

[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
1ST SESSION

S. 0000

[Report No. 119-000]

Making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2026, and for other purposes.

IN THE SENATE OF THE UNITED STATES

NOVEMBER _____, 2025

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

A BILL

Making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2026, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the following sums are appropriated, out of any

1 money in the Treasury not otherwise appropriated, for en-
2 ergy and water development and related agencies for the
3 fiscal year ending September 30, 2026, and for other pur-
4 poses, namely:

5 TITLE I

6 CORPS OF ENGINEERS—CIVIL

7 DEPARTMENT OF THE ARMY

8 CORPS OF ENGINEERS—CIVIL

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

15 INVESTIGATIONS

16 For expenses necessary where authorized by law for
17 the collection and study of basic information pertaining
18 to river and harbor, flood and storm damage reduction,
19 shore protection, aquatic ecosystem restoration, and re-
20 lated needs; for surveys and detailed studies, and plans
21 and specification of proposed river and harbor, flood and
22 storm damage reduction, shore protection, and aquatic
23 ecosystem restoration projects, and related efforts prior to
24 construction, for restudy of authorized projects; and for
25 miscellaneous investigations, and, when authorized by law,

1 surveys and detailed studies, and plans and specifications
2 of projects prior to construction, \$97,452,000, to remain
3 available until expended: *Provided*, That the Secretary
4 shall not deviate from the work plan, once the plan has
5 been submitted to the Committees on Appropriations of
6 both Houses of Congress.

7 PLANNING, ENGINEERING, AND DESIGN

8 For expenses necessary for conducting surveys and
9 detailed studies, and plans and specifications, prior to con-
10 struction of river and harbor, flood and storm damage re-
11 duction, shore protection, aquatic ecosystem restoration,
12 and related projects authorized by law (including those in-
13 volving participation by States, local governments, or pri-
14 vate groups) or made eligible for selection by law (but such
15 detailed studies, and plans and specifications, shall not
16 constitute a commitment of the Government to construc-
17 tion), \$151,331,000, to remain available until expended:
18 *Provided*, That the Secretary shall not deviate from the
19 work plan, once the plan has been submitted to the Com-
20 mittees on Appropriations of both Houses of Congress.

21 CONSTRUCTION

22 For expenses necessary for the construction of river
23 and harbor, flood and storm damage reduction, shore pro-
24 tection, aquatic ecosystem restoration, and related
25 projects authorized by law; for conducting and completing

1 detailed studies, and plans and specifications, of such
2 projects (including those involving participation by States,
3 local governments, or private groups) authorized or made
4 eligible for selection by law (but such detailed studies, and
5 plans and specifications, shall not constitute a commit-
6 ment of the Government to construction); \$2,481,772,000,
7 to remain available until expended; of which
8 \$203,383,000, to be derived from the Harbor Maintenance
9 Trust Fund, shall be to cover the Federal share of con-
10 struction costs for facilities under the Dredged Material
11 Disposal Facilities program: *Provided*, That the Secretary
12 shall not deviate from the work plan, once the plan has
13 been submitted to the Committees on Appropriations of
14 both Houses of Congress.

15 MISSISSIPPI RIVER AND TRIBUTARIES

16 For expenses necessary for flood damage reduction
17 projects and related efforts in the Mississippi River allu-
18 vial valley below Cape Girardeau, Missouri, as authorized
19 by law, \$468,213,000, to remain available until expended,
20 of which \$9,768,000, to be derived from the Harbor Main-
21 tenance Trust Fund, shall be to cover the Federal share
22 of eligible operation and maintenance costs for inland har-
23 bors: *Provided*, That the Secretary shall not deviate from
24 the work plan, once the plan has been submitted to the

1 Committees on Appropriations of both Houses of Con-
2 gress.

3 OPERATION AND MAINTENANCE

4 For expenses necessary for the operation, mainte-
5 nance, and care of existing river and harbor, flood and
6 storm damage reduction, aquatic ecosystem restoration,
7 and related projects authorized by law; providing security
8 for infrastructure owned or operated by the Corps, includ-
9 ing administrative buildings and laboratories; maintaining
10 harbor channels provided by a State, municipality, or
11 other public agency that serve essential navigation needs
12 of general commerce, where authorized by law; surveying
13 and charting northern and northwestern lakes and con-
14 necting waters; clearing and straightening channels; and
15 removing obstructions to navigation, \$5,990,160,000, to
16 remain available until expended, of which \$3,259,849,000,
17 to be derived from the Harbor Maintenance Trust Fund,
18 shall be to cover the Federal share of eligible operations
19 and maintenance costs for coastal harbors and channels,
20 and for inland harbors; of which \$417,642,000, shall be
21 for donor and energy ports as specified in section 102 of
22 the Water Resources Development Act of 2020; of which
23 such sums as may be necessary shall be derived from
24 amounts collected in this or prior fiscal years under sec-
25 tion 210 of the Flood Control Act of 1968 (16 U.S.C.

1 460d–3) and are not otherwise appropriated shall be for
2 resource protection, research, interpretation, and mainte-
3 nance activities related to resource protection in the areas
4 at which outdoor recreation is available; of which such
5 sums as become available from fees collected under section
6 217 of Public Law 104–303 shall be used to cover the
7 cost of operation and maintenance of the dredged material
8 disposal facilities for which such fees have been collected;
9 and of which \$62,000,000, to be derived from the general
10 fund of the Treasury, shall be to carry out subsection (c)
11 of section 2106 of the Water Resources Reform and Devel-
12 opment Act of 2014 (33 U.S.C. 2238c) and shall be des-
13 ignated as being for such purpose pursuant to paragraph
14 (2) of section 14003 of division B of the Coronavirus Aid,
15 Relief, and Economic Security Act (Public Law 116–136):
16 *Provided*, That Harbor Maintenance Trust Fund funding
17 provided for Donor and Energy Ports shall be allocated
18 solely in accordance with section 2106 of the Water Re-
19 sources Reform and Development Act of 2014: *Provided*
20 *further*, That 1 percent of the total amount of funds pro-
21 vided for each of the programs, projects, or activities fund-
22 ed under this heading shall not be allocated to a field oper-
23 ating activity prior to the beginning of the fourth quarter
24 of the fiscal year and shall be available for use by the Chief
25 of Engineers to fund such emergency activities as the

1 Chief of Engineers determines to be necessary and appro-
2 priate, and that the Chief of Engineers shall allocate dur-
3 ing the fourth quarter any remaining funds which have
4 not been used for emergency activities proportionally in
5 accordance with the amounts provided for the programs,
6 projects, or activities: *Provided further*, That the Secretary
7 shall not deviate from the work plan, once the plan has
8 been submitted to the Committees on Appropriations of
9 both Houses of Congress.

10 REGULATORY PROGRAM

11 For expenses necessary for administration of laws
12 pertaining to regulation of navigable waters and wetlands,
13 \$225,000,000, to remain available until September 30,
14 2027.

15 FORMERLY UTILIZED SITES REMEDIAL ACTION PROGRAM

16 For expenses necessary to clean up contamination
17 from sites in the United States resulting from work per-
18 formed as part of the Nation's early atomic energy pro-
19 gram, \$100,000,000, to remain available until expended.

20 FLOOD CONTROL AND COASTAL EMERGENCIES

21 For expenses necessary to prepare for flood, hurri-
22 cane, and other natural disasters and support emergency
23 operations, repairs, and other activities in response to
24 such disasters as authorized by law, \$40,000,000, to re-
25 main available until expended.

1 EXPENSES

2 For expenses necessary for the supervision and gen-
3 eral administration of the civil works program in the head-
4 quarters of the Corps of Engineers and the offices of the
5 Division Engineers; and for costs of management and op-
6 eration of the Humphreys Engineer Center Support Activ-
7 ity, the Institute for Water Resources, the United States
8 Army Engineer Research and Development Center, and
9 the United States Army Corps of Engineers Finance Cen-
10 ter allocable to the civil works program, \$220,000,000, to
11 remain available until September 30, 2027, of which not
12 to exceed \$5,000 may be used for official reception and
13 representation purposes and only during the current fiscal
14 year: *Provided*, That no part of any other appropriation
15 provided in this title shall be available to fund the civil
16 works activities of the Office of the Chief of Engineers
17 or the civil works executive direction and management ac-
18 tivities of the division offices: *Provided further*, That any
19 Flood Control and Coastal Emergencies appropriation
20 may be used to fund the supervision and general adminis-
21 tration of emergency operations, repairs, and other activi-
22 ties in response to any flood, hurricane, or other natural
23 disaster.

1 OFFICE OF THE ASSISTANT SECRETARY OF THE ARMY
2 FOR CIVIL WORKS

3 For the Office of the Assistant Secretary of the Army
4 for Civil Works as authorized by 10 U.S.C. 7016(b)(3),
5 \$7,000,000, to remain available until September 30, 2027:
6 *Provided*, That not more than 75 percent of such amount
7 may be obligated or expended until the Assistant Sec-
8 retary submits to the Committees on Appropriations of
9 both Houses of Congress the report required under section
10 101(d) of this Act and a work plan that allocates at least
11 95 percent of the additional funding provided under each
12 heading in the report accompanying this Act, to specific
13 programs, projects, or activities.

14 WATER INFRASTRUCTURE FINANCE AND INNOVATION
15 PROGRAM ACCOUNT

16 For the cost of direct loans and for the cost of guar-
17 anteed loans, as authorized by the Water Infrastructure
18 Finance and Innovation Act of 2014, \$5,000,000, to re-
19 main available until expended, for safety projects to main-
20 tain, upgrade, and repair dams identified in the National
21 Inventory of Dams with a primary owner type of State,
22 local government, public utility, or private: *Provided*, That
23 any activity that results in a decrease in the hazard or
24 a decrease in the potential consequences of poor perform-
25 ance of a dam structure listed on the National Inventory

1 of Dams with a primary owner type of State, local govern-
2 ment, public utility, or private shall be considered a safety
3 project eligible for funds provided under this heading for
4 that purpose by this or any prior Act: *Provided further,*
5 That any safety project for a dam identified in the Na-
6 tional Inventory of Dams with a primary owner type of
7 State, local government, public utility, or private shall be
8 eligible under section 5026(1)(A) of the Water Resources
9 Reform and Development Act of 2014 (Public Law 113–
10 121) (33 U.S.C. 3905(1)(A)) for funds provided under
11 this heading for that purpose by this or any prior Act:
12 *Provided further,* That no project may be funded with
13 amounts provided under this heading in this or any prior
14 Act for a dam that is identified as jointly owned in the
15 National Inventory of Dams and where one of those joint
16 owners is the Federal Government: *Provided further,* That
17 not later than 90 days following the end of any submittal
18 period occurring before or after the date of enactment of
19 this Act of a solicitation of preliminary applications from
20 prospective borrowers seeking credit assistance of funds
21 made available under this heading by this or any prior
22 Act, the Secretary shall provide to each applicant a written
23 notice to inform the applicant whether the applicant will
24 be invited to apply for credit assistance: *Provided further,*
25 That amounts made available under this heading in this

1 Act shall also be available for projects to construct, main-
2 tain, upgrade, and repair levees and ancillary features
3 with a primary owner type of State, municipal, county,
4 private, or other non-Federal entity: *Provided further*,
5 That subsection 386.2(v) of title 33 of the Code of Federal
6 Regulations is hereby amended to add the following new
7 paragraph (2) and to renumber subsequent paragraphs
8 accordingly: “(2) Any project to construct, maintain, up-
9 grade, or repair levees and ancillary features with a pri-
10 mary owner type of State, municipal, county, private, or
11 other non-Federal entity; and which meets the statutory
12 requirements of title I, division D of the Consolidated Ap-
13 propriations Act, 2024 and the criteria outlined in 85 FR
14 39189 (see division D of the Further Consolidated Appro-
15 priations Act, 2020 (Public Law 116–94)).”: *Provided fur-*
16 *ther*, That no project may be funded with amounts pro-
17 vided under this heading for a levee unless the Secretary
18 has certified in advance, in writing, that the levee is not
19 owned, in whole or in part, by the Federal Government:
20 *Provided further*, That the Secretary of the Army shall
21 make available all funds provided under this heading by
22 this or any prior Act through a Notice of Funding Avail-
23 ability no later than 90 days after the date enactment of
24 this Act: *Provided further*, That the Secretary of the Army
25 shall issue invitations to submit applications no later than

1 180 days after the date enactment of this Act: *Provided*
2 *further*, That no further rulemaking to make funds pro-
3 vided under this heading by this or any prior Act shall
4 be necessary: *Provided further*, That such costs, including
5 the cost of modifying such loans, shall be as defined in
6 section 502 of the Congressional Budget Act of 1974: *Pro-*
7 *vided further*, That these funds are available to subsidize
8 gross obligations for the principal amount of direct loans,
9 including capitalized interest, and total loan principal, in-
10 cluding capitalized interest, any part of which is to be
11 guaranteed, not to exceed \$500,000,000: *Provided further*,
12 That the use of direct loans or loan guarantee authority
13 under this heading for direct loans or commitments to
14 guarantee loans for any project, including any project that
15 is made eligible for funds pursuant to the second proviso
16 under this heading, shall be in accordance with the criteria
17 published in the Federal Register on June 30, 2020 (85
18 FR 39189) pursuant to the fourth proviso under the head-
19 ing “Water Infrastructure Finance and Innovation Pro-
20 gram Account” in division D of the Further Consolidated
21 Appropriations Act, 2020 (Public Law 116–94): *Provided*
22 *further*, That none of the direct loans or loan guarantee
23 authority made available under this heading shall be avail-
24 able for any project unless the Secretary and the Director
25 of the Office of Management and Budget have certified

1 in advance in writing that the direct loan or loan guar-
2 antee, as applicable, and the project comply with the cri-
3 teria referenced in the previous proviso: *Provided further*,
4 That any references to the Environmental Protection
5 Agency (EPA) or the Administrator in the criteria ref-
6 erenced in the previous two provisos shall be deemed to
7 be references to the Army Corps of Engineers or the Sec-
8 retary of the Army, respectively, for purposes of the direct
9 loans or loan guarantee authority made available under
10 this heading: *Provided further*, That for the purposes of
11 carrying out the Congressional Budget Act of 1974, the
12 Director of the Congressional Budget Office may request,
13 and the Secretary shall promptly provide, documentation
14 and information relating to a project identified in a Letter
15 of Interest submitted to the Secretary pursuant to a No-
16 tice of Funding Availability for applications for credit as-
17 sistance under the Water Infrastructure Finance and In-
18 novation Act Program, including with respect to a project
19 that was initiated or completed before the date of enact-
20 ment of this Act.

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

1 In addition, for administrative expenses to carry out
2 the direct and guaranteed loan programs, notwithstanding
3 section 5033 of the Water Infrastructure Finance and In-
4 novation Act of 2014, \$5,000,000, to remain available
5 until September 30, 2027.

6 GENERAL PROVISIONS—CORPS OF
7 ENGINEERS—CIVIL

8 (INCLUDING TRANSFERS OF FUNDS)

9 SEC. 101. (a) None of the funds provided in title I
10 of this Act, or provided by previous appropriations Acts
11 to the agencies or entities funded in title I of this Act
12 that remain available for obligation or expenditure in fiscal
13 year 2026, shall be available for obligation or expenditure
14 through a reprogramming of funds that:

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

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

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

21 (4) proposes to use funds directed for a specific
22 activity for a different purpose;

23 (5) augments or reduces existing programs,
24 projects, or activities in excess of the amounts con-
25 tained in paragraphs (6) through (11);

1 (6) INVESTIGATIONS.—For a base level over
2 \$100,000, reprogramming of 25 percent of the base
3 amount up to a limit of \$150,000 per project, study
4 or activity is allowed: *Provided*, That for a base level
5 less than \$100,000, the reprogramming limit is
6 \$25,000: *Provided further*, That up to \$25,000 may
7 be reprogrammed into any continuing study or activ-
8 ity that did not receive an appropriation for existing
9 obligations and concomitant administrative expenses;

10 (7) PLANNING, ENGINEERING, AND DESIGN.—
11 For a base level over \$2,000,000, reprogramming of
12 15 percent of the base amount up to a limit of
13 \$3,000,000 per project, study or activity is allowed:
14 *Provided*, That for a base level less than \$2,000,000,
15 the reprogramming limit is \$300,000: *Provided fur-*
16 *ther*, That up to \$300,000 may be reprogrammed
17 into any continuing study or activity that did not re-
18 ceive an appropriation for existing obligations and
19 concomitant administrative expenses;

20 (8) CONSTRUCTION.—For a base level over
21 \$2,000,000, reprogramming of 15 percent of the
22 base amount up to a limit of \$3,000,000 per project,
23 study or activity is allowed: *Provided*, That for a
24 base level less than \$2,000,000, the reprogramming
25 limit is \$300,000: *Provided further*, That up to

1 \$3,000,000 may be reprogrammed for settled con-
2 tractor claims, changed conditions, or real estate de-
3 ficiency judgments: *Provided further*, That up to
4 \$300,000 may be reprogrammed into any continuing
5 study or activity that did not receive an appropria-
6 tion for existing obligations and concomitant admin-
7 istrative expenses;

8 (9) OPERATION AND MAINTENANCE.—Unlim-
9 ited reprogramming authority is granted for the
10 Corps to be able to respond to emergencies: *Pro-*
11 *vided*, That the Chief of Engineers shall notify the
12 Committees on Appropriations of both Houses of
13 Congress of these emergency actions prior to re-
14 programming funds: *Provided further*, That for a
15 base level over \$1,000,000, reprogramming of 15
16 percent of the base amount up to a limit of
17 \$5,000,000 per project, study, or activity is allowed:
18 *Provided further*, That for a base level less than
19 \$1,000,000, the reprogramming limit is \$150,000:
20 *Provided further*, That \$150,000 may be repro-
21 grammed into any continuing study or activity that
22 did not receive an appropriation;

23 (10) MISSISSIPPI RIVER AND TRIBUTARIES.—
24 The reprogramming guidelines in paragraphs (6),
25 (8), and (9) shall apply to the Investigations, Con-

1 construction, and Operation and Maintenance portions
2 of the Mississippi River and Tributaries Account, re-
3 spectively; and

4 (11) FORMERLY UTILIZED SITES REMEDIAL AC-
5 TION PROGRAM.—Reprogramming of up to 15 per-
6 cent of the base of the receiving project is permitted.

7 (b) DE MINIMUS REPROGRAMMINGS.—In no case
8 should a reprogramming for less than \$50,000 be sub-
9 mitted to the Committees on Appropriations of both
10 Houses of Congress.

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

14 (d) Not later than 60 days after the date of enact-
15 ment of this Act, the Secretary shall submit a report to
16 the Committees on Appropriations of both Houses of Con-
17 gress to establish the baseline for application of re-
18 programming and transfer authorities for the current fis-
19 cal year which shall include:

20 (1) A table for each appropriation with a sepa-
21 rate column to display the President's budget re-
22 quest, adjustments made by Congress, adjustments
23 due to enacted rescissions, if applicable, and the fis-
24 cal year enacted level; and

1 (2) A delineation in the table for each appro-
2 priation both by object class and program, project
3 and activity as detailed in the budget appendix for
4 the respective appropriations.

5 SEC. 102. None of the funds made available in this
6 title may be used to award or modify any contract that
7 commits funds beyond the amounts appropriated for that
8 program, project, or activity that remain unobligated, ex-
9 cept that such amounts may include any funds that have
10 been made available through reprogramming pursuant to
11 section 101 except for projects with awarded integrated
12 design and construction contracts (IDaC) as of the date
13 of enactment of this Act: *Provided*, That the Corps shall
14 modify the existing IDaC contracts for such projects to
15 incorporate the authority provided in 33 U.S.C. 621 and
16 DFARS 252.232–7007 pursuant to DFARS 232.703–
17 1(1)(ii)(B) within 60 days of enactment: *Provided further*,
18 That the Corps shall notify the Committee upon execution
19 of such modifications for each project and upon com-
20 mencement of work addressed in such modification: *Pro-*
21 *vided further*, That the Corps shall fully obligate any funds
22 previously designated in IIJA or prior appropriations bill
23 as part of the modification, and as required supervision
24 and administration associated with that modification: *Pro-*
25 *vided further*, That amounts repurposed pursuant to this

1 section shall continue to be treated as amounts specified
2 in section 103(b) of division A of Public Law 118–5.

3 SEC. 103. The Secretary of the Army may transfer
4 to the Fish and Wildlife Service, and the Fish and Wildlife
5 Service may accept and expend, up to \$8,733,000 of funds
6 provided in this title under the heading “Operation and
7 Maintenance” to mitigate for fisheries lost due to Corps
8 of Engineers projects.

9 SEC. 104. None of the funds in this Act shall be used
10 for an open lake placement alternative for dredged mate-
11 rial, after evaluating the least costly, environmentally ac-
12 ceptable manner for the disposal or management of
13 dredged material originating from Lake Erie or tributaries
14 thereto, unless it is approved under a State water quality
15 certification pursuant to section 401 of the Federal Water
16 Pollution Control Act (33 U.S.C. 1341): *Provided*, That
17 until an open lake placement alternative for dredged mate-
18 rial is approved under a State water quality certification,
19 the Corps of Engineers shall continue upland placement
20 of such dredged material consistent with the requirements
21 of section 101 of the Water Resources Development Act
22 of 1986 (33 U.S.C. 2211).

23 SEC. 105. Additional funding provided in this Act
24 shall be allocated only to projects determined to be eligible
25 by the Chief of Engineers.

1 SEC. 106. None of the funds made available by this
2 Act or any other Act may be used to reorganize or to
3 transfer the Civil Works functions or authority of the
4 Corps of Engineers or the Secretary of the Army to any
5 other department or agency.

6 SEC. 107. Subject to consultation with the non-Fed-
7 eral sponsor and retaining sufficient amounts for the
8 Corps of Engineers to carry out any of its responsibilities
9 relating to the project and using appropriations made
10 available to the project prior to the enactment of this Act,
11 the Secretary of the Army shall make advance payments
12 to the non-Federal sponsors for their use in completing
13 construction of any project for flood risk management
14 identified in implementation guidance for the Civil Works
15 Public-Private Partnership Pilot Program issued by the
16 Director of Civil Works on January 8, 2019 and that is
17 under construction on the date of enactment of this Act
18 and for which a prior executed Project Partnership Agree-
19 ment, as amended, specifically identifies Federal Work,
20 Non-Federal Work, and a Federal Participation Amount
21 in excess of \$700,000,000: *Provided*, That amounts de-
22 scribed in the matter preceding this proviso shall be cred-
23 ited by the Secretary toward the Federal Participation
24 Amount: *Provided further*, That prior to making any pay-
25 ments authorized in the matter preceding the first proviso,

21

1 the Secretary and the non-Federal sponsors shall amend
2 the Project Partnership Agreement executed for the
3 project in order to implement any such payments and
4 credits.

1 TITLE II
2 DEPARTMENT OF THE INTERIOR
3 CENTRAL UTAH PROJECT

4 CENTRAL UTAH PROJECT COMPLETION ACCOUNT

5 For carrying out activities authorized by the Central
6 Utah Project Completion Act, \$23,000,000, to remain
7 available until expended, of which \$4,000,000 shall be de-
8 posited into the Utah Reclamation Mitigation and Con-
9 servation Account for use by the Utah Reclamation Miti-
10 gation and Conservation Commission: *Provided*, That of
11 the amount provided under this heading, \$1,950,000 shall
12 be available until September 30, 2027, for expenses nec-
13 essary in carrying out related responsibilities of the Sec-
14 retary of the Interior: *Provided further*, That for fiscal
15 year 2026, of the amount made available to the Commis-
16 sion under this Act or any other Act, the Commission may
17 use an amount not to exceed \$2,186,000 for administra-
18 tive expenses.

19 BUREAU OF RECLAMATION

20 The following appropriations shall be expended to
21 execute authorized functions of the Bureau of Reclama-
22 tion:

1 WATER AND RELATED RESOURCES

2 (INCLUDING TRANSFERS OF FUNDS)

3 For management, development, and restoration of
4 water and related natural resources and for related activi-
5 ties, including the operation, maintenance, and rehabilita-
6 tion of reclamation and other facilities, participation in
7 fulfilling related Federal responsibilities to Native Ameri-
8 cans, and related grants to, and cooperative and other
9 agreements with, State and local governments, federally
10 recognized Indian Tribes, and others, \$1,415,630,000, to
11 remain available until expended, of which \$23,899,000
12 shall be available for transfer to the Upper Colorado River
13 Basin Fund and \$7,679,000 shall be available for transfer
14 to the Lower Colorado River Basin Development Fund;
15 of which such amounts as may be necessary may be ad-
16 vanced to the Colorado River Dam Fund: *Provided*, That
17 of the amounts made available under this heading,
18 \$200,000,000 shall be derived by transfer from the unobli-
19 gated balances of amounts previously appropriated under
20 this heading in division J of the Infrastructure Investment
21 and Jobs Act (Public Law 117–58) that were provided for
22 section 9603(d)(1) of the Omnibus Public Land Manage-
23 ment Act of 2009, as amended (43 U.S.C. 510b(d)(1)),
24 and shall be used, regardless of project purpose and in
25 addition to amounts otherwise made available for such

1 purposes, for projects or programs specified in the table
2 titled “Bureau of Reclamation—Water and Related Re-
3 sources” and, when combined with the amounts made
4 available in the matter preceding the first proviso under
5 this heading, shall not in total exceed the amount for any
6 project as specified in such table: *Provided further*, That
7 amounts derived by transfer as described in the preceding
8 proviso shall continue to be treated as amounts specified
9 in section 103(b) of division A of Public Law 118–5: *Pro-*
10 *vided further*, That such transfers, except for the transfer
11 authorized by the first proviso, may be increased or de-
12 creased within the overall appropriation under this head-
13 ing: *Provided further*, That of the total appropriated, the
14 amount for program activities that can be financed by the
15 Reclamation Fund, the Water Storage Enhancement Re-
16 ceipts account established by section 4011(e) of Public
17 Law 114–322, or the Bureau of Reclamation special fee
18 account established by 16 U.S.C. 6806 shall be derived
19 from that Fund or account: *Provided further*, That funds
20 contributed under 43 U.S.C. 395 are available until ex-
21 pended for the purposes for which the funds were contrib-
22 uted: *Provided further*, That funds advanced under 43
23 U.S.C. 397a shall be credited to this account and are
24 available until expended for the same purposes as the
25 sums appropriated under this heading.

1 CENTRAL VALLEY PROJECT RESTORATION FUND

2 For carrying out the programs, projects, plans, habi-
3 tat restoration, improvement, and acquisition provisions of
4 the Central Valley Project Improvement Act, such sums
5 as may be collected in fiscal year 2026 in the Central Val-
6 ley Project Restoration Fund pursuant to sections
7 3407(d), 3404(c)(3), and 3405(f) of Public Law 102–575,
8 to remain available until expended: *Provided*, That the Bu-
9 reau of Reclamation is directed to assess and collect the
10 full amount of the additional mitigation and restoration
11 payments authorized by section 3407(d) of Public Law
12 102–575: *Provided further*, That none of the funds made
13 available under this heading may be used for the acquisi-
14 tion or leasing of water for in-stream purposes if the water
15 is already committed to in-stream purposes by a court
16 adopted decree or order.

17 CALIFORNIA BAY-DELTA RESTORATION

18 (INCLUDING TRANSFERS OF FUNDS)

19 For carrying out activities authorized by the Water
20 Supply, Reliability, and Environmental Improvement Act,
21 consistent with plans to be approved by the Secretary of
22 the Interior, \$32,000,000, to remain available until ex-
23 pended, of which such amounts as may be necessary to
24 carry out such activities may be transferred to appropriate
25 accounts of other participating Federal agencies to carry

1 out authorized purposes: *Provided*, That funds appro-
2 priated herein may be used for the Federal share of the
3 costs of CALFED Program management: *Provided fur-*
4 *ther*, That CALFED implementation shall be carried out
5 in a balanced manner with clear performance measures
6 demonstrating concurrent progress in achieving the goals
7 and objectives of the Program.

8 POLICY AND ADMINISTRATION

9 For expenses necessary for policy, administration,
10 and related functions in the Office of the Commissioner,
11 the Denver office, and offices in the six regions of the Bu-
12 reau of Reclamation, to remain available until September
13 30, 2027, \$64,000,000, to be derived from the Reclama-
14 tion Fund and be nonreimbursable as provided in 43
15 U.S.C. 377, of which not to exceed \$5,000 may be used
16 for official reception and representation expenses: *Pro-*
17 *vided*, That no part of any other appropriation in this Act
18 shall be available for activities or functions budgeted as
19 policy and administration expenses.

20 ADMINISTRATIVE PROVISION

21 Appropriations for the Bureau of Reclamation shall
22 be available for purchase and replacement of not to exceed
23 30 motor vehicles, which are for replacement only.

1 GENERAL PROVISIONS—DEPARTMENT OF THE
2 INTERIOR

3 SEC. 201. (a) None of the funds provided in title II
4 of this Act for Water and Related Resources, or provided
5 by previous or subsequent appropriations Acts to the agen-
6 cies or entities funded in title II of this Act for Water
7 and Related Resources that remain available for obligation
8 or expenditure in fiscal year 2026, shall be available for
9 obligation or expenditure through a reprogramming of
10 funds that—

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

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

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

17 (4) restarts or resumes any program, project or
18 activity for which funds are not provided in this Act;

19 (5) transfers funds in excess of the following
20 limits:

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

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

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

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

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

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

21 (d) Except as provided in subsections (a) and (b), the
22 amounts made available in this title under the heading
23 “Bureau of Reclamation—Water and Related Resources”
24 shall be expended for the programs, projects, and activities
25 specified in the “Committee Recommendation” columns in

1 the “Water and Related Resources” table included under
2 the heading “Title II—Department of the Interior” in the
3 report accompanying this Act.

4 (e) The Bureau of Reclamation shall submit reports
5 on a quarterly basis to the Committees on Appropriations
6 of both Houses of Congress detailing all the funds repro-
7 grammed between programs, projects, activities, or cat-
8 egories of funding. The first quarterly report shall be sub-
9 mitted not later than 60 days after the date of enactment
10 of this Act.

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

20 (b) The costs of the Kesterson Reservoir Cleanup
21 Program and the costs of the San Joaquin Valley Drain-
22 age Program shall be classified by the Secretary of the
23 Interior as reimbursable or nonreimbursable and collected
24 until fully repaid pursuant to the “Cleanup Program—
25 Alternative Repayment Plan” and the “SJVDP—Alter-

1 native Repayment Plan” described in the report entitled
2 “Repayment Report, Kesterson Reservoir Cleanup Pro-
3 gram and San Joaquin Valley Drainage Program, Feb-
4 ruary 1995”, prepared by the Department of the Interior,
5 Bureau of Reclamation. Any future obligations of funds
6 by the United States relating to, or providing for, drainage
7 service or drainage studies for the San Luis Unit shall
8 be fully reimbursable by San Luis Unit beneficiaries of
9 such service or studies pursuant to Federal reclamation
10 law.

11 SEC. 203. Title I of Public Law 108–361 (the Califed
12 Bay-Delta Authorization Act) (118 Stat. 1681), as
13 amended, shall be applied by substituting “2026” for
14 “2022” each place it appears.

15 SEC. 204. Section 9106(g)(2) of the Omnibus Public
16 Land Management Act of 2009, Public Law 111–11, as
17 amended, shall be applied by substituting “2026” for
18 “2022”.

19 SEC. 205. Section 9503(f) of the Omnibus Public
20 Land Management Act of 2009, Public Law 111–11, as
21 amended, shall be applied by substituting “2026” for
22 “2023”.

23 SEC. 206. (a) Section 10609(a) of the Northwestern
24 New Mexico Rural Water Projects Act, subtitle B of title
25 X of Public Law 111–11, is amended by substituting

1 “\$1,815,000,000” for “\$1,640,000,000” and striking
2 “2024” and inserting “2026”.

3 (b) Section 10604(b)(3)(B) of the Northwestern New
4 Mexico Rural Water Projects Act (subtitle B of title X
5 of Public Law 111–11) is amended by striking “be at least
6 25 percent” and all that follows through “35 percent” and
7 inserting “not to exceed \$76,000,000”.

8 SEC. 207. Section 9504(e) of the Omnibus Public
9 Land Management Act of 2009 (42 U.S.C. 10364(e)) is
10 amended by striking “\$960,000,000” and inserting
11 “\$1,000,000,000”.

12 SEC. 208. Notwithstanding the Act of May 9, 1938,
13 (43 U.S.C. 392a), all monies received by the United States
14 in connection with the repayment or reimbursement of
15 costs for all projects, including power, financed in whole
16 or in part with money from the Aging Infrastructure ac-
17 count created pursuant to section 9603b(d), Public Law
18 111–11, as amended, shall be repaid and deposited to that
19 account.

20 SEC. 209. Section 10 of Public Law 89–108, as
21 amended (79 Stat. 433; 100 Stat. 424; 106 Stat. 4669;
22 114 Stat. 2763A–291), is further amended—

23 (1) in subsection (b)(1), by—

24 (A) redesignating subparagraph (C) as
25 subparagraph (D); and

1 (B) inserting after subparagraph (B), the
2 following:

3 “(C) OTHER AMOUNTS.—In addition to
4 the amounts made available under subpara-
5 graphs (A) and (B), there is authorized to be
6 appropriated to carry out section 7(a)
7 \$50,000,000.”; and

8 (2) in subsection (e), by inserting prior to the
9 last sentence, the following: “Such indexing shall
10 also be applied for the \$50,000,000 amount under
11 subsection (b)(1)(C) for costs incurred after the date
12 of enactment.”.

13 SEC. 210. Section 9 of the Fort Peck Reservation
14 Rural Water System Act of 2000 (Public Law 106–382;
15 114 Stat. 1457; 123 Stat. 2856; 128 Stat. 164; 132 Stat.
16 2906) is amended, in each of subsections (a)(1) and (b),
17 by striking “2026” and inserting “2028”.

18 SEC. 211. None of the funds made available by this
19 Act may be used for preconstruction or construction ac-
20 tivities for any project recommended after enactment of
21 the Energy and Water Development and Related Agencies
22 Appropriations Act, 2020 (division C of Public Law 116–
23 94), and prior to enactment of this Act by the Secretary
24 of the Interior and transmitted to the appropriate commit-
25 tees of Congress pursuant to section 4007 of the Water

- 1 Infrastructure Improvements for the Nation Act (Public
- 2 Law 114–322) if such project is not named in this Act,
- 3 Public Law 116–260, or Public Law 117–43.

1 TITLE III
2 DEPARTMENT OF ENERGY
3 ENERGY PROGRAMS
4 ENERGY EFFICIENCY AND RENEWABLE ENERGY
5 (INCLUDING TRANSFER OF FUNDS)
6 For Department of Energy expenses including the
7 purchase, construction, and acquisition of plant and cap-
8 ital equipment, and other expenses necessary for energy
9 efficiency and renewable energy activities in carrying out
10 the purposes of the Department of Energy Organization
11 Act (42 U.S.C. 7101 et seq.), including the acquisition or
12 condemnation of any real property or any facility or for
13 plant or facility acquisition, construction, or expansion,
14 \$3,287,000,000, to remain available until expended, of
15 which \$1,059,773,000 shall be derived by transfer from
16 the unobligated balances of amounts previously appro-
17 priated to the Department of Energy in division J of the
18 Infrastructure Investment and Jobs Act (Public Law 117–
19 58) that were provided to carry out section 40308 of divi-
20 sion D of such Act: *Provided*, That amounts derived by
21 transfer as described in the matter preceding this proviso
22 shall continue to be treated as amounts specified in section
23 103(b) of division A of Public Law 118–5: *Provided fur-*
24 *ther*, That of the amounts provided under this heading,

1 \$185,000,000 shall be available until September 30, 2027,
2 for program direction.

3 MANUFACTURING AND ENERGY SUPPLY CHAINS

4 For Department of Energy expenses including the
5 purchase, construction, and acquisition of plant and cap-
6 ital equipment, and other expenses necessary for manufac-
7 turing and energy supply chain activities in carrying out
8 the purposes of the Department of Energy Organization
9 Act (42 U.S.C. 7101 et seq.), including the acquisition or
10 condemnation of any real property or any facility or for
11 plant or facility acquisition, construction, or expansion,
12 \$19,000,000, to remain available until expended: *Pro-*
13 *vided*, That of the amounts provided under this heading,
14 \$2,000,000 shall be available until September 30, 2027,
15 for program direction.

16 CYBERSECURITY, ENERGY SECURITY, AND EMERGENCY
17 RESPONSE

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

tion, construction, or expansion, \$190,000,000, to remain available until expended: *Provided*, That of such amount, \$24,000,000 shall be available until September 30, 2027, 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 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, \$18,500,000 shall be available until September 30, 2027, for program direction.

GRID DEPLOYMENT

For Department of Energy expenses including the purchase, construction, and acquisition of plant and capital equipment, and other expenses necessary for 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, \$45,000,000, to remain available

1 until expended: *Provided*, That of such amount,
2 \$5,250,000 shall be available until September 30, 2027,
3 for program direction.

4 NUCLEAR ENERGY

5 (INCLUDING TRANSFER OF FUNDS)

6 For Department of Energy expenses including the
7 purchase, construction, and acquisition of plant and cap-
8 ital equipment, and other expenses necessary for nuclear
9 energy activities in carrying out the purposes of the De-
10 partment of Energy Organization Act (42 U.S.C. 7101 et
11 seq.), including the acquisition or condemnation of any
12 real property or any facility or for plant or facility acquisi-
13 tion, construction, or expansion, \$1,685,000,000, to re-
14 main available until expended, of which \$92,350,000 shall
15 be derived by transfer from the unobligated balances of
16 amounts previously appropriated under the heading “De-
17 partment of Energy—Energy Programs—Office of Clean
18 Energy Demonstrations” in division J of the Infrastruc-
19 ture Investment and Jobs Act (Public Law 117–58) that
20 were provided to implement section 813 of the Energy Pol-
21 icy Act of 2005 (42 U.S.C. 16151 et seq.): *Provided*, That
22 amounts derived by transfer as described in the matter
23 preceding this proviso shall continue to be treated as
24 amounts specified in section 103(b) of division A of Public
25 Law 118–5: *Provided further*, That of the amounts pro-

1 vided under this heading, \$90,000,000 shall be available
2 until September 30, 2027, for program direction: *Provided*
3 *further*, That for the purpose of section 954(a)(7) of the
4 Energy Policy Act of 2005, as amended, the only amount
5 available shall be from the amount specified as including
6 that purpose in the “Committee Recommendation” col-
7 umn in the “Department of Energy” table included under
8 the heading “Title III—Department of Energy” in the re-
9 port accompanying this Act.

FOSSIL ENERGY

(INCLUDING TRANSFER OF FUNDS)

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), \$875,000,000, to remain available until expended, of which \$92,350,000 shall be derived by transfer from the unobligated balances of amounts previously appropriated

1 under the heading “Department of Energy—Energy Pro-
2 grams—Office of Clean Energy Demonstrations” in divi-
3 sion J of the Infrastructure Investment and Jobs Act
4 (Public Law 117–58) that were provided to implement
5 section 813 of the Energy Policy Act of 2005 (42 U.S.C.
6 16151 et seq.): *Provided*, That amounts derived by trans-
7 fer as described in the matter preceding this proviso shall
8 continue to be treated as amounts specified in section
9 103(b) of division A of Public Law 118–5: *Provided fur-*
10 *ther*, That of the amounts provided under this heading,
11 \$70,000,000 shall be available until September 30, 2027,
12 for program direction.

13 ENERGY PROJECTS

14 For Department of Energy expenses necessary in car-
15 rying out community project funding activities, under the
16 authority of the Department of Energy Organization Act
17 (42 U.S.C. 7101 et seq.), \$98,057,000, to remain available
18 until expended, for projects specified in the table that ap-
19 pears under the heading “Congressionally Directed Spend-
20 ing for Energy Projects” in the report accompanying this
21 Act.

22 NAVAL PETROLEUM AND OIL SHALE RESERVES

23 For Department of Energy expenses necessary to
24 carry out naval petroleum and oil shale reserve activities,
25 \$13,010,000, to remain available until expended: *Pro-*

1 *vided*, That notwithstanding any other provision of law,
2 unobligated funds remaining from prior years shall be
3 available for all naval petroleum and oil shale reserve ac-
4 tivities.

5 STRATEGIC PETROLEUM RESERVE

6 For Department of Energy expenses necessary for
7 Strategic Petroleum Reserve facility development and op-
8 erations and program management activities pursuant to
9 the Energy Policy and Conservation Act (42 U.S.C. 6201
10 et seq.), \$214,260,000, to remain available until expended.

11 SPR PETROLEUM ACCOUNT

12 For the acquisition, transportation, and injection of
13 petroleum products, and for other necessary expenses pur-
14 suant to the Energy Policy and Conservation Act, as
15 amended (42 U.S.C. 6201 et seq.), \$100,000 to remain
16 available until expended.

17 NORTHEAST HOME HEATING OIL RESERVE

18 For Department of Energy expenses necessary for
19 Northeast Home Heating Oil Reserve storage, operation,
20 and management activities pursuant to the Energy Policy
21 and Conservation Act (42 U.S.C. 6201 et seq.),
22 \$7,150,000, to remain available until expended.

23 ENERGY INFORMATION ADMINISTRATION

24 For Department of Energy expenses necessary in car-
25 rying out the activities of the Energy Information Admin-

1 istration, \$135,000,000, to remain available until ex-
2 pended.

3 NON-DEFENSE ENVIRONMENTAL CLEANUP

4 For Department of Energy expenses, including the
5 purchase, construction, and acquisition of plant and cap-
6 ital equipment and other expenses necessary for non-de-
7 fense environmental cleanup activities in carrying out the
8 purposes of the Department of Energy Organization Act
9 (42 U.S.C. 7101 et seq.), including the acquisition or con-
10 demnation of any real property or any facility or for plant
11 or facility acquisition, construction, or expansion,
12 \$337,900,000, to remain available until expended: *Pro-*
13 *vided*, That in addition, fees collected pursuant to sub-
14 section (b)(1) of section 6939f of title 42, United States
15 Code, and deposited under this heading in fiscal year 2026
16 pursuant to section 309 of title III of division C of Public
17 Law 116–94 are appropriated, to remain available until
18 expended, for mercury storage costs.

19 URANIUM ENRICHMENT DECONTAMINATION AND
20 DECOMMISSIONING FUND

21 For Department of Energy expenses necessary in car-
22 rying out uranium enrichment facility decontamination
23 and decommissioning, remedial actions, and other activi-
24 ties of title II of the Atomic Energy Act of 1954, and
25 title X, subtitle A, of the Energy Policy Act of 1992,

1 \$875,000,000, to be derived from the Uranium Enrich-
2 ment Decontamination and Decommissioning Fund, to re-
3 main available until expended, of which \$5,115,000 shall
4 be available in accordance with title X, subtitle A, of the
5 Energy Policy Act of 1992.

6 SCIENCE

7 (INCLUDING TRANSFER OF FUNDS)

8 For Department of Energy expenses including the
9 purchase, construction, and acquisition of plant and cap-
10 ital equipment, and other expenses necessary for science
11 activities in carrying out the purposes of the Department
12 of Energy Organization Act (42 U.S.C. 7101 et seq.), in-
13 cluding the acquisition or condemnation of any real prop-
14 erty or any facility or for plant or facility acquisition, con-
15 struction, or expansion, and purchase of not more than
16 35 passenger motor vehicles, \$8,250,237,000, to remain
17 available until expended, of which \$250,237,000 shall be
18 derived by transfer from the unobligated balances of
19 amounts previously appropriated under the heading “De-
20 partment of Energy—Energy Programs—Office of Clean
21 Energy Demonstrations” in division J of the Infrastruc-
22 ture Investment and Jobs Act (Public Law 117–58) that
23 were provided to implement section 813 of the Energy Pol-
24 icy Act of 2005 (42 U.S.C. 16151 et seq.): *Provided*, That
25 amounts derived by transfer as described in the matter

1 preceding this proviso shall continue to be treated as
2 amounts specified in section 103(b) of division A of Public
3 Law 118–5: *Provided further*, That of the amounts pro-
4 vided under this heading, \$226,831,000 shall be available
5 until September 30, 2027, for program direction.

6 NUCLEAR WASTE DISPOSAL

7 For Department of Energy expenses necessary for
8 nuclear waste disposal activities to carry out the purposes
9 of the Nuclear Waste Policy Act of 1982, Public Law 97–
10 425, as amended, \$12,040,000, to remain available until
11 expended, which shall be derived from the Nuclear Waste
12 Fund.

13 TECHNOLOGY COORDINATION AND COMMERCIALIZATION

14 For Department of Energy expenses necessary for
15 carrying out the activities of technology transitions, in-
16 cluding section 10691 of Public Law 117–167, and the
17 coordination of Department programs, including those in-
18 volving critical and emerging technologies, in carrying out
19 the purposes of the Department of Energy Organization
20 Act (42 U.S.C. 7101 et seq.), \$20,000,000, to remain
21 available until September 30, 2027: *Provided*, That of
22 such amount, \$8,000,000 shall be available until Sep-
23 tember 30, 2027, for program direction.

1 cess amounts shall be credited as offsetting collections
2 under this heading and available in future fiscal years only
3 to the extent provided in advance in appropriations Acts:
4 *Provided further*, That the sum herein appropriated from
5 the general fund shall be reduced (1) as such fees are re-
6 ceived during fiscal year 2026 (estimated at
7 \$240,000,000) and (2) to the extent that any remaining
8 general fund appropriations can be derived from fees col-
9 lected in previous fiscal years that are not otherwise ap-
10 propriated, so as to result in a final fiscal year 2026 ap-
11 propriation from the general fund estimated at \$0: *Pro-*
12 *vided further*, That the Department of Energy shall not
13 subordinate any loan obligation to other financing in viola-
14 tion of section 1702 of the Energy Policy Act of 2005 or
15 subordinate any Guaranteed Obligation to any loan or
16 other debt obligations in violation of section 609.8 of title
17 10, Code of Federal Regulations.

18 ADVANCED TECHNOLOGY VEHICLES MANUFACTURING

19 LOAN PROGRAM

20 For Department of Energy administrative expenses
21 necessary in carrying out the Advanced Technology Vehi-
22 cles Manufacturing Loan Program, \$9,500,000, to remain
23 available until September 30, 2027.

1 TRIBAL ENERGY LOAN GUARANTEE PROGRAM

2 For Department of Energy administrative expenses
3 necessary in carrying out the Tribal Energy Loan Guar-
4 antee Program, \$6,300,000, to remain available until Sep-
5 tember 30, 2027.

6 INDIAN ENERGY POLICY AND PROGRAMS

7 For necessary expenses for Indian Energy activities
8 in carrying out the purposes of the Department of Energy
9 Organization Act (42 U.S.C. 7101 et seq.), \$65,000,000,
10 to remain available until expended: *Provided*, That of the
11 amount appropriated under this heading, \$12,000,000
12 shall be available until September 30, 2027, for program
13 direction.

14 DEPARTMENTAL ADMINISTRATION

15 For salaries and expenses of the Department of En-
16 ergy necessary for departmental administration in car-
17 rying out the purposes of the Department of Energy Orga-
18 nization Act (42 U.S.C. 7101 et seq.), \$294,876,000, to
19 remain available until September 30, 2027, including the
20 hire of passenger motor vehicles and official reception and
21 representation expenses not to exceed \$30,000, plus such
22 additional amounts as necessary to cover increases in the
23 estimated amount of cost of work for others notwith-
24 standing the provisions of the Anti-Deficiency Act (31
25 U.S.C. 1511 et seq.): *Provided*, That such increases in cost

1 of work are offset by revenue increases of the same or
2 greater amount: *Provided further*, That moneys received
3 by the Department for miscellaneous revenues estimated
4 to total \$100,578,000 in fiscal year 2026 may be retained
5 and used for operating expenses within this account, as
6 authorized by section 201 of Public Law 95–238, notwith-
7 standing the provisions of 31 U.S.C. 3302: *Provided fur-*
8 *ther*, That the sum herein appropriated shall be reduced
9 as collections are received during the fiscal year so as to
10 result in a final fiscal year 2026 appropriation from the
11 general fund estimated at not more than \$194,298,000.

12 OFFICE OF THE INSPECTOR GENERAL

13 For expenses necessary for the Office of the Inspector
14 General in carrying out the provisions of the Inspector
15 General Act of 1978, \$90,000,000, to remain available
16 until September 30, 2027.

17 ATOMIC ENERGY DEFENSE ACTIVITIES

18 NATIONAL NUCLEAR SECURITY

19 ADMINISTRATION

20 WEAPONS ACTIVITIES

21 For Department of Energy expenses, including the
22 purchase, construction, and acquisition of plant and cap-
23 ital equipment and other incidental expenses necessary for
24 atomic energy defense weapons activities in carrying out
25 the purposes of the Department of Energy Organization

1 Act (42 U.S.C. 7101 et seq.), including the acquisition or
2 condemnation of any real property or any facility or for
3 plant or facility acquisition, construction, or expansion,
4 and the purchase of one electric bus, \$20,074,400,000, to
5 remain available until expended: *Provided*, That of such
6 amount, \$149,244,000 shall be available until September
7 30, 2027, for program direction.

8 DEFENSE NUCLEAR NONPROLIFERATION

9 For Department of Energy expenses, including the
10 purchase, construction, and acquisition of plant and cap-
11 ital equipment and other incidental expenses necessary for
12 defense nuclear nonproliferation activities, in carrying out
13 the purposes of the Department of Energy Organization
14 Act (42 U.S.C. 7101 et seq.), including the acquisition or
15 condemnation of any real property or any facility or for
16 plant or facility acquisition, construction, or expansion,
17 \$2,431,007,000, to remain available until expended.

18 NAVAL REACTORS

19 (INCLUDING TRANSFER OF FUNDS)

20 For Department of Energy expenses necessary for
21 naval reactors activities to carry out the Department of
22 Energy Organization Act (42 U.S.C. 7101 et seq.), includ-
23 ing the acquisition (by purchase, condemnation, construc-
24 tion, or otherwise) of real property, plant, and capital
25 equipment, facilities, and facility expansion,

1 \$1,965,968,000, to remain available until expended, of
2 which \$96,740,000 shall be transferred to “Department
3 of Energy—Energy Programs—Nuclear Energy” for the
4 Advanced Test Reactor: *Provided*, That of the amounts
5 provided under this heading, \$61,540,000 shall be avail-
6 able until September 30, 2027, for program direction.

7 FEDERAL SALARIES AND EXPENSES

8 For expenses necessary for Federal Salaries and Ex-
9 penses in the National Nuclear Security Administration,
10 \$542,000,000, to remain available until September 30,
11 2027, including official reception and representation ex-
12 penses not to exceed \$17,000.

13 ENVIRONMENTAL AND OTHER DEFENSE

14 ACTIVITIES

15 DEFENSE ENVIRONMENTAL CLEANUP

16 For Department of Energy expenses, including the
17 purchase, construction, and acquisition of plant and cap-
18 ital equipment and other expenses necessary for atomic
19 energy defense environmental cleanup activities in car-
20 rying out the purposes of the Department of Energy Orga-
21 nization Act (42 U.S.C. 7101 et seq.), including the acqui-
22 sition or condemnation of any real property or any facility
23 or for plant or facility acquisition, construction, or expan-
24 sion, \$7,627,779,000, to remain available until expended:

1 *Provided*, That of such amount, \$312,818,000 shall be
2 available until September 30, 2027, for program direction.

3 DEFENSE URANIUM ENRICHMENT DECONTAMINATION
4 AND DECOMMISSIONING
5 (INCLUDING TRANSFER OF FUNDS)

6 For an additional amount for atomic energy defense
7 environmental cleanup activities for Department of En-
8 ergy contributions for uranium enrichment decontamina-
9 tion and decommissioning activities, \$279,667,000, to be
10 deposited into the Defense Environmental Cleanup ac-
11 count, which shall be transferred to the “Uranium Enrich-
12 ment Decontamination and Decommissioning Fund”.

13 OTHER DEFENSE ACTIVITIES

14 For Department of Energy expenses, including the
15 purchase, construction, and acquisition of plant and cap-
16 ital equipment and other expenses, necessary for atomic
17 energy defense, other defense activities, and classified ac-
18 tivities, in carrying out the purposes of the Department
19 of Energy Organization Act (42 U.S.C. 7101 et seq.), in-
20 cluding the acquisition or condemnation of any real prop-
21 erty or any facility or for plant or facility acquisition, con-
22 struction, or expansion, \$1,169,179,000, to remain avail-
23 able until expended: *Provided*, That of such amount,
24 \$380,583,000 shall be available until September 30, 2027,
25 for program direction.

1 POWER MARKETING ADMINISTRATIONS

2 BONNEVILLE POWER ADMINISTRATION FUND

3 Expenditures from the Bonneville Power Administra-
4 tion Fund, established pursuant to Public Law 93–454,
5 are approved for: the Rocky Reach Kelt Facility, the
6 Colville Acclimation Building Enclosures, the Colville
7 Tribes Resident Fish Hatchery Expansion, the Chief Jo-
8 seph Hatchery Water Quality Project, and the Umatilla
9 Hatchery Facility and Acclimation Facilities: *Provided*,
10 That expenditures are also approved for official reception
11 and representation expenses in an amount not to exceed
12 \$5,000: *Provided further*, That during fiscal year 2026,
13 no new direct loan obligations may be made.

14 OPERATION AND MAINTENANCE, SOUTHEASTERN POWER
15 ADMINISTRATION

16 For expenses necessary for operation and mainte-
17 nance of power transmission facilities and for marketing
18 electric power and energy, including transmission wheeling
19 and ancillary services, pursuant to section 5 of the Flood
20 Control Act of 1944 (16 U.S.C. 825s), as applied to the
21 southeastern power area, \$9,285,000, including official re-
22 ception and representation expenses in an amount not to
23 exceed \$1,500, to remain available until expended: *Pro-*
24 *vided*, That notwithstanding 31 U.S.C. 3302 and section
25 5 of the Flood Control Act of 1944, up to \$9,285,000 col-

1 lected by the Southeastern Power Administration from the
2 sale of power and related services shall be credited to this
3 account as discretionary offsetting collections, to remain
4 available until expended for the sole purpose of funding
5 the annual expenses of the Southeastern Power Adminis-
6 tration: *Provided further*, That the sum herein appro-
7 priated for annual expenses shall be reduced as collections
8 are received during the fiscal year so as to result in a final
9 fiscal year 2026 appropriation estimated at not more than
10 \$0: *Provided further*, That notwithstanding 31 U.S.C.
11 3302, up to \$81,819,000 collected by the Southeastern
12 Power Administration pursuant to the Flood Control Act
13 of 1944 to recover purchase power and wheeling expenses
14 shall be credited to this account as offsetting collections,
15 to remain available until expended for the sole purpose
16 of making purchase power and wheeling expenditures:
17 *Provided further*, That for purposes of this appropriation,
18 annual expenses means expenditures that are generally re-
19 covered in the same year that they are incurred (excluding
20 purchase power and wheeling expenses).

21 OPERATION AND MAINTENANCE, SOUTHWESTERN

22 POWER ADMINISTRATION

23 For expenses necessary for operation and mainte-
24 nance of power transmission facilities and for marketing
25 electric power and energy, for construction and acquisition

1 of transmission lines, substations and appurtenant faci-
2 ties, and for administrative expenses, including official re-
3 ception and representation expenses in an amount not to
4 exceed \$1,500 in carrying out section 5 of the Flood Con-
5 trol Act of 1944 (16 U.S.C. 825s), as applied to the
6 Southwestern Power Administration, \$59,766,000, to re-
7 main available until expended: *Provided*, That notwith-
8 standing 31 U.S.C. 3302 and section 5 of the Flood Con-
9 trol Act of 1944 (16 U.S.C. 825s), up to \$49,366,000 col-
10 lected by the Southwestern Power Administration from
11 the sale of power and related services shall be credited to
12 this account as discretionary offsetting collections, to re-
13 main available until expended, for the sole purpose of
14 funding the annual expenses of the Southwestern Power
15 Administration: *Provided further*, That the sum herein ap-
16 propriated for annual expenses shall be reduced as collec-
17 tions are received during the fiscal year so as to result
18 in a final fiscal year 2026 appropriation estimated at not
19 more than \$10,400,000: *Provided further*, That notwith-
20 standing 31 U.S.C. 3302, up to \$80,000,000 collected by
21 the Southwestern Power Administration pursuant to the
22 Flood Control Act of 1944 to recover purchase power and
23 wheeling expenses shall be credited to this account as off-
24 setting collections, to remain available until expended for
25 the sole purpose of making purchase power and wheeling

1 expenditures: *Provided further*, That for purposes of this
2 appropriation, annual expenses means expenditures that
3 are generally recovered in the same year that they are in-
4 curred (excluding purchase power and wheeling expenses).

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

8 For carrying out the functions authorized by title III,
9 section 302(a)(1)(E) of the Act of August 4, 1977 (42
10 U.S.C. 7152), and other related activities including con-
11 servation and renewable resources programs as author-
12 ized, \$311,035,000, including official reception and rep-
13 resentation expenses in an amount not to exceed \$1,500,
14 to remain available until expended, of which \$311,035,000
15 shall be derived from the Department of the Interior Rec-
16 lamation Fund: *Provided*, That notwithstanding 31 U.S.C.
17 3302, section 5 of the Flood Control Act of 1944 (16
18 U.S.C. 825s), and section 1 of the Interior Department
19 Appropriation Act, 1939 (43 U.S.C. 392a), up to
20 \$247,663,000 collected by the Western Area Power Ad-
21 ministration from the sale of power and related services
22 shall be credited to this account as discretionary offsetting
23 collections, to remain available until expended, for the sole
24 purpose of funding the annual expenses of the Western
25 Area Power Administration: *Provided further*, That the

1 sum herein appropriated for annual expenses shall be re-
2 duced as collections are received during the fiscal year so
3 as to result in a final fiscal year 2026 appropriation esti-
4 mated at not more than \$63,372,000, of which
5 \$63,372,000 is derived from the Reclamation Fund: *Pro-*
6 *vided further*, That notwithstanding 31 U.S.C. 3302, up
7 to \$475,000,000 collected by the Western Area Power Ad-
8 ministration pursuant to the Flood Control Act of 1944
9 and the Reclamation Project Act of 1939 to recover pur-
10 chase power and wheeling expenses shall be credited to
11 this account as offsetting collections, to remain available
12 until expended for the sole purpose of making purchase
13 power and wheeling expenditures: *Provided further*, That
14 for purposes of this appropriation, annual expenses means
15 expenditures that are generally recovered in the same year
16 that they are incurred (excluding purchase power and
17 wheeling expenses).

18 FALCON AND AMISTAD OPERATING AND MAINTENANCE

19 FUND

20 For operation, maintenance, and emergency costs for
21 the hydroelectric facilities at the Falcon and Amistad
22 Dams, \$6,510,000, to remain available until expended,
23 and to be derived from the Falcon and Amistad Operating
24 and Maintenance Fund of the Western Area Power Ad-
25 ministration, as provided in section 2 of the Act of June

1 18, 1954 (68 Stat. 255): *Provided*, That notwithstanding
2 the provisions of that Act and of 31 U.S.C. 3302, up to
3 \$6,282,000 collected by the Western Area Power Adminis-
4 tration from the sale of power and related services from
5 the Falcon and Amistad Dams shall be credited to this
6 account as discretionary offsetting collections, to remain
7 available until expended for the sole purpose of funding
8 the annual expenses of the hydroelectric facilities of these
9 Dams and associated Western Area Power Administration
10 activities: *Provided further*, That the sum herein appro-
11 priated for annual expenses shall be reduced as collections
12 are received during the fiscal year so as to result in a final
13 fiscal year 2026 appropriation estimated at not more than
14 \$228,000: *Provided further*, That for purposes of this ap-
15 propriation, annual expenses means expenditures that are
16 generally recovered in the same year that they are in-
17 curred: *Provided further*, That for fiscal year 2026, the
18 Administrator of the Western Area Power Administration
19 may accept up to \$1,072,000 in funds contributed by
20 United States power customers of the Falcon and Amistad
21 Dams for deposit into the Falcon and Amistad Operating
22 and Maintenance Fund, and such funds shall be available
23 for the purpose for which contributed in like manner as
24 if said sums had been specifically appropriated for such
25 purpose: *Provided further*, That any such funds shall be

1 available without further appropriation and without fiscal
2 year limitation for use by the Commissioner of the United
3 States Section of the International Boundary and Water
4 Commission for the sole purpose of operating, maintain-
5 ing, repairing, rehabilitating, replacing, or upgrading the
6 hydroelectric facilities at these Dams in accordance with
7 agreements reached between the Administrator, Commis-
8 sioner, and the power customers.

9 FEDERAL ENERGY REGULATORY COMMISSION

10 SALARIES AND EXPENSES

11 For expenses necessary for the Federal Energy Regu-
12 latory Commission to carry out the provisions of the De-
13 partment of Energy Organization Act (42 U.S.C. 7101 et
14 seq.), including services as authorized by 5 U.S.C. 3109,
15 official reception and representation expenses not to ex-
16 ceed \$3,000, and the hire of passenger motor vehicles,
17 \$520,000,000, to remain available until expended: *Pro-*
18 *vided*, That notwithstanding any other provision of law,
19 not to exceed \$520,000,000 of revenues from fees and an-
20 nual charges, and other services and collections in fiscal
21 year 2026 shall be retained and used for expenses nec-
22 essary in this account, and shall remain available until ex-
23 pended: *Provided further*, That the sum herein appro-
24 priated from the general fund shall be reduced as revenues
25 are received during fiscal year 2026 so as to result in a

1 final fiscal year 2026 appropriation from the general fund
2 estimated at not more than \$0.

3 GENERAL PROVISIONS—DEPARTMENT OF
4 ENERGY

5 (INCLUDING TRANSFERS OF FUNDS)

6 SEC. 301. (a) No appropriation, funds, or authority
7 made available by this title for the Department of Energy
8 shall be used to initiate or resume any program, project,
9 or activity or to prepare or initiate Requests For Proposals
10 or similar arrangements (including Requests for
11 Quotations, Requests for Information, and Funding Op-
12 portunity Announcements) for a program, project, or ac-
13 tivity if the program, project, or activity has not been
14 funded by Congress.

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

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

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

1 (C) provide nonoperational funding through a
2 competition restricted only to Department of Energy
3 National Laboratories totaling \$1,000,000 or more;

4 (D) provide nonoperational funding directly to a
5 Department of Energy National Laboratory totaling
6 \$25,000,000 or more;

7 (E) deobligate funds from an allocation, award,
8 Agreement;

9 (F) cancel a previously-announced allocation,
10 award, Agreement;

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

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

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

23 (3) The notification required by paragraph (1) and
24 the report required by paragraph (2) shall include the re-
25 cipient of the award, the amount of the award, the fiscal

1 year for which the funds for the award were appropriated,
2 the account and program, project, or activity from which
3 the funds are being drawn, the title of the award, and
4 a brief description of the activity for which the award is
5 made.

6 (4) Unless the Secretary of Energy notifies the Com-
7 mittees on Appropriations of both Houses of Congress at
8 least 30 full business days in advance, none of the funds
9 made available in this title may be used to—

10 (A) create new programs;

11 (B) suspend or eliminate a program, project, or
12 activity;

13 (C) create, close, reorganize, downsize, or re-
14 name programs or offices.

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

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

24 (2) the contract, grant, or cooperative agree-
25 ment includes a clause conditioning the Federal Gov-

1 ernment’s obligation on the availability of future
2 year budget authority and the Secretary notifies the
3 Committees on Appropriations of both Houses of
4 Congress at least 3 days in advance.

5 (d) Except as provided in subsections (e), (f), and (g),
6 the amounts made available by this title shall be expended
7 as authorized by law for the programs, projects, and ac-
8 tivities, and in the amounts, specified in the “Committee
9 Recommendation” column in the “Department of Energy”
10 table included under the heading “Title III—Department
11 of Energy” in the report accompanying this Act.

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

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

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

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

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

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

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

20 (h) The unexpended balances of prior appropriations
21 provided for activities in this Act may be available to the
22 same appropriation accounts for such activities established
23 pursuant to this title. Available balances may be merged
24 with funds in the applicable established accounts and

1 thereafter may be accounted for as one fund for the same
2 time period as originally enacted.

3 SEC. 302. Funds appropriated by this or any other
4 Act, or made available by the transfer of funds in this
5 Act, for intelligence activities are deemed to be specifically
6 authorized by the Congress for purposes of section 504
7 of the National Security Act of 1947 (50 U.S.C. 3094)
8 during fiscal year 2026 until the enactment of the Intel-
9 ligence Authorization Act for fiscal year 2026.

10 SEC. 303. Of the list of specific programs, projects,
11 and activities (and the dollar amounts) contained in the
12 classified annex accompanying this Act are hereby re-
13 quired by law to be carried out in the manner provided
14 by such tables to the same extent as the tables incor-
15 porated under section 301(d) of this Act.

16 SEC. 304. Of the unobligated balances from prior
17 year appropriations made available to the Department of
18 Energy under the heading “Atomic Energy Defense Ac-
19 tivities—National Nuclear Security Administration—De-
20 fense Nuclear Nonproliferation”, \$39,000,000 are hereby
21 permanently rescinded: *Provided*, That no amounts may
22 be rescinded from amounts that were previously des-
23 ignated by the Congress as an emergency requirement
24 pursuant to a concurrent resolution on the budget or the

1 Balanced Budget and Emergency Deficit Control Act of
2 1985.

3 SEC. 305. None of the funds made available in this
4 title shall be used for the construction of facilities classi-
5 fied as high-hazard nuclear facilities under 10 CFR Part
6 830 unless independent oversight is conducted by the Of-
7 fice of Enterprise Assessments to ensure the project is in
8 compliance with nuclear safety requirements.

9 SEC. 306. None of the funds made available in this
10 title may be used to approve critical decision-2 or critical
11 decision-3 under Department of Energy Order 413.3B,
12 or any successive departmental guidance, for construction
13 projects where the total project cost exceeds
14 \$100,000,000, until a separate independent cost estimate
15 has been developed for the project for that critical deci-
16 sion.

17 SEC. 307. None of the funds made available in this
18 title may be used to support a grant allocation award, dis-
19 cretionary grant award, research and demonstration or co-
20 operative agreement that exceeds \$100,000,000 in Federal
21 funding unless the award, demonstration, or agreement is
22 carried out through internal independent project manage-
23 ment procedures.

24 SEC. 308. No funds shall be transferred directly from
25 “Department of Energy—Power Marketing Administra-

1 tion—Colorado River Basins Power Marketing Fund,
2 Western Area Power Administration” to the general fund
3 of the Treasury in the current fiscal year.

4 SEC. 309. Of the unobligated balances from amounts
5 previously appropriated to the Department of Energy in
6 division J of the Infrastructure Investment and Jobs Act
7 (Public Law 117–58), the following funds shall be
8 repurposed or transferred to “Department of Energy—
9 Energy Programs—Nuclear Energy” from the following
10 programs in the specified amounts:

11 (1) \$900,000,000 from amounts previously ap-
12 propriated under the heading “Department of En-
13 ergy—Energy Programs—Nuclear Energy”; and

14 (2) \$1,500,000,000 from amounts previously
15 appropriated under the heading “Department of En-
16 ergy—Energy Programs—Carbon Dioxide Transpor-
17 tation Infrastructure Finance and Innovation Pro-
18 gram Account”:

19 *Provided*, That such amounts shall be available, in addi-
20 tion to amounts otherwise available, for the following pur-
21 poses:

22 (A) the two awards for demonstration projects
23 made prior to the date of enactment of this Act
24 under the heading “Advanced Reactor Demonstra-

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

3 (B) the two competitive awards for commercial
4 utility deployment projects, as authorized under sec-
5 tion 959A of the Energy Policy Act of 2005 (42
6 U.S.C. 16279a), and as referenced in section
7 311(1)(A) of division D of the Consolidated Appro-
8 priations Act, 2024 (Public Law 118–42), as amend-
9 ed by this Act;

10 (C) Risk Reduction for Future Generations, as
11 described under the heading “Advanced Reactor
12 Demonstration Program” in the explanatory state-
13 ment accompanying division C of the Further Con-
14 solidated Appropriations Act, 2020 (Public Law
15 116–94); and

16 (D) Advanced Nuclear Fuel Availability Pro-
17 gram:

18 *Provided further*, That amounts repurposed or transferred
19 pursuant to this section shall continue to be treated as
20 amounts specified in section 103(b) of division A of Public
21 Law 118–5.

22 SEC. 310. (a) DEFINITIONS.—In this section:

23 (1) AFFECTED INDIAN TRIBE.—The term “af-
24 fected Indian tribe” has the meaning given the term

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

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

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

11 (4) SECRETARY.—The term “Secretary” means
12 the Secretary of Energy.

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

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

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

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

5 (1) to obtain any license necessary from the
6 Nuclear Regulatory Commission for the construction
7 of one or more Federal consolidated storage facili-
8 ties;

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

12 (3) to demonstrate the safe storage of spent nu-
13 clear fuel and high-level radioactive waste, as appli-
14 cable, at the one or more consolidated storage facili-
15 ties pending the construction and operation of deep
16 geologic disposal capacity for the permanent disposal
17 of the spent nuclear fuel.

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

23 (1) the Governor of the State;

1 (2) each unit of local government within the ju-
2 risdiction of which the facility is proposed to be lo-
3 cated;

4 (3) each affected Indian tribe; and

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

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

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

12 (2) all other applicable laws (including regula-
13 tions).

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

16 (1) an estimate of the cost of licensing, con-
17 structing, and operating a consolidated storage facil-
18 ity, including the transportation costs, on an annual
19 basis, over the expected lifetime of the facility;

20 (2) a schedule for—

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

24 (B) constructing the facility;

1 (C) transporting spent fuel to the facility;

2 and

3 (D) removing the spent fuel and decom-
4 missioning the facility;

5 (3) an estimate of the cost of any financial as-
6 sistance, compensation, or incentives proposed to be
7 paid to the host State, Indian tribe, or local govern-
8 ment;

9 (4) an estimate of any future reductions in the
10 damages expected to be paid by the United States
11 for the delay of the Department of Energy in accept-
12 ing spent fuel expected to result from the program;

13 (5) recommendations for any additional legisla-
14 tion needed to authorize and implement the pro-
15 gram; and

16 (6) recommendations for a mechanism to en-
17 sure that any spent nuclear fuel or high-level radio-
18 active waste stored at a consolidated storage facility
19 pursuant to this section shall move to deep geologic
20 disposal capacity, following a consent-based approval
21 process for that deep geologic disposal capacity con-
22 sistent with subsection (d), within a reasonable time
23 after the issuance of a license to construct and oper-
24 ate the consolidated storage facility.

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

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

11 SEC. 311. Funds made available in this title under
12 the headings “Energy Efficiency and Renewable Energy”,
13 “Electricity”, “Fossil Energy”, “Cybersecurity, Energy
14 Security, and Emergency Response”, “Manufacturing and
15 Energy Supply Chains”, and “Science” that are allocated
16 for the purposes of section 9 of the Small Business Act,
17 as amended (15 U.S.C. 638), including for Small Business
18 Innovation Research and Small Business Technology
19 Transfer activities, or for the purposes of section 1001 of
20 the Energy Policy Act of 2005, as amended (42 U.S.C.
21 16391), for Technology Commercialization Fund activi-
22 ties, may be reprogrammed within each account without
23 being subject to the restrictions in section 301 of this title:
24 *Provided*, That the administration and selection of awards
25 pursuant to such sections will be in coordination with the

1 offices that oversee the appropriations accounts to which
2 the relevant funding was originally appropriated.

3 SEC. 312. Section 15(g)(3) of Public Law 85–536
4 (15 U.S.C. 644(g)(3)) is further amended by inserting
5 “and by site support prime contractors at the National
6 Energy Technology Laboratory” following “Department
7 of Energy”.

8 SEC. 313. Section 4(c)(10)(B) of the Pacific North-
9 west Electric Power Planning and Conservation Act (16
10 U.S.C. 839b(c)(10)(B)) is amended by striking the period
11 at the end and inserting “, adjusted for inflation.”.

12 SEC. 314. Of the unobligated balances from amounts
13 previously appropriated under the heading “Department
14 of Energy—Energy Programs—Office of Clean Energy
15 Demonstrations” in division J of the Infrastructure In-
16 vestment and Jobs Act (Public Law 117–58) that were
17 provided to implement section 813 of the Energy Policy
18 Act of 2005 (42 U.S.C. 16151 et seq.), \$75,000,000 shall
19 be transferred, notwithstanding any other requirement
20 and regardless of project purpose, to “Department of En-
21 ergy—Energy Programs—Grid Deployment” and, in ad-
22 dition to amounts otherwise available, shall be available
23 for necessary expenses to carry out a program to enhance
24 the domestic supply chain for the manufacture of distribu-
25 tion and power transformers, components, and materials,

1 and electric grid components, including financial assist-
2 ance, technical assistance, and competitive awards for pro-
3 curement and acquisition: *Provided*, That amounts trans-
4 ferred pursuant to this section shall continue to be treated
5 as amounts specified in section 103(b) of division A of
6 Public Law 118–5.

7 SEC. 315. In making Federal financial assistance, the
8 Department of Energy shall continue to apply the indirect
9 cost rate to the same extent and in the same manner as
10 was applied in fiscal year 2024: *Provided*, None of the
11 funds appropriated in this or prior Acts or otherwise made
12 available to the Department of Energy may be used to
13 develop, modify, or implement changes to such negotiated
14 indirect cost rates.

15 SEC. 316. (a) Prior to issuing any termination notice
16 of any discretionary award, as defined by section 200.1
17 of title 2, Code of Federal Regulations, solely under the
18 authority provided in section 200.340(a)(4) of title 2,
19 Code of Federal Regulations, the Secretary of the Depart-
20 ment of Energy shall provide written notification to the
21 House and Senate Committees on Appropriations and the
22 discretionary award recipient.

23 (b) Any such written notification shall be provided
24 to the recipients not less than 120 days prior to the effec-
25 tive date of any proposed termination, of which not less

1 than 90 days shall be provided to restructure or re-scope
2 the discretionary award to better effectuate program goals
3 or agency priorities, as determined by the Secretary: *Pro-*
4 *vided*, That the recipients shall continue to receive dis-
5 bursements for valid obligations during the period pro-
6 vided to restructure or re-scope the discretionary award.

7 (c) If a recipient is unable to restructure or re-scope
8 the discretionary award subject to subsection (b) as deter-
9 mined by the Secretary and the discretionary award is
10 subsequently terminated, the Department should first
11 prioritize any eligible and qualified applications received
12 from such entities in response to the next available notice
13 of funding opportunity for the relevant program.

14 (d) The Secretary shall meet all notification of termi-
15 nation requirements under section 200.341 of title 2, Code
16 of Federal Regulations.

17 (e) The requirements under this section shall only
18 apply to discretionary awards from funds made avail-
19 able—

20 (1) by this Act;

21 (2) by prior Energy and Water Development,
22 and Related Agencies Appropriations Acts, except
23 for amounts previously designated by the Congress
24 as an emergency or disaster relief requirement pur-
25 suant to a concurrent resolution on the budget or

1 the Balanced Budget and Emergency Deficit Control
2 Act of 1985; and

3 (3) in title III of division J of the Infrastruc-
4 ture Investment and Jobs Act (Public Law 117–58):
5 *Provided*, That this section shall not apply to discre-
6 tionary award announcements or awards publicly
7 awarded after November 1, 2024: *Provided further*,
8 That this section shall not apply to any non-discre-
9 tionary awards, as defined by section 200.1 of title
10 2, Code of Federal Regulations.

11 (f) Amounts repurposed pursuant to this section shall
12 continue to be treated as amounts specified in section
13 103(b) of division A of Public Law 118–5.

1 TITLE IV
2 INDEPENDENT AGENCIES
3 APPALACHIAN REGIONAL COMMISSION

4 For expenses necessary to carry out the programs au-
5 thorized by the Appalachian Regional Development Act of
6 1965, as amended, and for expenses necessary for the
7 Federal Co-Chairman and the Alternate on the Appa-
8 lachian Regional Commission, for payment of the Federal
9 share of the administrative expenses of the Commission,
10 including services as authorized by 5 U.S.C. 3109, and
11 hire of passenger motor vehicles, \$200,000,000, to remain
12 available until expended.

13 DEFENSE NUCLEAR FACILITIES SAFETY BOARD
14 SALARIES AND EXPENSES

15 For expenses necessary for the Defense Nuclear Fa-
16 cilities Safety Board in carrying out activities authorized
17 by the Atomic Energy Act of 1954, as amended by Public
18 Law 100–456, section 1441, \$42,000,000, to remain
19 available until September 30, 2027, of which not to exceed
20 \$1,000 shall be available for official reception and rep-
21 resentation expenses.

22 DELTA REGIONAL AUTHORITY
23 SALARIES AND EXPENSES

24 For expenses necessary for the Delta Regional Au-
25 thority and to carry out its activities, as authorized by

1 the Delta Regional Authority Act of 2000, notwith-
2 standing sections 382F(d), 382M, and 382N of said Act,
3 \$31,100,000, to remain available until expended.

4 DENALI COMMISSION

5 For expenses necessary for the Denali Commission
6 including the purchase, construction, and acquisition of
7 plant and capital equipment as necessary and other ex-
8 penses, \$20,000,000, to remain available until expended,
9 notwithstanding the limitations contained in section
10 306(g) of the Denali Commission Act of 1998: *Provided*,
11 That funds shall be available for construction projects for
12 which the Denali Commission is the sole or primary fund-
13 ing source in an amount not to exceed 90 percent of total
14 project cost for distressed communities, as defined by such
15 section and by section 701 of appendix D, title VII, Public
16 Law 106–113 (113 Stat. 1501A–280), and for Indian
17 Tribes, as defined by section 5304(e) of title 25, United
18 States Code, and in an amount not to exceed 50 percent
19 for non-distressed communities: *Provided further*, That
20 notwithstanding any other provision of law regarding pay-
21 ment of a non-Federal share in connection with a grant-
22 in-aid program, amounts under this heading shall be avail-
23 able for the payment of such a non-Federal share for any
24 project for which the Denali Commission is not the sole

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

3 NORTHERN BORDER REGIONAL COMMISSION

4 For expenses necessary for the Northern Border Re-
5 gional Commission in carrying out activities authorized by
6 subtitle V of title 40, United States Code, \$46,000,000,
7 to remain available until expended: *Provided*, That such
8 amounts shall be available for administrative expenses,
9 notwithstanding section 15751(b) of title 40, United
10 States Code.

11 NORTHWEST REGIONAL COMMISSION

12 For expenses necessary for the Northwest Regional
13 Commission located in Washington, Oregon, and Idaho
14 carrying out activities authorized by subtitle V of title 40,
15 United States Code, \$2,500,000, to remain available until
16 expended: *Provided*, That such amounts shall be available
17 for administrative expenses, notwithstanding section
18 15751(b) of title 40, United States Code.

19 SOUTHEAST CRESCENT REGIONAL COMMISSION

20 For expenses necessary for the Southeast Crescent
21 Regional Commission in carrying out activities authorized
22 by subtitle V of title 40, United States Code, \$20,000,000,
23 to remain available until expended.

1 SOUTHWEST BORDER REGIONAL COMMISSION

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

6 GREAT LAKES AUTHORITY

7 For expenses necessary for the Great Lakes Author-
8 ity in carrying out activities authorized by subtitle V of
9 title 40, United States Code, \$5,000,000, to remain avail-
10 able until expended.

11 NUCLEAR REGULATORY COMMISSION

12 SALARIES AND EXPENSES

13 For expenses necessary for the Commission in car-
14 rying out the purposes of the Energy Reorganization Act
15 of 1974 and the Atomic Energy Act of 1954,
16 \$952,700,000, including official representation expenses
17 not to exceed \$30,000, to remain available until expended:
18 *Provided*, That of the amount appropriated herein, not
19 more than \$11,494,000 may be made available for sala-
20 ries, travel, and other support costs for the Office of the
21 Commission, to remain available until September 30,
22 2027: *Provided further*, That revenues from licensing fees,
23 inspection services, and other services and collections esti-
24 mated at \$804,509,977 in fiscal year 2026 shall be re-
25 tained and used for necessary salaries and expenses in this

1 account, notwithstanding 31 U.S.C. 3302, and shall re-
2 main available until expended: *Provided further*, That the
3 sum herein appropriated shall be reduced by the amount
4 of revenues received during fiscal year 2026 so as to result
5 in a final fiscal year 2026 appropriation estimated at not
6 more than \$148,190,023.

7 OFFICE OF INSPECTOR GENERAL

8 For expenses necessary for the Office of Inspector
9 General in carrying out the provisions of the Inspector
10 General Act of 1978, \$18,795,000, to remain available
11 until September 30, 2027: *Provided*, That revenues from
12 licensing fees, inspection services, and other services and
13 collections estimated at \$14,885,000 in fiscal year 2026
14 shall be retained and be available until September 30,
15 2027, for necessary salaries and expenses in this account,
16 notwithstanding section 3302 of title 31, United States
17 Code: *Provided further*, That the sum herein appropriated
18 shall be reduced by the amount of revenues received dur-
19 ing fiscal year 2026 so as to result in a final fiscal year
20 2026 appropriation estimated at not more than
21 \$3,910,000: *Provided further*, That of the amounts appro-
22 priated under this heading, \$1,572,000 shall be for In-
23 spector General services for the Defense Nuclear Facilities
24 Safety Board.

1 NUCLEAR WASTE TECHNICAL REVIEW BOARD

2 SALARIES AND EXPENSES

3 For expenses necessary for the Nuclear Waste Tech-
4 nical Review Board, as authorized by Public Law 100–
5 203, section 5051, \$4,000,000, to be derived from the Nu-
6 clear Waste Fund, to remain available until September 30,
7 2027.

8 GENERAL PROVISIONS—INDEPENDENT

9 AGENCIES

10 SEC. 401. The Nuclear Regulatory Commission shall
11 comply with the July 5, 2011, version of Chapter VI of
12 its Internal Commission Procedures when responding to
13 Congressional requests for information, consistent with
14 Department of Justice guidance for all Federal agencies.

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

24 (b)(1) The Nuclear Regulatory Commission may
25 waive the notification requirement in subsection (a) if

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

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

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

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

24 (e) The Commission shall provide a monthly report
25 to the Committees on Appropriations of both Houses of

1 Congress, which includes the following for each program,
2 project, or activity, including any prior year appropria-
3 tions—

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

1 TITLE V
2 GENERAL PROVISIONS
3 (INCLUDING TRANSFER OF FUNDS)

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

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

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

1 erenced in the report accompanying this Act, or any au-
2 thority whereby a department, agency, or instrumentality
3 of the United States Government may provide goods or
4 services to another department, agency, or instrumen-
5 tality.

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

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

23 (b) Nothing in subsection (a) shall limit the use of
24 funds necessary for any Federal, State, Tribal, or local
25 law enforcement agency or any other entity carrying out

1 criminal investigations, prosecution, or adjudication activi-
2 ties.

3 SEC. 504. Funds made available in this Act shall be
4 allocated solely in accordance with the provisions of this
5 Act and the report and tables accompanying this Act.

6 SEC. 505. The Nuclear Regulatory Commission, Fed-
7 eral Energy Regulatory Commission, Regional Commis-
8 sions, and other independent agencies in this Act must
9 provide two days notice to the Committees on Appropria-
10 tions of both Houses of Congress prior to the termination
11 of any commissioner or agency head.

12 This Act may be cited as the “Energy and Water De-
13 velopment and Related Agencies Appropriations Act,
14 2026”.