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[COMMITTEE PRINT]

NOTICE: This bill is a draft for use of the Committee and its Staff only, in preparation for markup.

Calendar No. 000

119TH CONGRESS
2D SESSION

S. 0000

[Report No. 119–000]

Making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2027, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JULY _____, 2026

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

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A BILL

Making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2027, and for other purposes.

Be it enacted by the Senate and House of Representatives 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, 2027, 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, $107,138,000, to remain available until expended: *Provided,* That the Secretary shall not deviate from the work plan, once the plan has been submitted to the Committees on Appropriations of both Houses of Congress.

PLANNING, ENGINEERING, AND DESIGN

For expenses necessary for conducting surveys and detailed studies, and plans and specifications, prior to construction of river and harbor, flood and storm damage reduction, shore protection, aquatic ecosystem restoration, and related projects authorized by law (including those involving participation by States, local governments, or private groups) or made eligible for selection by law (but such detailed studies, and plans and specifications, shall not constitute a commitment of the Government to construction), $220,181,000, to remain available until expended: *Provided,* That the Secretary shall not deviate from the work plan, once the plan has been submitted to the Committees on Appropriations of both Houses of Congress.

CONSTRUCTION

For expenses necessary for the construction of river and harbor, flood and storm damage reduction, shore protection, aquatic ecosystem restoration, and related projects authorized by law; for conducting and completing

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 specifications, shall not constitute a commitment of the Government to construction); $2,912,644,000, to remain available until expended; of which $64,678,000, to be derived from the Harbor Maintenance Trust Fund, shall be to cover the Federal share of construction costs for facilities under the Dredged Material Disposal Facilities program; and of which such sums as are necessary to cover 25 percent of the costs of construction, replacement, rehabilitation, and expansion of inland waterways projects shall be derived from the Inland Waterways Trust Fund, except as otherwise specifically provided for in law: *Provided,* That the Secretary shall not deviate from the work plan, once the plan has been submitted to the Committees on Appropriations of both Houses of Congress.

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, $496,582,000, to remain available until expended, of which $9,651,000, to be derived from the Harbor Maintenance Trust Fund, shall be to cover the Federal share

of eligible operation and maintenance costs for inland harbors: *Provided,* That the Secretary shall not deviate from the work plan, once the plan has been submitted to the Committees on Appropriations of both Houses of Congress.

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, $6,250,615,000, to remain available until expended, of which $3,489,671,000, to be derived from the Harbor Maintenance Trust Fund, shall be to cover the Federal share of eligible operations and maintenance costs for coastal harbors and channels, and for inland harbors; of which such sums as may be necessary shall be derived from amounts collected in this or prior fiscal years under section 210 of the Flood Con-

trol Act of 1968 (16 U.S.C. 460d–3) and are not otherwise appropriated shall be for resource protection, research, interpretation, and maintenance activities related to resource protection in the areas at which outdoor recreation is available; 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; and of which $64,000,000, to be derived from the general fund of the Treasury, shall be to carry out subsection (c) of section 2106 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2238c) and shall be designated as being for such purpose pursuant to paragraph (2) of section 14003 of division B of the Coronavirus Aid, Relief, and Economic Security Act (Public Law 116–136): *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: *Provided further,* That the Secretary shall not deviate from the work plan, once the plan has been submitted to the Committees on Appropriations of both Houses of Congress.

REGULATORY PROGRAM

For expenses necessary for administration of laws pertaining to regulation of navigable waters and wetlands, $223,000,000, to remain available until September 30, 2028.

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, $100,000,000, 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, $40,000,000, to remain available until expended.

EXPENSES

For expenses necessary for the supervision and general administration of the civil works program in the head-

quarters 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, $218,000,000, to remain available until September 30, 2028, 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. 7016(b)(3), $7,000,000, to remain available until September 30, 2028:

Provided, That not more than 75 percent of such amount may be obligated or expended until the Assistant Secretary submits to the Committees on Appropriations of both Houses of Congress the work plan required under section 101(d)(1) of this Act that allocates at least 95 percent of the additional work plan amount in the explanatory statement accompanying this Act to specific programs, projects, and activities.

WATER INFRASTRUCTURE FINANCE AND INNOVATION PROGRAM ACCOUNT

For the cost of direct loans and for the cost of guaranteed loans, as authorized by the Water Infrastructure Finance and Innovation Act of 2014, $5,000,000, to remain available until expended, for safety projects to maintain, upgrade, and repair dams identified in the National Inventory of Dams with a primary owner type of State, local government, public utility, or private: *Provided,* That any activity that results in a decrease in the hazard or a decrease in the potential consequences of poor performance of a dam structure listed on the National Inventory of Dams with a primary owner type of State, local government, public utility, or private shall be considered a safety project eligible for funds provided under this heading for that purpose by this or any prior Act: *Provided further,* That any safety project for a dam identified in the Na-

tional Inventory of Dams with a primary owner type of State, local government, public utility, or private shall be eligible under section 5026(1)(A) of the Water Resources Reform and Development Act of 2014 (Public Law 113–121) (33 U.S.C. 3905(1)(A)) for funds provided under this heading for that purpose by this or any prior Act: *Provided further,* That no project may be funded with amounts provided under this heading in this or any prior Act for a dam that is identified as jointly owned in the National Inventory of Dams and where one of those joint owners is the Federal Government: *Provided further,* That not later than 90 days following the end of any submittal period occurring before or after the date of enactment of this Act of a solicitation of preliminary applications from prospective borrowers seeking credit assistance of funds made available under this heading by this or any prior Act, the Secretary shall provide to each applicant a written notice to inform the applicant whether the applicant will be invited to apply for credit assistance: *Provided further,* That amounts made available under this heading in this Act shall also be available for projects to construct, maintain, upgrade, and repair levees and ancillary features with a primary owner type of State, municipal, county, private, or other non-Federal entity: *Provided further,* That subsection 386.2(v) of title 33 of the Code of Federal

Regulations is hereby amended to add the following new paragraph (2) and to renumber subsequent paragraphs accordingly: ''(2) Any project to construct, maintain, upgrade, or repair levees and ancillary features with a primary owner type of State, municipal, county, private, or other non-Federal entity; and which meets the statutory requirements of title I, division D of the Consolidated Appropriations Act, 2024 and the criteria outlined in 85 FR 39189 (see division D of the Further Consolidated Appropriations Act, 2020 (Public Law 116–94)).'': *Provided further,* That no project may be funded with amounts provided under this heading for a levee unless the Secretary has certified in advance, in writing, that the levee is not owned, in whole or in part, by the Federal Government: *Provided further,* That the Secretary of the Army shall make available all funds provided under this heading by this or any prior Act through a Notice of Funding Availability no later than 90 days after the date enactment of this Act: *Provided further,* That the Secretary of the Army shall issue invitations to submit applications no later than 180 days after the date enactment of this Act: *Provided further,* That no further rulemaking to make funds provided under this heading by this or any prior Act shall be necessary: *Provided further,* That such costs, including the cost of modifying such loans, shall be as defined in

section 502 of the Congressional Budget Act of 1974: *Provided further,* That these funds are available to subsidize gross obligations for the principal amount of direct loans, including capitalized interest, and total loan principal, including capitalized interest, any part of which is to be guaranteed, not to exceed $500,000,000: *Provided further,* That the use of direct loans or loan guarantee authority under this heading for direct loans or commitments to guarantee loans for any project, including any project that is made eligible for funds pursuant to the second proviso under this heading, shall be in accordance with the criteria published in the Federal Register on June 30, 2020 (85 FR 39189) pursuant to the fourth proviso under the heading ''Water Infrastructure Finance and Innovation Program Account'' in division D of the Further Consolidated Appropriations Act, 2020 (Public Law 116–94): *Provided further,* That none of the direct loans or loan guarantee authority made available under this heading shall be available for any project unless the Secretary and the Director of the Office of Management and Budget have certified in advance in writing that the direct loan or loan guarantee, as applicable, and the project comply with the criteria referenced in the previous proviso: *Provided further,* That any references to the Environmental Protection Agency (EPA) or the Administrator in the criteria ref-

erenced in the previous two provisos shall be deemed to be references to the Army Corps of Engineers or the Secretary of the Army, respectively, for purposes of the direct loans or loan guarantee authority made available under this heading: *Provided further,* That for the purposes of carrying out the Congressional Budget Act of 1974, the Director of the Congressional Budget Office may request, and the Secretary shall promptly provide, documentation and information relating to a project identified in a Letter of Interest submitted to the Secretary pursuant to a Notice of Funding Availability for applications for credit assistance under the Water Infrastructure Finance and Innovation Act Program, including with respect to a project that was initiated or completed before the date of enactment of this Act.

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

In addition, for administrative expenses to carry out the direct and guaranteed loan programs, notwithstanding section 5033 of the Water Infrastructure Finance and Innovation Act of 2014, $5,000,000, to remain available until September 30, 2028.

GENERAL PROVISIONS—CORPS OF ENGINEERS—CIVIL

(INCLUDING TRANSFERS OF FUNDS)

SEC. 101. (a) None of the funds provided in title I of this Act, or provided by previous appropriations Acts to the agencies or entities funded in title I of this Act that remain available for obligation or expenditure in fiscal year 2027, 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) proposes to use funds directed for a specific activity for a different purpose;

(5) augments or reduces existing programs, projects, or activities in excess of the amounts contained in paragraphs (6) through (11);

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

$25,000: *Provided further,* That up to $25,000 may be reprogrammed into any continuing study or activity that did not receive an appropriation for existing obligations and concomitant administrative expenses;

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

(8) CONSTRUCTION.—For a base level over $2,000,000, reprogramming of 15 percent of the base amount up to a limit of $3,000,000 per project, study or activity is allowed: *Provided,* That for a base level less than $2,000,000, the reprogramming limit is $300,000: *Provided further,* That up to $3,000,000 may be reprogrammed for settled contractor claims, changed conditions, or real estate deficiency judgments: *Provided further,* That up to $300,000 may be reprogrammed into any continuing study or activity that did not receive an appropria-

tion for existing obligations and concomitant administrative expenses;

(9) OPERATION AND MAINTENANCE.—Unlimited reprogramming authority is granted for the Corps to be able to respond to emergencies: *Provided,* That the Chief of Engineers shall notify the Committees on Appropriations of both Houses of Congress of these emergency actions prior to reprogramming funds: *Provided further,* That for a base level over $1,000,000, reprogramming of 15 percent of the base amount up to a limit of $5,000,000 per project, study, or activity is allowed: *Provided further,* That for a base level less than $1,000,000, the reprogramming limit is $150,000: *Provided further,* That $150,000 may be reprogrammed into any continuing study or activity that did not receive an appropriation;

(10) MISSISSIPPI RIVER AND TRIBUTARIES.—The reprogramming guidelines in paragraphs (6), (8), and (9) shall apply to the Investigations, Construction, and Operation and Maintenance portions of the Mississippi River and Tributaries Account, respectively; and

(11) FORMERLY UTILIZED SITES REMEDIAL ACTION PROGRAM.—Reprogramming of up to 15 percent of the base of the receiving project is permitted.

(b) DE MINIMUS REPROGRAMMINGS.—In no case should a reprogramming for less than $50,000 be submitted to the Committees on Appropriations of both Houses of Congress.

(c) CONTINUING AUTHORITIES PROGRAM.—Subsection (a)(1) shall not apply to any project or activity funded under the continuing authorities program.

(d)(1) Not later than 60 days after the date of enactment of this Act and not less than 3 days before the date of public release, the Secretary shall submit a work plan to the Committees on Appropriations of both Houses of Congress for the Investigations, Construction, Mississippi River and Tributaries, and Operation and Maintenance accounts, which shall include a table that displays the following information for the current fiscal year, by program, project, and activity, under the following column headings:

(A) State, division, business program name, and the official name for the program, project, or activity;

(B) the amount recommended in the budget of the President submitted under section 1105 of title 31, United States Code; the amount included in the

explanatory statement accompanying this Act; when applicable, the amount allocated from ''Additional Funding for Ongoing Work'' line items in the explanatory statement accompanying this Act (referred to in this title as the ''additional work plan amount'') and the line item from which such additional work plan amount was allocated; and the total allocation; and

(C) a summary of the work to be accomplished with the amount included in the explanatory statement accompanying this Act from subparagraph (B), including phase of work, and a summary of the work to be accomplished with the additional work plan amount from subparagraph (B), including phase of work.

(2) Not later than 15 days after the work plan is submitted pursuant to paragraph (1), and thereafter, not later than 15 days after the end of each fiscal quarter, the Secretary shall submit a report to the Committees on Appropriations of both Houses of Congress for all Corps of Engineers accounts to establish and then to update the baseline for application of reprogramming and transfer authorities for the current fiscal year (referred to in this section as the ''baseline reports''), which shall include a

table that displays the following information, by program, project, and activity, under the following column headings:

(A) official name for the program, project, or activity and Army Management Structure Code;

(B) the unobligated balances available from previously appropriated funds, including supplemental appropriations, with a separate line for each source of funds, including the public law number and the unexpended balances available from previously appropriated funds, including supplemental appropriations, with a separate line for each source of funds, including the public law number;

(C) the amount included in the explanatory statement accompanying this Act, as reported in the work plan in paragraph (1), and the additional work plan amount, as reported in the work plan in paragraph (1);

(D) any reallocations, allocations from previously enacted appropriations, including supplemental appropriations, with a separate line for each source of funds, including the public law number, and rescissions, reductions, transfers, and collections;

(E) a baseline that sums the columns in subparagraphs (B), (C), and (D); and

(F) reprogrammings, obligations, and expenditures.

(e) If the baseline reports described in subsection (d)(2) are not submitted by the applicable deadline, the reprogramming and transfer authority provided in subsection (a) of this section shall be suspended until such time as the required reports are provided to the Committees on Appropriations of the House of Representatives and the Senate.

SEC. 102. (a) The Secretary shall allocate funds made available in this Act solely in accordance with the provisions of this Act and in the explanatory statement accompanying this Act, to specific programs, projects, or activities, including the determination and designation of new starts.

(b) No funds made available by this Act may be obligated or expended to carry out, implement, or give effect to any termination or significant alteration of the scope of any program, project, or activity, unless the Secretary has—

(1) obtained the written consent of the non-Federal interest for the affected program, project, or activity; and

(2) provided prior written notification to the Committees on Appropriations of both Houses of

Congress that includes a specific justification and an accounting of all funding affected by the action.

SEC. 103. (a) 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, except that such amounts may include any funds that have been made available through reprogramming pursuant to section 101.

(b) Subsection (a) shall not apply to an arctic strategic port project with an awarded construction contract as of the date of enactment of this Act: *Provided,* That the Corps of Engineers shall modify the existing contract for such project to incorporate 33 U.S.C. 621 and DFARS 252.232–7007 pursuant to DFARS 232.703–1(1)(ii)(B) within 60 days of the date of enactment of this Act: *Provided further,* That the Corps of Engineers shall notify the Committees on Appropriations of both Houses of Congress upon execution of such modification to the project and upon commencement of work addressed in such modification: *Provided further,* That the Corps of Engineers shall fully obligate any funds previously designated in Public Law 117–58 or prior appropriations bills as part of the modification, and as required supervision and administration associated with that modification: *Provided further,*

That amounts repurposed pursuant to this section shall continue to be treated as amounts specified in section 103(b) of division A of Public Law 118–5.

SEC. 104. 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 $8,733,000 of funds provided in this title under the heading ''Operation and Maintenance'' to mitigate for fisheries lost due to Corps of Engineers projects.

SEC. 105. None of the funds in this Act shall be used for an open lake placement alternative for 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 section 401 of the Federal Water Pollution Control Act (33 U.S.C. 1341): *Provided,* That until an open lake placement alternative for dredged material is approved under a State water quality certification, the Corps of Engineers shall continue upland placement of such dredged material consistent with the requirements of section 101 of the Water Resources Development Act of 1986 (33 U.S.C. 2211).

SEC. 106. None of the funds made available by this or any other Act, including prior year Acts, may be used

to consolidate or relocate any District, Division, or Headquarters office of the Corps of Engineers unless the Secretary submits to the Committees on Appropriations of both Houses of Congress a report that includes anonymized input from affected employees on the effect of the action and historical retention data from analogous actions, no less than 30 days prior to the public announcement or notification to affected employees, whichever is earlier.

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

SEC. 108. Of the unobligated balances from prior year appropriations made available to ''Corps of Engineers—Civil'', the following funds are hereby permanently rescinded from the following accounts and programs in the specified amounts—

(1) $3,685.83 from the unobligated balances under the ''Investigations'' heading in title I of division C of Public Law 116–94 for the Albeni Falls Dams (Fish Passage), ID project;

(2) $15,008.75 from the combined unobligated balances under the ''Investigations'' heading in title I of division D of Public Law 113–235 and title I of division D of Public Law 114–113 for the Amer-

ican River Common Features, Natomas Basin, CA project;

(3) $698.45 from the combined unobligated balances under the ''Investigations'' heading in title I of division D of Public Law 115–31 and title I of division D of Public Law 115–141 for the American River Watershed (Common Features), CA project;

(4) $73,583.27 from the combined unobligated balances under the ''Investigations'' heading in title I of division D of Public Law 113–76, title I of division D of Public Law 113–235, and title I of division C of Public Law 116–94 for the Anacostia Watershed Restoration, Prince George's County, MD project;

(5) $747,440.66 from the combined unobligated balances under the ''Investigations'' heading in title I of division A of Public Law 115–244 and title I of division D of Public Law 117–328 for the Brunswick Harbor, GA project;

(6) $1,210,031.24 from the combined unobligated balances under the ''Investigations'' heading in title I of division D of Public Law 115–141 and title I of division D of Public Law 117–103 for the Cano Martin Pena Ecosystem Restoration, PR project;

(7) $697,843.47 from the combined unobligated balances under the ''Investigations'' heading in title I of division D of Public Law 113–76, title I of division D of Public Law 113–235, title I of division D of Public Law 115–141, title I of division A of Public Law 115–244, title I of division C of Public Law 116–94, and title I of division D of Public Law 116–260 for the Eastern Shore-Mid Chesapeake Bay Island, MD project;

(8) $74,639.73 from the combined unobligated balances under the ''Investigations'' heading in title I of division D of Public Law 113–76, title I of division D of Public Law 113–235, title I of division D of Public Law 115–31, and title I of division D of Public Law 115–141 for the Ecorse Creek, MI project;

(9) $11,354.62 from the unobligated balances under the ''Investigations'' heading in title I of division A of Public Law 115–244 for the Houston-Galveston Navigation Channels, TX project;

(10) $1,522.76 from the unobligated balances under the ''Investigations'' heading in title I of division D of Public Law 117–103 for the Los Angeles River Ecosystem Restoration, CA project;

(11) $132,365.13 from the combined unobligated balances under the ''Investigations'' heading in title I of division D of Public Law 113–76 and title I of division D of Public Law 113–235 for the Lynnhaven River Basin, VA project;

(12) $4,362,576.99 from the combined unobligated balances under the ''Investigations'' heading in title I of division C of Public Law 116–94 and title I of division D of Public Law 116–260 for the McClellan-Kerr Arkansas River Navigation System, Three Rivers, AR project;

(13) $4,943.26 from the unobligated balances under the ''Investigations'' heading in title I of division D of Public Law 115–31 for the Mississippi River Ship Channel Gulf to Baton Rouge, LA project;

(14) $270,954.13 from the combined unobligated balances under the ''Investigations'' heading in title I of division D of Public Law 113–76, title I of division D of Public Law 113–235, title I of division D of Public Law 115–31, title I of division D of Public Law 115–141, and title I of division D of Public Law 116–260 for the Resacas at Brownsville, TX project;

(15) $5,720.89 from the combined unobligated balances under the ''Investigations'' heading in title I of division D of Public Law 113–76, title I of division D of Public Law 113–235, title I of division D of Public Law 115–31, and title I of division C of Public Law 116–94 for the San Clemente Shoreline, CA project;

(16) $346,140.00 from the combined unobligated balances under the ''Investigations'' heading in title I of division D of Public Law 113–76, title I of division D of Public Law 113–235, title I of division D of Public Law 114–113, title I of division D of Public Law 115–31, title I of division D of Public Law 115–141, title I of division A of Public Law 115–244, and title I of division C of Public Law 116–94 for the San Joaquin River Basin, Lower San Joaquin, CA project;

(17) $772,603.47 from the combined unobligated balances under the ''Investigations'' heading in title I of division D of Public Law 114–113, title I of division D of Public Law 115–141, and title I of division A of Public Law 115–244 for the San Juan Harbor Improvement Study, PR project;

(18) $55.87 from the combined unobligated balances under the ''Investigations'' heading in title I

of division D of Public Law 113–235 and title I of division D of Public Law 115–31 for the South San Francisco Bay Shoreline Study, CA project;

(19) $717.52 from the combined unobligated balances under the ''Investigations'' heading in title I of division D of Public Law 113–76 and title I of division D of Public Law 115–141 for the Southwest Coastal Louisiana Hurricane Protection, LA project;

(20) $10,994.16 from the combined unobligated balances under the ''Investigations'' heading in title I of division D of Public Law 113–76, title I of division D of Public Law 113–235, title I of division D of Public Law 114–113, and title I of division D of Public Law 115–31 for the Sutter County, CA project;

(21) $399.35 from the combined unobligated balances under the ''Investigations'' heading in title I of division D of Public Law 113–76, title I of division D of Public Law 113–235, title I of division D of Public Law 115–31, and title I of division D of Public Law 116–260 for the Tulsa West Tulsa Levees, OK project;

(22) $271,728.46 from the combined unobligated balances under the ''Investigations'' heading in title I of division D of Public Law 113–76, title

I of division D of Public Law 113–235, title I of division D of Public Law 114–113, title I of division D of Public Law 115–31, and title I of division D of Public Law 115–141 for the Unalaska (Dutch) Harbor, AK project; and

(23) $36.29 from the combined unobligated balances under the ''Investigations'' heading in title I of division D of Public Law 113–235, title I of division D of Public Law 114–113, title I of division C of Public Law 116–94, and title I of division D of Public Law 116–260 for the Upper Mississippi River-Illinois Waterway System, IL, IA, MN, MO & WI project.

SEC. 109. (a) Of the unobligated balances from prior year appropriations made available to ''Corps of Engineers—Civil'', the following funds are hereby rescinded from the following accounts and programs in the specified amounts—

(1) $2,030.62 from the unobligated balances under the ''Construction'' heading in title I of division D of Public Law 113–76 for the Melvin Price Lock and Dam (2ND Lock), IL & MO project;

(2) $1,029,567.19 from the combined unobligated balances under the ''Construction'' headings in title I of division D of Public Law 113–76, title

I of division D of Public Law 114–113, and title I of division D of Public Law 116–260 for the Melvin Price Lock and Dam, IL & MO project;

(3) $16,291,731.30 from the combined unobligated balances under the ''Construction'' headings in title I of division A of Public Law 115–244 and title I of division C of Public Law 116–94 for the Olmsted Locks and Dam, Ohio River, IL & KY project; and

(4) $3,852.45 from the unobligated balances under the ''Construction'' heading in title I of division D of Public Law 113–76 for the Lock & Dam 10, Kentucky River, KY project.

(b) An amount equal to the amount rescinded in subsection (a) is hereby appropriated to the ''Corps of Engineers—Civil—Construction'' for Inland Waterway Trust Fund projects.

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, $23,000,000, to remain available until expended, of which $3,800,000 shall be deposited into the Utah Reclamation Mitigation and Conservation Account for use by the Utah Reclamation Mitigation and Conservation Commission: *Provided,* That of the amount provided under this heading, $1,900,000 shall be available until September 30, 2028, for expenses necessary in carrying out related responsibilities of the Secretary of the Interior: *Provided further,* That for fiscal year 2027, of the amount made available to the Commission under this Act or any other Act, the Commission may use an amount not to exceed $2,310,000 for administrative expenses.

Bureau of Reclamation

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, $1,780,787,000, to remain available until expended, of which $23,335,000 shall be available for transfer to the Upper Colorado River Basin Fund and $112,611,000 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, the Water Storage Enhancement Receipts account established by section 4011(e) of Public Law 114–322, 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.

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, such sums as may be collected in fiscal year 2027 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, $32,000,000, to remain available until expended, 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 appropriated herein may be used for the Federal share of the costs of CALFED Program management: *Provided further,* 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 six regions of the Bureau of Reclamation, to remain available until September 30, 2028, $64,000,000, to be derived from the Reclamation Fund and be nonreimbursable as provided in 43 U.S.C. 377, of which not to exceed $5,000 may be used for official reception and representation expenses: *Pro-*

vided, That no part of any other appropriation in this Act shall be available for activities or functions budgeted as policy and administration expenses.

ADMINISTRATIVE PROVISION

Appropriations for the Bureau of Reclamation shall be available for purchase and replacement of not to exceed 30 motor vehicles, which are for replacement only.

GENERAL PROVISIONS—DEPARTMENT OF THE INTERIOR

SEC. 201. (a) None of the funds provided in title II of this Act for Water and Related Resources, or provided by previous or subsequent appropriations Acts to the agencies or entities funded in title II of this Act for Water and Related Resources that remain available for obligation or expenditure in fiscal year 2027, shall be available for obligation or expenditure through a reprogramming of funds that—

(1) initiates or creates 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 restricted by this Act, unless prior approval is received from the Committees on Appropriations of both Houses of Congress;

(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, unless prior approval is received from the Committees on Appropriations of both Houses of Congress:

(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) $400,000 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, unless prior approval is received from the Committees on Appropriations of both Houses of Congress; or

(7) transfers, where 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, unless prior approval is received from the Committees on Appropriations of both Houses of Congress.

(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) Except as provided in subsections (a) and (b), the amounts made available in this title under the heading ''Bureau of Reclamation—Water and Related Resources'' shall be expended for the programs, projects, and activities specified in the ''Committee Recommendation'' column in the ''Water and Related Resources'' table included under the heading ''Title II—Department of the Interior'' in the explanatory statement accompanying this Act.

(e) 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. (a) The Calfed Bay-Delta Authorization Act, title I of Public Law 108–361, as amended, shall be applied by substituting ''2027'' for ''2022'' each place it appears.

(b) Section 103(f)(4)(A) of the Calfed Bay-Delta Authorization Act (Public Law 108–361), as amended, shall be applied by substituting ''$40,000,000'' for ''$32,600,000''.

SEC. 204. Section 9106(g)(2) of the Omnibus Public Land Management Act of 2009, Public Law 111–11, as amended, shall be applied by substituting ''2027'' for ''2022''.

SEC. 205. Section 9503(f) of the Omnibus Public Land Management Act of 2009, Public Law 111–11, as amended (42 U.S.C. 10363(f)), shall be applied by substituting ''2027'' for ''2023''.

SEC. 206. Funds made available to ''Water and Related Resources'' in this Act and unobligated balances of funds made available in prior Acts that have been allocated to the White Mountain Apache Tribe settlement may be deposited into the WMAT Cost Overrun Subaccount established within the Lower Colorado River Basin Development Fund pursuant to section 312(e) of the White Mountain Apache Tribe Water Rights Quantification Act of 2010 (title III of Public Law 111–291).

SEC. 207. Section 10 of Public Law 89–108, as amended (79 Stat. 433; 100 Stat. 424; 106 Stat. 4669; 114 Stat. 2763A–291; 140 Stat. 74), is further amended by striking ''$50,000,000'' and inserting ''$200,000,000'' in subsection (b)(1) and in subsection (e).

SEC. 208. Section 9 of the Fort Peck Reservation Rural Water System Act of 2000 (Public Law 106–382; 114 Stat. 1457; 123 Stat. 2856; 128 Stat. 164; 132 Stat. 2906) is amended, in each of the subsections (a)(1) and (b), by striking ''2026'' and inserting ''2028''.

SEC. 209. (a) The WEB Rural Water Development Project, as authorized in subsections (a), (b), and (c) and the second sentence in subsection (e) of section 9 of Public Law 96–355, as amended (94 Stat. 1176; 96 Stat. 1181), shall be funded in this fiscal year only through grants.

(b) The Mid-Dakota Rural Water System, Inc., as authorized in section 1903 of Public Law 102–575 (106 Stat. 4674), shall be funded in this fiscal year only through grants.

SEC. 210. The Commissioner of the Bureau of Reclamation shall allocate funds made available in this Act solely in accordance with the provisions of this Act and in the explanatory statement accompanying this Act, to specific programs, projects, or activities.

TITLE III

DEPARTMENT OF ENERGY

ENERGY PROGRAMS

Critical Minerals and Energy Innovation

(INCLUDING TRANSFER OF FUNDS)

For Department of Energy expenses including the purchase, construction, and acquisition of plant and capital equipment, and other expenses necessary for activities that advance critical minerals supply chains and accelerate next-generation energy innovation technologies 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, $2,635,000,000, to remain available until expended, of which $585,000,000 shall be derived by transfer from the unobligated balances of amounts previously appropriated under the heading ''Department of Energy—Energy Programs—Carbon Dioxide Transportation Infrastructure Finance and Innovation Program Account'' in division J of the Infrastructure Investment and Jobs Act (Public Law 117–58): *Provided,* That amounts derived by transfer as described in the matter preceding this proviso shall continue to be treated as amounts specified in section 103(b) of division A of Public Law 118–5: *Provided fur-*

ther, That of the amounts provided under this heading, $202,000,000 shall be available until September 30, 2028, for program direction.

CYBERSECURITY, ENERGY SECURITY, AND EMERGENCY RESPONSE

For Department of Energy expenses including the purchase, construction, and acquisition of plant and capital equipment, and other expenses necessary for energy sector cybersecurity, energy security, and emergency response 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, $195,000,000, to remain available until expended: *Provided,* That of such amount, $24,000,000 shall be available until September 30, 2028, for program direction.

ELECTRICITY

For Department of Energy expenses including the purchase, construction, and acquisition of plant and capital equipment, and other expenses necessary for electricity activities and grid deployment 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, $265,000,000, to remain available until expended: *Provided,* That of such amount, $22,000,000 shall be available until September 30, 2028, 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, $1,800,000,000, to remain available until expended: *Provided,* That of the amounts provided under this heading, $99,000,000 shall be available until September 30, 2028, for program direction: *Provided further,* That for the purpose of section 954(a)(7) of the Energy Policy Act of 2005, as amended, the only amount available shall be from the amount specified as including that purpose in the ''Committee Recommendation'' column in the ''Department of Energy'' table included under the heading ''Title III—Department of Energy'' in the explanatory statement accompanying this Act.

HYDROCARBONS AND GEOTHERMAL ENERGY

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), $815,000,000, to remain available until expended: *Provided,* That of the amounts provided under this heading, $77,000,000 shall be available until September 30, 2028, 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, $13,000,000, 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.), $300,000,000, to remain available until expended.

SPR PETROLEUM ACCOUNT

For the acquisition, transportation, and injection of petroleum products, and for other necessary expenses pursuant to the Energy Policy and Conservation Act, as amended (42 U.S.C. 6201 et seq.), $100,000, 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.), $7,150,000, to remain available until expended.

ENERGY INFORMATION ADMINISTRATION

For Department of Energy expenses necessary in carrying out the activities of the Energy Information Administration, $137,000,000, 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, $338,490,000, to remain available until expended: *Provided,* That in addition, fees collected pursuant to subsection (b)(1) of section 6939f of title 42, United States Code, and deposited under this heading in fiscal year 2027 pursuant to section 309 of title III of division C of Public Law 116–94 are appropriated, to remain available until expended, for mercury storage costs.

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, $911,583,000, to be derived from the Uranium Enrichment Decontamination and Decommissioning Fund, to re-

main available until expended, of which $5,115,000 shall be available in accordance with title X, subtitle A, of the Energy Policy Act of 1992.

SCIENCE

(INCLUDING TRANSFER OF FUNDS)

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 any facility or for plant or facility acquisition, construction, or expansion, and purchase of not more than 35 passenger motor vehicles, $8,520,000,000, to remain available until expended, of which $120,000,000 shall be derived by transfer from the unobligated balances of amounts previously appropriated under the heading ''Department of Energy—Energy Programs—Energy Efficiency and Renewable Energy'' in division J of the Infrastructure Investment and Jobs Act (Public Law 117–58) that were provided to carry out section 546(b) of the National Energy Conservation Policy Act (42 U.S.C. 8256(b)): *Provided,* That amounts derived by transfer as described in the preceding proviso shall continue to be treated as amounts specified in section 103(b) of division

A of Public Law 118–5: *Provided further,* That of the amounts provided under this heading, $221,831,000 shall be available until September 30, 2028, for program direction.

NUCLEAR WASTE DISPOSAL

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

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), $350,000,000, to remain available until expended: *Provided,* That of such amount, $40,000,000 shall be available until September 30, 2028, 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 nec-

essary administrative expenses of the Title 17 Innovative Technology Loan Guarantee Program, as authorized, $50,000,000 is appropriated, to remain available until September 30, 2028: *Provided further,* That up to $50,000,000 of fees collected in fiscal year 2027 pursuant to section 1702(h) of the Energy Policy Act of 2005 shall be credited as offsetting collections under this heading and used for necessary administrative expenses in this appropriation and shall remain available until September 30, 2028: *Provided further,* That to the extent that fees collected in fiscal year 2027 exceed $50,000,000, those excess amounts shall be credited as offsetting collections under this heading and available in future fiscal years only to the extent provided in advance in appropriations Acts: *Provided further,* That the sum herein appropriated from the general fund shall be reduced (1) as such fees are received during fiscal year 2027 (estimated at $90,000,000) and (2) to the extent that any remaining general fund appropriations can be derived from fees collected in previous fiscal years that are not otherwise appropriated, so as to result in a final fiscal year 2027 appropriation from the general fund estimated at $0: *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 Guaran-

teed Obligation to any loan or other debt obligations in violation of section 609.8 of title 10, Code of Federal Regulations: *Provided further,* That the unobligated balances from amounts made available in the first proviso of section 1425 of the Department of Defense and Full-Year Continuing Appropriations Act, 2011 (Public Law 112–10) for the cost of loan guarantees under section 1703 of the Energy Policy Act of 2005 are hereby permanently rescinded.

ADVANCED TECHNOLOGY VEHICLES MANUFACTURING LOAN PROGRAM

For Department of Energy administrative expenses necessary in carrying out the Advanced Technology Vehicles Manufacturing Loan Program, $9,500,000, to remain available until September 30, 2028.

TRIBAL ENERGY LOAN GUARANTEE PROGRAM

For Department of Energy administrative expenses necessary in carrying out the Tribal Energy Loan Guarantee Program, $6,300,000, to remain available until September 30, 2028.

INDIAN ENERGY POLICY AND PROGRAMS

For necessary expenses for Indian Energy activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), $72,000,000, to remain available until expended: *Provided,* That of the

amount appropriated under this heading, $13,000,000 shall be available until September 30, 2028, for program direction.

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.), $349,622,000, to remain available until September 30, 2028, including the hire of passenger motor vehicles and official reception and representation expenses not to exceed $30,000, plus such additional amounts as necessary to cover increases in the estimated 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 $100,578,000 in fiscal year 2027 may be retained and used for operating expenses within this account, as authorized by section 201 of Public Law 95–238, notwithstanding the provisions of 31 U.S.C. 3302: *Provided further,* 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 2027 appropriation from the general fund estimated at not more than $249,044,000.

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, $86,000,000, to remain available until September 30, 2028.

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, $23,283,343,000, to remain available until expended: *Provided,* That of such amount, $143,996,000 shall be available until September 30, 2028, for program direction.

DEFENSE NUCLEAR NONPROLIFERATION

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

ital 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, $2,582,139,000, to remain available until expended.

NAVAL REACTORS

(INCLUDING TRANSFER OF FUNDS)

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, $2,341,595,000, to remain available until expended, of which $98,770,000 shall be transferred to ''Department of Energy—Energy Programs—Nuclear Energy'' for the Advanced Test Reactor: *Provided,* That of the amounts provided under this heading, $71,841,000 shall be available until September 30, 2028, for program direction.

FEDERAL SALARIES AND EXPENSES

For expenses necessary for Federal Salaries and Expenses in the National Nuclear Security Administration, $577,097,000, to remain available until September 30,

2028, including official reception and representation expenses not to exceed $17,000.

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, $8,000,502,000, to remain available until expended: *Provided,* That of such amount, $297,318,000 shall be available until September 30, 2028, 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, $253,000,000, to be deposited into the Defense Environmental Cleanup ac-

count, 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, $1,204,724,000, to remain available until expended: *Provided,* That of such amount, $352,979,000 shall be available until September 30, 2028, 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 official reception and representation expenses in an amount not to exceed $5,000, and for the Spokane Tribal Fisheries Operations Center: *Provided,* That during fiscal year 2027, 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, $9,285,000, 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 $9,285,000 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 2027 appropriation estimated at not more than $0: *Provided further,* That notwithstanding 31 U.S.C. 3302, up to $81,819,000 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 recovered 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 maintenance of power transmission facilities and for marketing electric power and energy, for construction and acquisition of transmission lines, substations and appurtenant facilities, and for administrative expenses, including official reception and representation expenses in an amount not to exceed $1,500 in carrying out section 5 of the Flood Control Act of 1944 (16 U.S.C. 825s), as applied to the Southwestern Power Administration, $61,798,000, 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 $51,398,000 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 2027 appropriation estimated at not more than $10,400,000: *Provided further,* That notwithstanding 31 U.S.C. 3302, up to $80,000,000 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, $321,775,000, including official reception and representation expenses in an amount not to exceed $1,500,

to remain available until expended, of which $321,775,000 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 $258,387,000 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 2027 appropriation estimated at not more than $63,388,000, of which $63,388,000 is derived from the Reclamation Fund: *Provided further,* That notwithstanding 31 U.S.C. 3302, up to $350,000,000 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, $6,422,000, 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 $6,194,000, 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 2027 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 2027, the Administrator of the Western Area Power Administration may accept up to $1,872,000 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, $520,000,000, to remain available until expended: *Provided,* That notwithstanding any other provision of law, not to exceed $520,000,000 of revenues from fees and annual charges, and other services and collections in fiscal year 2027 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 2027 so as to result in a final fiscal year 2027 appropriation from the general fund estimated at not more than $0.

GENERAL PROVISIONS—DEPARTMENT OF ENERGY

(INCLUDING TRANSFERS 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 ac-

tivity 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) provide nonoperational funding through a competition restricted only to Department of Energy National Laboratories totaling $1,000,000 or more;

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

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

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

(G) issue a letter to terminate an allocation, award, or Agreement in excess of the limits in subparagraph (A), (B), (C), or (D).

(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, and in the amounts, specified in the ''Committee Recommendation'' column in the ''Department of Energy'' table included under the heading ''Title III—Department of Energy'' in the explanatory statement 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, and obtain the prior approval of, 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 reprogramming of funds that—

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

(2) increases funds or personnel for any program, 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 requirement 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 Committees 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.

(h) 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. 302. 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. 3094) during fiscal year 2027 until the enactment of the Intelligence Authorization Act for fiscal year 2027.

SEC. 303. 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 Enterprise Assessments to ensure the project is in compliance with nuclear safety requirements.

SEC. 304. 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 decision.

SEC. 305. None of the funds made available in this title may be used to support a grant allocation award, discretionary grant award, research and demonstration or cooperative agreement that exceeds $100,000,000 in Federal funding unless the award, demonstration, or agreement is carried out through internal independent project management procedures.

SEC. 306. No funds shall be transferred directly from ''Department of Energy—Power Marketing Administration—Colorado River Basins Power Marketing Fund, Western Area Power Administration'' to the general fund of the Treasury in the current fiscal year.

SEC. 307. The levels for appropriations specified for classified programs in this Act shall conform to the direction included in the ''Designation of Appropriated Funds'' table in the classified annex accompanying this Act.

SEC. 308. (a) DEFINITIONS.—In this section:

(1) AFFECTED INDIAN TRIBE.—The term ''affected Indian tribe'' has the meaning given the term

in section 2 of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10101).

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

(3) NUCLEAR WASTE FUND.—The term ''Nuclear Waste Fund'' means the Nuclear Waste Fund established under section 302(c) of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10222(c)).

(4) SECRETARY.—The term ''Secretary'' means the Secretary of Energy.

(5) SPENT NUCLEAR FUEL.—The term ''spent nuclear fuel'' has the meaning given the term in section 2 of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10101).

(b) PROGRAM.—Notwithstanding any provision of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10101 et seq.), the Secretary is authorized, in the current fiscal year and subsequent fiscal years, to conduct a program to license, construct, and operate one or more Federal consolidated storage facilities, using a consent-based siting process, to provide interim storage as needed for spent nuclear fuel and high-level radioactive waste, with priority

for storage given to spent nuclear fuel located on sites without an operating nuclear reactor.

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

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

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

(3) to demonstrate the safe storage of spent nuclear fuel and high-level radioactive waste, as applicable, at the one or more consolidated storage facilities pending the construction and operation of deep geologic disposal capacity for the permanent disposal of the spent nuclear fuel.

(d) CONSENT-BASED APPROVAL.—Prior to siting a Federal consolidated storage facility pursuant to this section, the Secretary shall enter into an agreement to host the Federal facility using a consent-based siting process with—

(1) the Governor of the State;

(2) each unit of local government within the jurisdiction of which the facility is proposed to be located;

(3) each affected Indian tribe; and

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

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

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

(2) all other applicable laws (including regulations).

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

(1) an estimate of the cost of licensing, constructing, and operating a consolidated storage facility, including the transportation costs, on an annual basis, over the expected lifetime of the facility;

(2) a schedule for—

(A) obtaining any license necessary to construct and operate a consolidated storage facility from the Nuclear Regulatory Commission;

(B) constructing the facility;

(C) transporting spent fuel to the facility; and

(D) removing the spent fuel and decommissioning the facility;

(3) an estimate of the cost of any financial assistance, compensation, or incentives proposed to be paid to the host State, Indian tribe, or local government;

(4) an estimate of any future reductions in the damages expected to be paid by the United States for the delay of the Department of Energy in accepting spent fuel expected to result from the program;

(5) recommendations for any additional legislation needed to authorize and implement the program; and

(6) recommendations for a mechanism to ensure that any spent nuclear fuel or high-level radioactive waste stored at a consolidated storage facility pursuant to this section shall move to deep geologic disposal capacity, following a consent-based approval process for that deep geologic disposal capacity consistent with subsection (d), within a reasonable time after the issuance of a license to construct and operate the consolidated storage facility.

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

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

SEC. 309. Funds made available in this title under the headings ''Critical Minerals and Energy Innovation'', ''Cybersecurity, Energy Security, and Emergency Response'', ''Electricity'', ''Hydrocarbons and Geothermal Energy'', and ''Science'' that are allocated for the purposes of section 9 of the Small Business Act, as amended (15 U.S.C. 638), including for Small Business Innovation Research and Small Business Technology Transfer activities, or for the purposes of section 1001 of the Energy Policy Act of 2005, as amended (42 U.S.C. 16391), for Technology Commercialization Fund activities, may be reprogrammed within each account without being subject to the restrictions in section 301 of this title: *Provided,* That the administration and selection of awards pursuant to such sections will be in coordination with the offices that

oversee the appropriations accounts to which the relevant funding was originally appropriated.

SEC. 310. In making Federal financial assistance, the Department of Energy shall continue to apply the indirect cost rates, including negotiated indirect cost rates, as described in section 200.414 of title 2, Code of Federal Regulations, including with respect to the approval of deviations from negotiated indirect cost rates, to the same extent and in the same manner as was applied in fiscal year 2024: *Provided,* That none of the funds appropriated in this or prior Acts or otherwise made available to the Department of Energy may be used to develop, modify, or implement changes to such negotiated indirect cost rates.

SEC. 311. (a) Of the unobligated balances from amounts previously appropriated to the Department of Energy in division J of the Infrastructure Investment and Jobs Act (Public Law 117–58), the following funds shall be transferred to ''Department of Energy—Energy Programs—Nuclear Energy'' from the following programs in the specified amounts:

(1) $590,000,000 from amounts previously appropriated for any fiscal year under the heading ''Department of Energy—Energy Programs—Office of Clean Energy Demonstrations'' that were provided to carry out section 813 of the Energy Policy

Act of 2005 (42 U.S.C. 16161a): *Provided,* That amounts may not be transferred from unobligated balances that will be awarded to the applications selected for negotiation of financial assistance awards under Funding Opportunity Announcement DE–FOA–0002779, as outlined in the Table of Awards in the October 5, 2023, notification letter to the Chairs and Ranking Members of the Committees on Appropriations of the House of Representatives and the Senate from the Head of Contracting Activity at the Office of Clean Energy Demonstrations at the Department of Energy; and

(2) $410,000,000 from amounts previously appropriated for any fiscal year under the heading ''Department of Energy—Energy Programs—Office of Clean Energy Demonstrations'' that were provided to carry out subparagraph (B) or subparagraph (C) of section 962(b)(2) of the Energy Policy Act of 2005 (42 U.S.C. 16292(b)(2)(B) and (C)).

(b) Amounts transferred pursuant to subsection (a) shall be available, in addition to amounts otherwise available, for the following purposes:

(1) the two awards for demonstration projects made prior to the date of enactment of this Act under the heading ''Advanced Reactor Demonstra-

tion Program'', as authorized under section 959A of the Energy Policy Act of 2005 (42 U.S.C. 16279a);

(2) the two competitive awards for commercial utility deployment projects, as authorized under section 959A of the Energy Policy Act of 2005 (42 U.S.C. 16279a), and as referenced in section 311(a)(1)(A) of division D of the Consolidated Appropriations Act, 2024 (Public Law 118–42);

(3) Risk Reduction for Future Generations, as described under the heading ''Advanced Reactor Demonstration Program'' in the explanatory statement accompanying division C of the Further Consolidated Appropriations Act, 2020 (Public Law 116–94); and

(4) Advanced Nuclear Fuel Availability Program.

(c) Amounts transferred pursuant subsection (a) shall continue to be treated as amounts specified in section 103(b) of division A of Public Law 118–5.

SEC. 312. Of the unobligated balances from amounts previously appropriated for any fiscal year under the heading ''Department of Energy—Energy Programs—Office of Clean Energy Demonstrations'' in division J of the Infrastructure Investment and Jobs Act (Public Law 117–58) that were provided to implement subparagraph (B)

or subparagraph (C) of section 962(b)(2) of the Energy Policy Act of 2005 (42 U.S.C. 16292(b)(2)(B) and (C)), $200,000,000 shall be transferred to ''Department of Energy—Energy Programs—Hydrocarbons and Geothermal Energy'' and, in addition to amounts otherwise available for such purposes, shall be available to the Office of Geothermal for competitive awards for pilot projects, demonstrations, and specific systems or products for next-generation geothermal systems for power production or industrial-sector applications and large-scale heating and cooling applications, as authorized by section 3002 of the Energy Act of 2020 (42 U.S.C. 17194): *Provided,* That demonstration projects funded within amounts transferred pursuant to this section shall be carried out as milestone-based demonstration projects, meeting all requirements pursuant to section 9005 of the Energy Act of 2020 (42 U.S.C. 7256(c)): *Provided further,* That amounts transferred pursuant to this section shall continue to be treated as amounts specified in section 103(b) of division A of Public Law 118–5.

TITLE IV

INDEPENDENT AGENCIES

Appalachian Regional Commission

For expenses necessary to carry out the programs authorized by the Appalachian Regional Development Act of 1965, as amended, 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, $200,000,000, 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, $47,600,000, to remain available until September 30, 2028, of which not to exceed $1,000 shall be available for official reception and representation expenses.

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, notwithstanding sections 382F(d), 382M, and 382N of said Act, $35,000,000, 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, $29,500,000, 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 for which the Denali Commission is the sole or primary funding source in an amount not to exceed 90 percent of total project cost for distressed communities, as defined by such section and by section 701 of appendix D, title VII, Public Law 106–113 (113 Stat. 1501A–280), and for Indian Tribes, as defined by section 5304(e) of title 25, United States Code, and in an amount not to exceed 50 percent for non-distressed communities: *Provided further,* That notwithstanding any other provision of law regarding payment of a non-Federal share in connection with a grant-in-aid program, amounts under this heading shall be available for the payment of such a non-Federal share for any project for which the Denali Commission is not the sole

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

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, $48,000,000, 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, $23,000,000, to remain available until expended.

SOUTHWEST BORDER REGIONAL COMMISSION

For expenses necessary for the Southwest Border Regional Commission in carrying out activities authorized by subtitle V of title 40, United States Code, $5,500,000, to remain available until expended.

GREAT LAKES AUTHORITY

For expenses necessary for the Great Lakes Authority in carrying out activities authorized by subtitle V of title 40, United States Code, $2,500,000, 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, $878,104,000, including official representation expenses not to exceed $75,000, to remain available until expended: *Provided,* That of the amount appropriated herein, not more than $11,662,000 may be made available for salaries, travel, and other support costs for the Office of the Commission, to remain available until September 30, 2028: *Provided further,* That revenues from licensing fees, inspection services, and other services and collections estimated at $744,750,000 in fiscal year 2027 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 2027 so as to result in a final fiscal year 2027 appropriation estimated at not more than $133,354,000.

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, $14,245,000, to remain available

until September 30, 2028: *Provided,* That revenues from licensing fees, inspection services, and other services and collections estimated at $11,444,000 in fiscal year 2027 shall be retained and be available until September 30, 2028, 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 2027 so as to result in a final fiscal year 2027 appropriation estimated at not more than $2,801,000: *Provided further,* That of the amounts appropriated under this heading, $1,345,000 shall be for Inspector General services for the Defense Nuclear Facilities Safety Board.

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, $4,000,000, to be derived from the Nuclear Waste Fund, to remain available until September 30, 2028.

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, consistent with Department of Justice guidance for all Federal agencies.

SEC. 402. (a) The amounts made available by this title for the Nuclear Regulatory Commission may be reprogrammed for any program, project, or activity, and the Commission 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 funding level to increase or decrease by more than $500,000 or 10 percent, whichever is less, during the time period covered by this Act.

(b)(1) The Nuclear Regulatory Commission may waive the notification requirement in subsection (a) if compliance with such requirement would pose a substantial risk to human health, the environment, welfare, or national security.

(2) The Nuclear Regulatory Commission shall notify the Committees 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 and shall provide a detailed report to the

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

(c) Except as provided in subsections (a), (b), and (d), the amounts made available by this title for ''Nuclear Regulatory Commission—Salaries and Expenses'' shall be expended as directed in the explanatory statement accompanying this Act.

(d) None of the funds provided for the Nuclear Regulatory Commission shall be available for obligation or expenditure through a reprogramming of funds that increases funds or personnel for any program, project, or activity for which funds are denied or restricted by this Act.

(e) The Commission shall provide a monthly report to the Committees on Appropriations of both Houses of Congress, which includes the following for each program, project, or activity, including any prior year appropriations—

(1) total budget authority;

(2) total unobligated balances; and

(3) total unliquidated obligations.

SEC. 403. The period of performance on grants and cooperative agreements awarded with funding transferred to the ''Denali Commission'' account (95 22/26 1200) may

be extended as necessary, as determined by the Federal Co-Chair of the Denali Commission.

TITLE V

GENERAL PROVISIONS

(INCLUDING TRANSFER 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 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 explanatory statement 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 appro-

priations Act for any fiscal year, transfer authority referenced in the explanatory statement 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.

(c) 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 authority.

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

(b) Nothing in subsection (a) shall limit the use of funds necessary for any Federal, State, Tribal, or local

law enforcement agency or any other entity carrying out criminal investigations, prosecution, or adjudication activities.

This Act may be cited as the ''Energy and Water Development and Related Agencies Appropriations Act, 2027''.