the overall cost, scope, and schedule planning assumptions.

SEC. 309. (a) Unobligated balances available from prior year appropriations 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”, $4,809,000.

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


(7) “Power Marketing Administrations—Construction, Rehabilitation, Operation and Maintenance, Western Area Power Administration”, $1,720,000.

(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-
Sec. 310. From funds made available by this Act for pension plan payments in excess of legal requirements, up to $90,000,000 under “Weapons Activities” and up to $30,000,000 under “Defense Nuclear Nonproliferation” may be transferred to “Defense Environmental Cleanup” to support decontamination and other requirements at the Waste Isolation Pilot Plant.

Sec. 311. (a) None of the funds made available in this or any prior Act under the heading “Defense Nuclear Nonproliferation” may be made available for contracts with, or Federal assistance to, the Russian Federation.

(b) The Secretary of Energy may waive the prohibition 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 delegated.

(c) A waiver under subsection (b) shall not be effective until 30 days after the date on which the Secretary submits to the Committees on Appropriations of the House of Representatives and the Senate, in classified form if necessary, a report on the justification for the waiver.
SEC. 312. All balances under “United States Enrichment Corporation Fund” are hereby permanently rescinded. 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.

SEC. 313. (a) None of the funds made available by this or any other Act making appropriations for Energy and Water Development for any fiscal year or funds available in the SPR Petroleum Account in this and subsequent fiscal years may be used to carry out a test drawdown and sale or exchange of petroleum products from the Strategic Petroleum Reserve as authorized by section 161(g) of the Energy Policy and Conservation Act (42 U.S.C. 6241(g)) unless the Secretary of Energy submits to the Committees on Appropriations of the House of Representatives and the Senate not less than 30 full calendar days in advance of such test—

(1) notification of intent to conduct a test;

(2) an explanation of why such a test is necessary or what is expected to be learned;

(3) the amount of crude oil or refined petroleum product to be offered for sale or exchange;
(4) an estimate of revenues expected from such test; and

(5) a plan for refilling the Reserve, including whether the acquisition will be of the same or of a different petroleum product.

(b) None of the funds made available by this or any prior Act or funds available in the SPR Petroleum Account may be used to acquire any petroleum product other than crude oil.

SEC. 314. Of the funds authorized by the Secretary of Energy for laboratory directed research and development, no individual program, project, or activity funded by this or any subsequent Energy and Water Development appropriations Act for any fiscal year may be charged more than the statutory maximum authorized for such activities.

SEC. 315. 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.

TITLE IV—INDEPENDENT AGENCIES

APPALACHIAN REGIONAL COMMISSION

For expenses necessary to carry out the programs authorized by the Appalachian Regional Development Act of
tees, not less frequently than once each week, on the ac-
tions taken by the Chairman, or a delegated member of
the Commission, under such authority, until the authority
is relinquished. The Chairman shall notify the Committees
not later than 1 day after such authority is relinquished.
The Chairman shall submit the report required by section
3(d) of the Reorganization Plan No. 1 of 1980 to the
Committees not later than 1 day after it was submitted
to the Commission. This section shall be in effect in fiscal
year 2015 and each subsequent fiscal year.

Sec. 402. 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 until those Proce-
dures are changed or waived by a majority of the Commis-
sion, in accordance with Commission practice.

TITLE V—GENERAL PROVISIONS

(INCLUDING TRANSFERS OF FUNDS)

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 commu-
nicate to Members of Congress as described in 18 U.S.C.
1913.
Sec. 502. None of the funds made available by this
Act may be used to enter into a contract, memorandum
of understanding, or cooperative agreement with, make a
grant to, or provide a loan or loan guarantee to any cor-
poration that was convicted of a felony criminal violation
under any Federal law within the preceding 24 months,
where the awarding agency is aware of the conviction, un-
less the agency has considered suspension or debarment
of the corporation and has made a determination that this
further action is not necessary to protect the interests of
the Government.

Sec. 503. None of the funds made available by this
Act may be used to enter into a contract, memorandum
of understanding, or cooperative agreement with, make a
grant to, or provide a loan or loan guarantee to, any cor-
poration that has any unpaid Federal tax liability that has
been assessed, for which all judicial and administrative
remedies have been exhausted or have lapsed, and that
is not being paid in a timely manner pursuant to an agree-
ment with the authority responsible for collecting the tax
liability, where the awarding agency is aware of the unpaid
tax liability, unless the agency has considered suspension
or debarment of the corporation and has made a deter-
mination that this further action is not necessary to pro-
tect the interests of the Government.
SEC. 504. (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 Government 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 the House
of Representatives and the Senate a semiannual report de-
tailing 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 pur-
poses for which they were transferred, and shall not re-
place or modify existing notification requirements for each
authority.

Sec. 505. 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. 506. None of the funds made available by this
Act may be used to conduct closure of adjudicatory func-
tions, technical review, or support activities associated
with the Yucca Mountain geologic repository license appli-
cation, or for actions that irrevocably remove the possi-
bility that Yucca Mountain may be a repository option in
the future.

SPENDING REDUCTION ACCOUNT

Sec. 507. The amount by which the applicable alloca-
tion of new budget authority made by the Committee on
1 Appropriations of the House of Representatives under sec-
2 tion 302(b) of the Congressional Budget Act of 1974 ex-
3 ceeds the amount of proposed new budget authority is $0.

4 Sec. 508. None of the funds made available by this
5 Act may be used in contravention of section 3112(d)(2)(B)
6 of the USEC Privatization Act (42 U.S.C. 2297h–
7 10(d)(2)(B)) and all public notice and comment require-
8 ments under chapter 6 of title 5, United States Code, that
9 are applicable to carrying out such section.

10 Sec. 509. None of the funds made available by this
11 Act may be used in contravention of section 4712 of title
12 41, United States Code.

13 Sec. 510. None of the funds made available by this
14 Act may be used to enter into any contract with an incor-
15 porated entity if such entity’s sealed bid or competitive
16 proposal shows that such entity is incorporated or char-
17 tered in Bermuda or the Cayman Islands, and such enti-
18 ty’s sealed bid or competitive proposal shows that such
19 entity was previously incorporated in the United States.

20 Sec. 511. None of the funds made available by this
21 Act may be used to prepare, propose, or promulgate any
22 regulation or guidance that references or relies on the
23 analysis contained in “Technical Support Document: - So-
24 cial Cost of Carbon for Regulatory Impact Analysis -
25 Under Executive Order 12866” issued by the Interagency

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Sec. 513. None of the funds made available by this Act may be used to lease or purchase new light duty vehic-
cles for any executive fleet, or for an agency's fleet inven-
tory, except in accordance with Presidential Memo-
randum—Federal Fleet Performance, dated May 24,
2011.

SEC. 514. None of the funds made available in this
Act may be used to enter into a contract with any person
whose disclosures of a proceeding with a disposition listed
in section 2313(c)(1) of title 41, United States Code, in
the Federal Awardee Performance and Integrity Informa-
tion System include the term “Fair Labor Standards
Act.”.

SEC. 515. 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 ren-
dered against it for: commission of fraud or a crimi-
nal 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, for-
gery, 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. 516. None of the funds made available by this Act may be used for the study of the Missouri River Projects authorized in section 108 of the Energy and Water Development and Related Agencies Appropriations Act, 2009 (division C of Public Law 111–8).

Sec. 517. 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) of the Water Resources Development Act of 2007 (Public Law 110–114).

Sec. 518. None of the funds made available by this Act may be used to implement, administer, or enforce the order entitled “Order Accepting Proposed Tariff Revisions and Establishing a Technical Conference” issued by the

SEC. 519. None of the funds made available in this Act may be used within the borders of the State of Louisiana by the Mississippi Valley Division or the Southwestern Division of the Army Corps of Engineers or any district of the Corps within such divisions to implement or enforce the mitigation methodology, referred to as the “Modified Charleston Method.”

SEC. 520. None of the funds made available by this Act may be used for “DE–FOA0000697: Sustainable Cities: Urban Energy Planning for Smart Growth in China and India”.

SEC. 521. None of the funds made available by this Act may be used to pay the salary of any officer or employee to carry out section 301 of the Hoover Power Plant Act of 1984 (42 U.S.C. 16421a; added by section 402 of the American Recovery and Reinvestment Act of 2009 (Public Law 111–5)).

SEC. 522. None of the funds made available by this Act may be used to carry out section 801 of the Energy Independence and Security Act of 2007 (42 U.S.C. 17281).

SEC. 523. None of the funds made available by this Act may be used to transform the National Energy Tech-
nology Laboratory into a government-owned, contractor-
operated laboratory, or to consolidate or close the National
Energy Technology Laboratory.

Sec. 524. 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. 525. None of the funds made available by this
Act may be used to implement, administer, or enforce Ex-
ecutive Order No. 13547 (75 Fed. Reg. 43023, relating
to the stewardship of oceans, coasts, and the Great
Lakes), including the National Ocean Policy developed
under such Executive order.

Sec. 526. None of the funds made available by this
Act may be used to award grants or provide funding for
high-efficiency toilets or indoor water-efficient toilets.

Sec. 527. None of the funds made available by this
Act may be used in contravention of section
210(d)(1)(B)(ii) of the Water Resources Development Act
of 1986 (33 U.S.C. 2238(d)(1)(B)(ii)).

Sec. 528. 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. 529. None of the funds made available by this Act may be used to regulate activities identified in subparagraphs (A) and (C) of section 404(f)(1) of the Federal Water Pollution Control Act (33 U.S.C. 1344(f)(1)(A), (C)) or to limit the exemption in section 404(f)(1)(A) of the Federal Water Pollution Control Act (33 U.S.C. 1344(f)(1)(A)) to established or ongoing operations.

SEC. 530. OFFSHORE DRILLING PERMIT. No funds made available by this Act may be used by the Department of Energy to block approval of offshore drilling permits.

SEC. 531. None of the funds made available by this Act may be used to design, implement, administer, or carry out the United States Global Climate Research Program National Climate Assessment, the Intergovernmental Panel on Climate Change’s Fifth Assessment Report, the United Nation’s Agenda 21 sustainable development plan, the May 2013 Technical Update of the Social Cost of Carbon for Regulatory Impact Analysis Under Ex-
Executive Order No. 12866, or the July 2014 Sustainable Development Solutions Network and Institute for Sustainable Development and International Relations’ pathways to deep decarbonization report.

Sec. 532. None of the funds made available by this Act may be used for the Department of Energy’s Climate Model Development and Validation program.

This Act may be cited as the “Energy and Water Development and Related Agencies Appropriations Act, 2015”.

Passed the House of Representatives July 10, 2014.

Attest:

Clerk.
AN ACT

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