1	URANIUM ENRICHMENT DECONTAMINATION AND
2	Decommissioning Fund
3	For Department of Energy expenses necessary in car-
4	rying out uranium enrichment facility decontamination
5	$and\ decommissioning,\ remedial\ actions,\ and\ other\ activities$
6	of title II of the Atomic Energy Act of 1954, and title X,
7	subtitle A, of the Energy Policy Act of 1992, \$614,000,000,
8	to be derived from the Uranium Enrichment Decontamina-
9	tion and Decommissioning Fund, to remain available until
0	expended, of which \$32,959,000 shall be available in accord-
11	ance with title X, subtitle A, of the Energy Policy Act of
12	1992.
13	SCIENCE
	SCIENCE For Department of Energy expenses including the pur-
14	
13 14 15 16	For Department of Energy expenses including the pur-
14 15 16	For Department of Energy expenses including the pur- chase, construction, and acquisition of plant and capital equipment, and other expenses necessary for science activi-
14 15 16 17	For Department of Energy expenses including the pur- chase, construction, and acquisition of plant and capital equipment, and other expenses necessary for science activi-
14 15 16 17	For Department of Energy expenses including the purchase, construction, and acquisition of plant and capital equipment, and other expenses necessary for science activities in carrying out the purposes of the Department of En-
14 15 16 17 18	For Department of Energy expenses including the purchase, construction, and acquisition of plant and capital equipment, and other expenses necessary for science activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including
14 15 16 17 18 19 20	For Department of Energy expenses including the purchase, construction, and acquisition of plant and capital equipment, and other expenses necessary for science activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or
14 15 16 17 18 19 20 21	For Department of Energy expenses including the purchase, construction, and acquisition of plant and capital equipment, and other expenses necessary for science activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or facility or for plant or facility acquisition, construction, or
14 15 16 17 18 19 20 21	For Department of Energy expenses including the purchase, construction, and acquisition of plant and capital equipment, and other expenses necessary for science activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or facility or for plant or facility acquisition, construction, or expansion, and purchase of not more than 17 passenger

- 1 \$185,000,000 shall be available until September 30, 2017,
- 2 for program direction.
- 3 Advanced Research Projects Agency—Energy
- 4 For Department of Energy expenses necessary in car-
- 5 rying out the activities authorized by section 5012 of the
- 6 America COMPETES Act (Public Law 110-69),
- 7 \$291,000,000, to remain available until expended: Pro-
- 8 vided, That, of such amount, \$28,000,000 shall be available
- 9 until September 30, 2017, for program direction.
- 10 Title 17 Innovative Technology Loan Guarantee
- 11 PROGRAM
- 12 Such sums as are derived from amounts received from
- 13 borrowers pursuant to section 1702(b) of the Energy Policy
- 14 Act of 2005 under this heading in prior Acts, shall be col-
- 15 lected in accordance with section 502(7) of the Congres-
- 16 sional Budget Act of 1974: Provided, That, for necessary
- 17 administrative expenses to carry out this Loan Guarantee
- 18 program, \$42,000,000 is appropriated, to remain available
- 19 until September 30, 2017: Provided further, That
- 20 \$25,000,000 of the fees collected pursuant to section 1702(h)
- 21 of the Energy Policy Act of 2005 shall be credited as offset-
- 22 ting collections to this account to cover administrative ex-
- 23 penses and shall remain available until expended, so as to
- 24 result in a final fiscal year 2016 appropriation from the
- 25 general fund estimated at not more than \$17,000,000: Pro-

- 1 vided further, That fees collected under section 1702(h) in
 2 excess of the amount appropriated for administrative ex-
- 3 penses shall not be available until appropriated: Provided
- 4 further, That the Department of Energy shall not subordi-
- 5 nate any loan obligation to other financing in violation of
- 6 section 1702 of the Energy Policy Act of 2005 or subordi-
- 7 nate any Guaranteed Obligation to any loan or other debt
- 8 obligations in violation of section 609.10 of title 10, Code
- 9 of Federal Regulations.
- 10 Advanced Technology Vehicles Manufacturing
- 11 LOAN PROGRAM
- 12 For Department of Energy administrative expenses
- 13 necessary in carrying out the Advanced Technology Vehicles
- 14 Manufacturing Loan Program, \$6,000,000, to remain
- 15 available until September 30, 2017.
- 16 DEPARTMENTAL ADMINISTRATION
- 17 For salaries and expenses of the Department of Energy
- 18 necessary for departmental administration in carrying out
- 19 the purposes of the Department of Energy Organization Act
- 20 (42 U.S.C. 7101 et seq.), \$248,142,000, to remain available
- 21 until September 30, 2017, including the hire of passenger
- 22 motor vehicles and official reception and representation ex-
- 23 penses not to exceed \$30,000, plus such additional amounts
- 24 as necessary to cover increases in the estimated amount of
- 25 cost of work for others notwithstanding the provisions of

1	the Anti-Deficiency Act (31 U.S.C. 1511 et seq.): Provided,
2	That such increases in cost of work are offset by revenue
3	increases of the same or greater amount: Provided further,
4	That moneys received by the Department for miscellaneous
5	revenues estimated to total \$117,171,000 in fiscal year 2016
6	may be retained and used for operating expenses within this
7	account, as authorized by section 201 of Public Law 95-
8	238, notwithstanding the provisions of 31 U.S.C. 3302: Pro-
9	vided further, That the sum herein appropriated shall be
10	reduced as collections are received during the fiscal year
11	so as to result in a final fiscal year 2016 appropriation
12	from the general fund estimated at not more than
13	\$130,971,000: Provided further, That, of the total amount
14	made available under this heading, \$31,297,000 is for En-
15	ergy Policy and Systems Analysis.
16	Office of the Inspector General
17	For expenses necessary for the Office of the Inspector
18	General in carrying out the provisions of the Inspector Gen-
19	eral Act of 1978, \$46,424,000, to remain available until
20	September 30, 2017.
21	ATOMIC ENERGY DEFENSE ACTIVITIES
22	NATIONAL NUCLEAR SECURITY ADMINISTRATION
23	Weapons Activities
24	For Department of Energy expenses, including the
25	purchase, construction, and acquisition of plant and cap-

- 1 ital equipment and other incidental expenses necessary for
- 2 atomic energy defense weapons activities in carrying out
- 3 the purposes of the Department of Energy Organization Act
- 4 (42 U.S.C. 7101 et seq.), including the acquisition or con-
- 5 demnation of any real property or any facility or for plant
- 6 or facility acquisition, construction, or expansion,
- 7 \$8,882,364,000, to remain available until expended: Pro-
- 8 vided, That of such amount, \$97,118,000 shall be available
- 9 until September 30, 2017, for program direction.
- 10 Defense Nuclear Nonproliferation
- 11 For Department of Energy expenses, including the
- 12 purchase, construction, and acquisition of plant and cap-
- 13 ital equipment and other incidental expenses necessary for
- 14 defense nuclear nonproliferation activities, in carrying out
- 15 the purposes of the Department of Energy Organization Act
- 16 (42 U.S.C. 7101 et seq.), including the acquisition or con-
- 17 demnation of any real property or any facility or for plant
- 18 or facility acquisition, construction, or expansion,
- 19 \$1,705,912,000, to remain available until expended.
- 20 NAVAL REACTORS
- 21 For Department of Energy expenses necessary for
- 22 naval reactors activities to carry out the Department of En-
- 23 ergy Organization Act (42 U.S.C. 7101 et seq.), including
- 24 the acquisition (by purchase, condemnation, construction,
- 25 or otherwise) of real property, plant, and capital equip-

1	ment, facilities, and facility expansion, \$1,300,000,000, to
2	remain available until expended: Provided, That of such
3	amount, \$42,504,000 shall be available until September 30,
4	2017, for program direction.
5	FEDERAL SALARIES AND EXPENSES
6	For expenses necessary for Federal Salaries and Ex-
7	penses in the National Nuclear Security Administration,
8	\$375,000,000, to remain available until September 30,
9	2017, including official reception and representation ex-
10	penses not to exceed \$12,000.
11	ENVIRONMENTAL AND OTHER DEFENSE
12	ACTIVITIES
13	Defense Environmental Cleanup
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 en-
17	ergy defense environmental cleanup activities in carrying
18	out the purposes of the Department of Energy Organization
19	Act (42 U.S.C. 7101 et seq.), including the acquisition or
20	condemnation of any real property or any facility or for
21	plant or facility acquisition, construction, or expansion,
22	and the purchase of not to exceed one fire apparatus pump-
23	er truck and one armored vehicle for replacement only,
24	\$5,180,000,000, to remain available until expended: Pro-
25	vided, That, of such amount, \$281,951,000 shall be avail-

1	able until September 30, 2017, for program direction: Pro-
2	vided further, That the Office of Environmental Manage-
3	ment shall not accept ownership or responsibility for clean-
4	$up\ of\ any\ National\ Nuclear\ Security\ Administration\ facili-$
5	ties or sites without funding specifically designated for that
6	purpose in an Appropriations Act at the time of transfer.
7	Defense Uranium Enrichment Decontamination and
8	Decommissioning
9	(INCLUDING TRANSFER OF FUNDS)
10	For an additional amount for atomic energy defense
11	environmental cleanup activities for Department of Energy
12	contributions for uranium enrichment decontamination
13	and decommissioning activities, \$614,000,000, to be depos-
14	ited into the Defense Environmental Cleanup account
15	which shall be transferred to the "Uranium Enrichment De-
16	contamination and Decommissioning Fund".
17	Other Defense Activities
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 atomic en-
21	ergy defense, other defense activities, and classified activi-
22	ties, in carrying out the purposes of the Department of En-
23	ergy Organization Act (42 U.S.C. 7101 et seq.), including
24	the acquisition or condemnation of any real property or
25	any facility or for plant or facility acquisition, construc-

1	tion, or expansion, \$764,000,000, to remain available until
2	expended: Provided, That, of such amount, \$249,137,000
3	shall be available until September 30, 2017, for program
4	direction.
5	POWER MARKETING ADMINISTRATIONS
6	Bonneville Power Administration Fund
7	Expenditures from the Bonneville Power Administra-
8	tion Fund, established pursuant to Public Law 93-454, are
9	approved for the Shoshone Painte Trout Hatchery, the Spo-
10	kane Tribal Hatchery, the Snake River Sockeye Weirs and,
11	in addition, for official reception and representation ex-
12	penses in an amount not to exceed \$5,000: Provided, That,
13	during fiscal year 2016, no new direct loan obligations may
14	be made.
15	Operations and Maintenance, Southeastern Power
16	Administration
17	For expenses necessary for operations and mainte-
18	nance of power transmission facilities and for marketing
19	electric power and energy, including transmission wheeling
20	and ancillary services, pursuant to section 5 of the Flood
21	Control Act of 1944 (16 U.S.C. 825s), as applied to the
22	southeastern power area, \$6,900,000, including official re-
23	ception and representation expenses in an amount not to
24	exceed \$1,500, to remain available until expended: Pro-
25	vided, That, notwithstanding 31 U.S.C. 3302 and section

1	5 of the Flood Control Act of 1944, up to \$6,900,000 col-
2	lected by the Southeastern Power Administration from the
3	sale of power and related services shall be credited to this
4	account as discretionary offsetting collections, to remain
5	available until expended for the sole purpose of funding the
6	$annual\ expenses\ of\ the\ Southeastern\ Power\ Administration:$
7	Provided further, That the sum herein appropriated for an-
8	nual expenses shall be reduced as collections are received
9	during the fiscal year so as to result in a final fiscal year
10	2016 appropriation estimated at not more than \$0: Pro-
11	vided further, That, notwithstanding 31 U.S.C. 3302, up
12	to \$66,500,000 collected by the Southeastern Power Admin-
13	istration pursuant to the Flood Control Act of 1944 to re-
14	cover purchase power and wheeling expenses shall be cred-
15	ited to this account as offsetting collections, to remain avail-
16	able until expended for the sole purpose of making purchase
17	power and wheeling expenditures: Provided further, That,
18	for purposes of this appropriation, annual expenses means
19	expenditures that are generally recovered in the same year
20	that they are incurred (excluding purchase power and
21	wheeling expenses).
22	Operations and Maintenance, Southwestern Power
23	Administration
24	For expenses necessary for operations and mainte-
25	nance of power transmission facilities and for marketing

1	electric power and energy, for construction and acquisition
2	of transmission lines, substations and appurtenant facili-
3	ties, and for administrative expenses, including official re-
4	ception and representation expenses in an amount not to
5	exceed \$1,500 in carrying out section 5 of the Flood Control
6	Act of 1944 (16 U.S.C. 825s), as applied to the South-
7	western Power Administration, \$47,361,000, to remain
8	available until expended: Provided, That, notwithstanding
9	31 U.S.C. 3302 and section 5 of the Flood Control Act of
10	1944 (16 U.S.C. 825s), up to \$35,961,000 collected by the
11	Southwestern Power Administration from the sale of power
12	and related services shall be credited to this account as dis-
13	cretionary offsetting collections, to remain available until
14	expended, for the sole purpose of funding the annual ex-
15	penses of the Southwestern Power Administration: Provided
16	further, That the sum herein appropriated for annual ex-
17	penses shall be reduced as collections are received during
18	the fiscal year so as to result in a final fiscal year 2016
19	appropriation estimated at not more than \$11,400,000:
20	Provided further, That, notwithstanding 31 U.S.C. 3302,
21	up to \$63,000,000 collected by the Southwestern Power Ad-
22	ministration pursuant to the Flood Control Act of 1944 to
23	recover purchase power and wheeling expenses shall be cred-
24	ited to this account as offsetting collections, to remain avail-
25	able until expended for the sole purpose of making purchase

- 1 power and wheeling expenditures: Provided further, That,
- 2 for purposes of this appropriation, annual expenses means
- 3 expenditures that are generally recovered in the same year
- 4 that they are incurred (excluding purchase power and
- 5 wheeling expenses).
- 6 Construction, Rehabilitation, Operations and
- 7 Maintenance, Western Area Power Administration
- 8 For carrying out the functions authorized by title III,
- 9 section 302(a)(1)(E) of the Act of August 4, 1977 (42 U.S.C.
- 10 7152), and other related activities including conservation
- 11 and renewable resources programs as authorized,
- 12 \$307,714,000, including official reception and representa-
- 13 tion expenses in an amount not to exceed \$1,500, to remain
- 14 available until expended, of which \$302,000,000 shall be de-
- 15 rived from the Department of the Interior Reclamation
- 16 Fund: Provided, That, notwithstanding 31 U.S.C. 3302,
- 17 section 5 of the Flood Control Act of 1944 (16 U.S.C. 825s),
- 18 and section 1 of the Interior Department Appropriation
- 19 Act, 1939 (43 U.S.C. 392a), up to \$214,342,000 collected
- 20 by the Western Area Power Administration from the sale
- 21 of power and related services shall be credited to this ac-
- 22 count as discretionary offsetting collections, to remain
- 23 available until expended, for the sole purpose of funding
- 24 the annual expenses of the Western Area Power Administra-
- 25 tion: Provided further, That the sum herein appropriated

1	for annual expenses shall be reduced as collections are re-
2	ceived during the fiscal year so as to result in a final fiscal
3	year 2016 appropriation estimated at not more than
4	\$93,372,000, of which \$87,658,000 is derived from the Rec-
5	lamation Fund: Provided further, That, notwithstanding 31
6	U.S.C. 3302, up to \$352,813,000 collected by the Western
7	Area Power Administration pursuant to the Flood Control
8	Act of 1944 and the Reclamation Project Act of 1939 to
9	recover purchase power and wheeling expenses shall be cred-
10	ited to this account as offsetting collections, to remain avail-
11	able until expended for the sole purpose of making purchase
12	power and wheeling expenditures: Provided further, That,
13	for purposes of this appropriation, annual expenses means
14	expenditures that are generally recovered in the same year
15	that they are incurred (excluding purchase power and
16	wheeling expenses).
17	FALCON AND AMISTAD OPERATING AND MAINTENANCE
18	FUND
19	For operations, maintenance, and emergency costs for
20	the hydroelectric facilities at the Falcon and Amistad
21	Dams, \$4,490,000, to remain available until expended, and
22	to be derived from the Falcon and Amistad Operating and
23	Maintenance Fund of the Western Area Power Administra-
24	tion, as provided in section 2 of the Act of June 18, 1954
25	(68 Stat 255): Provided That notwithstanding the provi-

1	sions of that Act and of 31 U.S.C. 3302, up to \$4,262,000
2	collected by the Western Area Power Administration from
3	the sale of power and related services from the Falcon and
4	Amistad Dams shall be credited to this account as discre-
5	tionary offsetting collections, to remain available until ex-
6	pended for the sole purpose of funding the annual expenses
7	of the hydroelectric facilities of these Dams and associated
8	Western Area Power Administration activities: Provided
9	further, That the sum herein appropriated for annual ex-
10	penses shall be reduced as collections are received during
11	the fiscal year so as to result in a final fiscal year 2016
12	appropriation estimated at not more than \$228,000: Pro-
13	vided further, That, for purposes of this appropriation, an-
14	nual expenses means expenditures that are generally recov-
15	ered in the same year that they are incurred: Provided fur-
16	ther, That, for fiscal year 2016, the Administrator of the
17	Western Area Power Administration may accept up to
18	\$460,000 in funds contributed by United States power cus-
19	tomers of the Falcon and Amistad Dams for deposit into
20	the Falcon and Amistad Operating and Maintenance Fund,
21	and such funds shall be available for the purpose for which
22	contributed in like manner as if said sums had been specifi-
23	cally appropriated for such purpose: Provided further, That
24	any such funds shall be available without further appro-
25	priation and without fiscal year limitation for use by the

1	Commissioner of the United States Section of the Inter-
2	national Boundary and Water Commission for the sole pur-
3	pose of operating, maintaining, repairing, rehabilitating,
4	replacing, or upgrading the hydroelectric facilities at these
5	Dams in accordance with agreements reached between the
6	Administrator, Commissioner, and the power customers.
7	FEDERAL ENERGY REGULATORY COMMISSION
8	SALARIES AND EXPENSES
9	For expenses necessary for the Federal Energy Regu-
10	latory Commission to carry out the provisions of the De-
11	partment of Energy Organization Act (42 U.S.C. 7101 et
12	seq.), including services as authorized by 5 U.S.C. 3109,
13	official reception and representation expenses not to exceed
14	\$3,000, and the hire of passenger motor vehicles,
15	\$319,800,000, to remain available until expended: Pro-
16	vided, That, notwithstanding any other provision of law,
17	$not\ to\ exceed\ \$319,800,000\ of\ revenues\ from\ fees\ and\ annual$
18	charges, and other services and collections in fiscal year
19	2016 shall be retained and used for expenses necessary in
20	this account, and shall remain available until expended:
21	Provided further, That the sum herein appropriated from
22	the general fund shall be reduced as revenues are received
23	during fiscal year 2016 so as to result in a final fiscal year
24	2016 appropriation from the general fund estimated at not
25	more than \$0.

1	GENERAL PROVISIONS—DEPARTMENT OF
2	ENERGY
3	(INCLUDING TRANSFER AND RESCISSIONS OF FUNDS)
4	Sec. 301. (a) No appropriation, funds, or authority
5	made available by this title for the Department of Energy
6	shall be used to initiate or resume any program, project,
7	or activity or to prepare or initiate Requests For Proposals
8	or similar arrangements (including Requests for
9	Quotations, Requests for Information, and Funding Oppor-
10	tunity Announcements) for a program, project, or activity
11	if the program, project, or activity has not been funded by
12	Congress.
13	(b)(1) Unless the Secretary of Energy notifies the Com-
14	mittees on Appropriations of both Houses of Congress at
15	least 3 full business days in advance, none of the funds
16	made available in this title may be used to—
17	(A) make a grant allocation or discretionary
18	grant award totaling \$1,000,000 or more;
19	(B) make a discretionary contract award or
20	Other Transaction Agreement totaling \$1,000,000 or
21	more, including a contract covered by the Federal Ac-
22	quisition Regulation;
23	(C) issue a letter of intent to make an allocation,
24	award, or Agreement in excess of the limits in sub-
25	paragraph (A) or (B); or

1	(D) announce publicly the intention to make an
2	allocation, award, or Agreement in excess of the limits
3	in subparagraph (A) or (B).
4	(2) The Secretary of Energy shall submit to the Com-
5	mittees on Appropriations of both Houses of Congress with-
6	in 15 days of the conclusion of each quarter a report detail-
7	ing each grant allocation or discretionary grant award to-
8	taling less than \$1,000,000 provided during the previous
9	quarter.
10	(3) The notification required by paragraph (1) and the
11	report required by paragraph (2) shall include the recipient
12	of the award, the amount of the award, the fiscal year for
13	which the funds for the award were appropriated, the ac-
14	count and program, project, or activity from which the
15	funds are being drawn, the title of the award, and a brief
16	description of the activity for which the award is made.
17	(c) The Department of Energy may not, with respect
18	to any program, project, or activity that uses budget au-
19	thority made available in this title under the heading "De-
20	partment of Energy—Energy Programs", enter into a
21	multiyear contract, award a multiyear grant, or enter into
22	a multiyear cooperative agreement unless—
23	(1) the contract, grant, or cooperative agreement
24	is funded for the full period of performance as antici-
25	pated at the time of award; or

1	(2) the contract, grant, or cooperative agreement
2	includes a clause conditioning the Federal Govern-
3	ment's obligation on the availability of future year
4	budget authority and the Secretary notifies the Com-
5	mittees on Appropriations of both Houses of Congress
6	at least 3 days in advance.
7	(d) Except as provided in subsections (e), (f), and (g),
8	the amounts made available by this title shall be expended
9	as authorized by law for the programs, projects, and activi-
10	ties specified in the "Bill" column in the "Department of
11	Energy" table included under the heading "Title III—De-
12	partment of Energy" in the report of the Committee on Ap-
13	propriations accompanying this Act.
14	(e) The amounts made available by this title may be
15	reprogrammed for any program, project, or activity, and
16	the Department shall notify the Committees on Appropria-
17	tions of both Houses of Congress at least 30 days prior to
18	the use of any proposed reprogramming that would cause
19	any program, project, or activity funding level to increase
20	or decrease by more than \$5,000,000 or 10 percent, which-
21	ever is less, during the time period covered by this Act.
22	(f) None of the funds provided in this title shall be
23	available for obligation or expenditure through a re-
24	programming of funds that—

1	(1) creates, initiates, or eliminates a program,
2	project, or activity;
3	(2) increases funds or personnel for any pro-
4	gram, project, or activity for which funds are denied
5	or restricted by this Act; or
6	(3) reduces funds that are directed to be used for
7	a specific program, project, or activity by this Act.
8	(g)(1) The Secretary of Energy may waive any re-
9	quirement or restriction in this section that applies to the
10	use of funds made available for the Department of Energy
11	if compliance with such requirement or restriction would
12	pose a substantial risk to human health, the environment,
13	welfare, or national security.
14	(2) The Secretary of Energy shall notify the Commit-
15	tees on Appropriations of both Houses of Congress of any
16	waiver under paragraph (1) as soon as practicable, but not
17	later than 3 days after the date of the activity to which
18	a requirement or restriction would otherwise have applied.
19	Such notice shall include an explanation of the substantial
20	risk under paragraph (1) that permitted such waiver.
21	Sec. 302. The unexpended balances of prior appro-
22	priations provided for activities in this Act may be avail-
23	able to the same appropriation accounts for such activities
24	established pursuant to this title. Available balances may
25	be merged with funds in the applicable established accounts

- 1 and thereafter may be accounted for as one fund for the
- 2 same time period as originally enacted.
- 3 Sec. 303. Funds appropriated by this or any other
- 4 Act, or made available by the transfer of funds in this Act,
- 5 for intelligence activities are deemed to be specifically au-
- 6 thorized by the Congress for purposes of section 504 of the
- 7 National Security Act of 1947 (50 U.S.C. 414) during fiscal
- 8 year 2016 until the enactment of the Intelligence Authoriza-
- 9 tion Act for fiscal year 2016.
- 10 Sec. 304. None of the funds made available in this
- 11 title shall be used for the construction of facilities classified
- 12 as high-hazard nuclear facilities under 10 CFR Part 830
- 13 unless independent oversight is conducted by the Office of
- 14 Independent Enterprise Assessments to ensure the project
- 15 is in compliance with nuclear safety requirements.
- 16 Sec. 305. None of the funds made available in this
- 17 title may be used to approve critical decision-2 or critical
- 18 decision-3 under Department of Energy Order 413.3B, or
- 19 any successive departmental guidance, for construction
- 20 projects where the total project cost exceeds \$100,000,000,
- 21 until a separate independent cost estimate has been devel-
- 22 oped for the project for that critical decision.
- 23 Sec. 306. (a) Definitions.—In this section:
- 24 (1) Affected indian tribe.—The term "af-
- 25 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 Pol-
6	icy Act of 1982 (42 U.S.C. 10101).
7	(3) Nuclear waste fund.—The term "Nuclear
8	Waste Fund" means the Nuclear Waste Fund estab-
9	lished under section 302(c) of the Nuclear Waste Pol-
10	icy 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) Pilot Program.—Notwithstanding any provision
18	of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10101
19	et seq.), the Secretary is authorized, in the current fiscal
20	year and subsequent fiscal years, to conduct a pilot pro-
21	gram, through 1 or more private sector partners, to license,
22	construct, and operate 1 or more government or privately
23	owned consolidated storage facilities to provide interim
24	storage as needed for spent nuclear fuel and high-level ra-
25	dioactive waste, with priority for storage given to spent nu-

1	clear fuel located on sites without an operating nuclear re-
2	actor.
3	(c) Requests for Proposals.—Not later than 120
4	days after the date of enactment of this Act, the Secretary
5	shall issue a request for proposals for cooperative agree-
6	ments—
7	(1) to obtain any license necessary from the Nu-
8	clear Regulatory Commission for the construction of
9	1 or more consolidated storage facilities;
0	(2) to demonstrate the safe transportation of
1	spent nuclear fuel and high-level radioactive waste, as
2	applicable; and
3	(3) to demonstrate the safe storage of spent nu-
4	clear fuel and high-level radioactive waste, as appli-
15	cable, at the 1 or more consolidated storage facilities
6	pending the construction and operation of deep geo-
17	logic disposal capacity for the permanent disposal of
8	the spent nuclear fuel.
19	(d) Consent-Based Approval.—Prior to siting a
20	consolidated storage facility pursuant to this section, the
21	Secretary shall enter into an agreement to host the facility
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; and
4	(3) each affected Indian tribe.
5	(e) APPLICABILITY.—In executing this section, the Sec-
6	retary shall comply with—
7	(1) all licensing requirements and regulations of
8	the Nuclear Regulatory Commission; and
9	(2) all other applicable laws (including regula-
10	tions).
11	(f) Pilot Program Plan.—Not later than 120 days
12	after the date on which the Secretary issues the request for
13	proposals under subsection (c), the Secretary shall submit
14	to Congress a plan to carry out this section that includes—
15	(1) an estimate of the cost of licensing, con-
16	structing, and operating a consolidated storage facil-
17	ity, including the transportation costs, on an annual
18	basis, over the expected lifetime of the facility;
19	(2) a schedule for—
20	(A) obtaining any license necessary to con-
21	struct and operate a consolidated storage facility
22	from the Nuclear Regulatory Commission;
23	(B) constructing the facility;
24	(C) transporting spent fuel to the facility;
25	and

1	(D) removing the spent fuel and decommis-
2	sioning the facility; and
3	(3) an estimate of the cost of any financial as-
4	sistance, compensation, or incentives proposed to be
5	paid to the host State, Indian tribe, or local govern-
6	ment;
7	(4) an estimate of any future reductions in the
8	damages expected to be paid by the United States for
9	the delay of the Department of Energy in accepting
10	spent fuel expected to result from the pilot program;
11	(5) recommendations for any additional legisla-
12	tion needed to authorize and implement the pilot pro-
13	gram; and
14	(6) recommendations for a mechanism to ensure
15	that any spent nuclear fuel or high-level radioactive
16	waste stored at a consolidated storage facility pursu-
17	ant to this section shall move to deep geologic disposal
18	capacity, following a consent-based approval process
19	for that deep geologic disposal capacity consistent
20	with subsection (d), within a reasonable time after the
21	issuance of a license to construct and operate the con-
22	solidated storage facility.
23	(g) Public Participation.—Prior to choosing a site
24	for the construction of a consolidated storage facility under
25	this section, the Secretary shall conduct 1 or more public

1	nearings in the vicinity of each potential site and in at
2	least 1 other location within the State in which the site
3	is located to solicit public comments and recommendations.
4	(h) USE OF NUCLEAR WASTE FUND.—The Secretary
5	may make expenditures from the Nuclear Waste Fund to
6	carry out this section, subject to appropriations.
7	Sec. 307. (a) Notification of Strategic Petro-
8	LEUM RESERVE DRAWDOWN.—None of the funds made
9	available by this Act or any prior or subsequent Act, or
10	funds made available in the SPR Petroleum Account, may
11	be used in this fiscal year or each subsequent fiscal year,
12	to conduct a drawdown (including a test drawdown) and
13	sale or exchange of petroleum products from the Strategic
14	Petroleum Reserve unless the Secretary of Energy provides
15	notice, in accordance with subsection (b), of such exchange,
16	or drawdown (including a test drawdown) to the Commit-
17	tees on Appropriations of both Houses of Congress.
18	(b)(1) CONTENT OF NOTIFICATION.—The notification
19	required under subsection (a) shall include at a min-
20	imum—
21	(A) the justification for the drawdown or ex-
22	change, including—
23	(i) a specific description of any obligation
24	under international energy agreements; and

1	(ii) in the case of a test drawdown, the spe-
2	cific aspects of the Strategic Petroleum Reserve
3	to be tested;
4	(B) the provisions of law (including regulations)
5	authorizing the drawdown or exchange;
6	(C) the number of barrels of petroleum products
7	proposed to be withdrawn or exchanged;
8	(D) the location of the Strategic Petroleum Re-
9	serve site or sites from which the petroleum products
10	are proposed to be withdrawn;
11	(E) a good faith estimate of the expected proceeds
12	from the sale of the petroleum products;
13	(F) an estimate of the total inventories of petro-
14	leum products in the Strategic Petroleum Reserve
15	after the anticipated drawdown;
16	(G) a detailed plan for disposition of the pro-
17	ceeds after deposit into the SPR Petroleum Account;
18	and
19	(H) a plan for refilling the Strategic Petroleum
20	Reserve, including whether the acquisition will be of
21	the same or a different petroleum product.
22	(2) Timing of notification.—The Secretary
23	shall provide the notification required under sub-
24	section (a)—

1	(A) in the case of an exchange or a draw-
2	down, as soon as practicable after the exchange
3	or drawdown has occurred; and
4	(B) in the case of a test drawdown, not
5	later than 30 days prior to the test drawdown.
6	(c) Post-Sale Notification.—In addition to report-
7	ing requirements under other provisions of law, the Sec-
8	retary shall, upon the execution of all contract awards in
9	this fiscal year and each subsequent fiscal year associated
10	with a competitive sale of petroleum products, notify the
11	Committees on Appropriations of both Houses of Congress
12	of the actual value of the proceeds from the sale.
13	(d)(1) New regional reserves.—The Secretary
14	may not establish any new regional petroleum product re-
15	serve unless funding for the proposed regional petroleum
16	product reserve is explicitly requested in advance in an an-
17	nual budget submission and approved by the Congress in
18	an appropriations Act.
19	(2) The budget request or notification shall in-
20	clude—
21	(A) the justification for the new reserve;
22	(B) a cost estimate for the establishment,
23	operation, and maintenance of the reserve, in-
24	cluding funding sources;

1	(C) a detailed plan for operation of the re-
2	serve, including the conditions upon which the
3	products may be released;
4	(D) the location of the reserve; and
5	(E) the estimate of the total inventory of the
6	reserve.
7	Sec. 308. (a) Unobligated balances available from ap-
8	propriations for fiscal years 2005 through 2010 are hereby
9	permanently rescinded from the following accounts of the
10	Department of Energy in the specified amounts:
11	(1) "Energy Programs—Energy Efficiency and
12	Renewable Energy", \$16,677,000.
13	(2) "Energy Programs—Electricity Delivery and
14	Energy Reliability'', \$900,000.
15	(3) "Energy Programs—Nuclear Energy",
16	\$1,665,000.
17	(4) "Energy Programs—Fossil Energy Research
18	and Development", \$12,064,000.
19	(5) "Energy Programs—Science", \$4,717,000.
20	(6) "Power Marketing Administrations—Con-
21	struction, Rehabilitation, Operation and Mainte-
22	nance, Western Area Power Administration",
23	\$4,832,000.
24	(b) No amounts may be rescinded by this section from
25	amounts that were designated by Congress as an emergency

1	requirement pursuant to a concurrent resolution on the
2	budget or the Balanced Budget and Emergency Deficit Con-
3	trol Act of 1985.
4	Sec. 309. (a) Unobligated balances available from ap-
5	propriations are hereby permanently rescinded from the fol-
6	lowing accounts of the Department of Energy in the speci-
7	fied amounts:
8	(1) "Atomic Energy Defense Activities—Na-
9	$tional\ \ Nuclear\ \ Security\ \ Administration — We apons$
10	Activities", \$65,135,000.
11	(2) "Atomic Energy Defense Activities—Na-
12	tional Nuclear Security Administration—Defense Nu-
13	clear Nonproliferation", \$19,324,000.
14	(3) "Atomic Energy Defense Activities—Na-
15	tional Nuclear Security Administration—Naval Re-
16	actors", \$628,000.
17	(b) No amounts may be rescinded by this section from
18	amounts that were designated by Congress as an emergency
19	requirement pursuant to a concurrent resolution on the
20	budget or the Balanced Budget and Emergency Deficit Con-
21	trol Act of 1985.
22	Sec. 310. Of the amounts made available by this Act
23	for "National Nuclear Security Administration—Weapons
24	Activities", up to \$50,000,000 may be reprogrammed with-

- 1 in such account for Domestic Uranium Enrichment, subject
- 2 to the notice requirements in section 301.
- 3 TECHNICAL CORRECTION
- 4 Sec. 311. (a) Contracts for Storage.—Notwith-
- 5 standing any other provision of law and subject to the
- 6 availability of appropriations, the Secretary is authorized,
- 7 in this year and each subsequent fiscal year, to enter into
- 8 contracts to store spent nuclear fuel and high-level radio-
- 9 active waste, as applicable, to which the Secretary holds the
- 10 title or has a contract to accept title, at any facility licensed
- 11 by the Nuclear Regulatory Commission for such storage.
- 12 (b) Transfer of Title.—Delivery, and acceptance
- 13 by the Secretary, of any spent nuclear fuel or high-level ra-
- 14 dioactive waste for storage under this section shall con-
- 15 stitute a transfer of title to the Secretary of such spent fuel
- 16 or waste.
- 17 (c) Contract Modification.—The Secretary is au-
- 18 thorized to enter into new contracts or modify existing con-
- 19 tracts with any person who generates or holds title to high-
- 20 level radioactive waste or spent nuclear fuel, of domestic
- 21 origin for the acceptance of title, subsequent transportation,
- 22 and storage of such high-level radioactive waste or spent
- 23 nuclear fuel at a facility described under subsection (a).

1	Sec. 312. Notwithstanding any other provision of law,
2	the provisions of 40 U.S.C. 11319 shall not apply to funds
3	appropriated in this title.
4	TITLE IV
5	INDEPENDENT AGENCIES
6	APPALACHIAN REGIONAL COMMISSION
7	For expenses necessary to carry out the programs au-
8	thorized by the Appalachian Regional Development Act of
9	1965, notwithstanding 40 U.S.C. 14704, and for expenses
10	necessary for the Federal Co-Chairman and the Alternate
11	on the Appalachian Regional Commission, for payment of
12	the Federal share of the administrative expenses of the Com-
13	mission, including services as authorized by 5 U.S.C. 3109,
14	and hire of passenger motor vehicles, \$105,000,000, to re-
15	main available until expended.
16	Defense Nuclear Facilities Safety Board
17	SALARIES AND EXPENSES
18	For expenses necessary for the Defense Nuclear Facili-
19	ties Safety Board in carrying out activities authorized by
20	the Atomic Energy Act of 1954, as amended by Public Law
21	100-456, section 1441, \$29,150,000, to remain available
22	until September 30, 2017.

1	Delta Regional Authority
2	SALARIES AND EXPENSES
3	For expenses necessary for the Delta Regional Author-
4	ity and to carry out its activities, as authorized by the
5	$Delta\ Regional\ Authority\ Act\ of\ 2000,\ not with standing\ sec-$
6	$tions \ 382C(b)(2), \ 382F(d), \ 382M, \ and \ 382N \ of \ said \ Act,$
7	\$25,000,000, to remain available until expended.
8	Denali Commission
9	For expenses necessary for the Denali Commission in-
10	$cluding\ the\ purchase,\ construction,\ and\ acquisition\ of\ plant$
11	and capital equipment as necessary and other expenses,
12	\$11,000,000, to remain available until expended, notwith-
13	standing the limitations contained in section $306(g)$ of the
14	Denali Commission Act of 1998: Provided, That funds shall
15	be available for construction projects in an amount not to
16	exceed 80 percent of total project cost for distressed commu-
17	nities, as defined by section 307 of the Denali Commission
18	Act of 1998 (division C, title III, Public Law 105–277),
19	as amended by section 701 of appendix D, title VII, Public
20	Law 106-113 (113 Stat. 1501A-280), and an amount not
21	to exceed 50 percent for non-distressed communities.
22	Northern Border Regional Commission
23	For expenses necessary for the Northern Border Re-
24	gional Commission in carrying out activities authorized by
25	subtitle V of title 40, United States Code, \$7,500,000, to

1	remain available until expended: Provided, That such
2	amounts shall be available for administrative expenses, not-
3	withstanding section 15751(b) of title 40, United States
4	Code.
5	Nuclear Regulatory Commission
6	SALARIES AND EXPENSES
7	For expenses necessary for the Commission in carrying
8	out the purposes of the Energy Reorganization Act of 1974
9	and the Atomic Energy Act of 1954, \$990,000,000, includ-
10	ing official representation expenses not to exceed \$25,000,
11	to remain available until expended: Provided, That, of the
12	amount appropriated herein, not more than \$7,500,000
13	may be made available for salaries, travel, and other sup-
14	port costs for the Office of the Commission, to remain avail-
15	able until September 30, 2017, of which, notwithstanding
16	section 201(a)(2)(c) of the Energy Reorganization Act of
17	1974 (42 U.S.C. 5841(a)(2)(c)), the use and expenditure
18	shall only be approved by a majority vote of the Commis-
19	sion: Provided further, That revenues from licensing fees,
20	inspection services, and other services and collections esti-
21	mated at \$872,864,000 in fiscal year 2016 shall be retained
22	and used for necessary salaries and expenses in this ac-
23	count, notwithstanding 31 U.S.C. 3302, and shall remain
24	available until expended: Provided further, That the sum
25	herein appropriated shall be reduced by the amount of reve-

1	nues received during fiscal year 2016 so as to result in a
2	final fiscal year 2016 appropriation estimated at not more
3	than \$117,136,000.
4	OFFICE OF INSPECTOR GENERAL
5	For expenses necessary for the Office of Inspector Gen-
6	eral in carrying out the provisions of the Inspector General
7	Act of 1978, \$12,136,000, to remain available until Sep-
8	tember 30, 2017: Provided, That revenues from licensing
9	fees, inspection services, and other services and collections
10	estimated at \$10,060,000 in fiscal year 2016 shall be re-
11	tained and be available until September 30, 2017, for nec-
12	essary salaries and expenses in this account, notwith-
13	standing section 3302 of title 31, United States Code: Pro-
14	vided further, That the sum herein appropriated shall be
15	reduced by the amount of revenues received during fiscal
16	year 2016 so as to result in a final fiscal year 2016 appro-
17	priation estimated at not more than \$2,076,000: Provided
18	further, That, of the amounts appropriated under this head-
19	ing, \$958,000 shall be for Inspector General services for the
20	Defense Nuclear Facilities Safety Board, which shall not
21	be available from fee revenues.
22	Nuclear Waste Technical Review Board
23	SALARIES AND EXPENSES
24	For expenses necessary for the Nuclear Waste Tech-
25	nical Review Board, as authorized by Public Law 100–203,

I	section 5051, \$3,600,000, to be derived from the Nuclear
2	Waste Fund, to remain available until September 30, 2017.
3	GENERAL PROVISIONS—INDEPENDENT
4	AGENCIES
5	Sec. 401. (a) The amounts made available by this title
6	for the Nuclear Regulatory Commission may be repro-
7	grammed for any program, project, or activity, and the
8	Commission shall notify the Committees on Appropriations
9	of both Houses of Congress at least 30 days prior to the
10	use of any proposed reprogramming that would cause any
11	program funding level to increase or decrease by more than
12	\$500,000 or 10 percent, whichever is less, during the time
13	period covered by this Act.
14	(b)(1) The Nuclear Regulatory Commission may waive
15	the notification requirement in (a) if compliance with such
16	requirement would pose a substantial risk to human health,
17	the environment, welfare, or national security.
18	(2) The Nuclear Regulatory Commission shall notify
19	the Committees on Appropriations of both Houses of Con-
20	gress of any waiver under paragraph (1) as soon as prac-
21	ticable, but not later than 3 days after the date of the activ-
22	ity to which a requirement or restriction would otherwise
23	have applied. Such notice shall include an explanation of
24	the substantial risk under paragraph (1) that permitted
25	such waiver and shall provide a detailed report to the Com-

- 1 mittees of such waiver and changes to funding levels to pro-
- 2 grams, projects, or activities.
- 3 (c) None of the funds provided for the Nuclear Regu-
- 4 latory Commission shall be available for obligation or ex-
- 5 penditure through a reprogramming of funds that increases
- 6 funds or personnel for any program, project, or activity for
- 7 which funds are denied or restricted by this Act.
- 8 (d) The Commission shall provide a monthly report
- 9 to the Committees on Appropriations of both Houses of Con-
- 10 gress, which includes the following for each program,
- 11 project, or activity, including any prior year appropria-
- 12 tions—
- 13 (1) total budget authority;
- 14 (2) total unobligated balances; and
- 15 (3) total unliquidated obligations.
- 16 Sec. 402. The Nuclear Regulatory Commission shall
- 17 comply with the July 5, 2011, version of Chapter VI of its
- 18 Internal Commission Procedures when responding to Con-
- 19 gressional requests for information.
- 20 Sec. 403. Public Law 105-277, division A, section
- 21 101(g) (title III, section 329(a), (b)) is amended by insert-
- 22 ing, in subsection (b), after "State law" and before the pe-
- 23 riod the following: "or for the construction and repair of
- 24 barge mooring points and barge landing sites to facilitate

1	pumping fuel from fuel transport barges into bulk fuel stor-
2	age tanks.".
3	$TITLE\ V$
4	GENERAL PROVISIONS
5	Sec. 501. None of the funds appropriated by this Act
6	may be used in any way, directly or indirectly, to influence
7	congressional action on any legislation or appropriation
8	matters pending before Congress, other than to commu-
9	nicate to Members of Congress as described in 18 U.S.C.
10	1913.
11	Sec. 502. (a) None of the funds made available in title
12	III of this Act may be transferred to any department, agen-
13	cy, or instrumentality of the United States Government, ex-
14	cept pursuant to a transfer made by or transfer authority
15	provided in this Act or any other appropriations Act for
16	any fiscal year, transfer authority referenced in the report
17	of the Committee on Appropriations accompanying this
18	Act, or any authority whereby a department, agency, or in-
19	strumentality of the United States Government may pro-
20	vide goods or services to another department, agency, or in-
21	strumentality.
22	(b) None of the funds made available for any depart-
23	ment, agency, or instrumentality of the United States Gov-
24	ernment may be transferred to accounts funded in title III
25	of this Act, except pursuant to a transfer made by or trans-

- 1 fer authority provided in this Act or any other appropria-
- 2 tions Act for any fiscal year, transfer authority referenced
- 3 in the report of the Committee on Appropriations accom-
- 4 panying this Act, or any authority whereby a department,
- 5 agency, or instrumentality of the United States Government
- 6 may provide goods or services to another department, agen-
- 7 cy, or instrumentality.
- 8 (c) The head of any relevant department or agency
- 9 funded in this Act utilizing any transfer authority shall
- 10 submit to the Committees on Appropriations of both Houses
- 11 of Congress a semiannual report detailing the transfer au-
- 12 thorities, except for any authority whereby a department,
- 13 agency, or instrumentality of the United States Government
- 14 may provide goods or services to another department, agen-
- 15 cy, or instrumentality, used in the previous 6 months and
- 16 in the year-to-date. This report shall include the amounts
- 17 transferred and the purposes for which they were trans-
- 18 ferred, and shall not replace or modify existing notification
- 19 requirements for each authority.
- Sec. 503. None of the funds made available by this
- 21 Act may be used to implement, administer, carry out, mod-
- 22 ify, revise, or enforce Executive Order 13690 (entitled "Es-
- 23 tablishing a Federal Flood Risk Management Standard and
- 24 a Process for Further Soliciting and Considering Stake-
- 25 holder Input").

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- Are selopment and Related Agencies Appropriations Act,
- 3 3016...

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[COMMITTEE PRINT]

Calendar No.

114TH CONGRESS H. R. 2028
1ST SESSION

[Report No. 114-

N AC

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

May 5, 2015

Received, read twice and referred to the Committee on Appropriations

May 00, 2015

Reported with an amendment