Making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2014, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 2, 2013

Mr. F RelinghuyseN, from the Committee on Appropriations, reported the following bill; which was committed to the Committee of the Whole House on the State of the Union and ordered to be printed

A BILL

Making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2014, and for other purposes.
Be it enacted by the Senate and House of Representa-
tives of the United States of America in Congress assembled, 
That the following sums are appropriated, out of any 
money in the Treasury not otherwise appropriated, for en-
ergy and water development and related agencies for the 
fiscal year ending September 30, 2014, and for other pur-
poses, namely:

TITLE I—CORPS OF ENGINEERS—CIVIL

DEPARTMENT OF THE ARMY

Corps of Engineers—civil

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

INVESTIGATIONS

For expenses necessary where authorized by law for 
the collection and study of basic information pertaining 
to river and harbor, flood and storm damage reduction, 
shore protection, aquatic ecosystem restoration, and re-
lated needs; for surveys and detailed studies, and plans 
and specifications of proposed river and harbor, flood and 
storm damage reduction, shore protection, and aquatic 
ecosystem restoration, projects and related efforts prior to
construction; for restudy of authorized projects; and for miscellaneous investigations, and, when authorized by law, surveys and detailed studies, and plans and specifications of projects prior to construction, $90,000,000, to remain available until expended.

CONSTRUCTION

For expenses necessary for the construction of river and harbor, flood and storm damage reduction, shore protection, aquatic ecosystem restoration, and related projects authorized by law; for conducting detailed studies, and plans and specifications, of such projects (including those involving participation by States, local governments, or private groups) authorized or made eligible for selection by law (but such detailed studies, and plans and specifications, shall not constitute a commitment of the Government to construction), $1,343,000,000, to remain available until expended; of which such sums as are necessary to cover the Federal share of construction costs for facilities under the Dredged Material Disposal Facilities program shall be derived from the Harbor Maintenance Trust Fund as authorized by Public Law 104–303; and of which such sums as are necessary to cover one-half of the costs of construction, replacement, rehabilitation, and expansion of inland waterways projects shall be derived from the Inland Waterways Trust Fund.
MISSISSIPPI RIVER AND TRIBUTARIES

For expenses necessary for flood damage reduction projects and related efforts in the Mississippi River alluvial valley below Cape Girardeau, Missouri, as authorized by law, $249,000,000, to remain available until expended, of which such sums as are necessary to cover the Federal share of eligible operation and maintenance costs for inland harbors shall be derived from the Harbor Maintenance Trust Fund.

OPERATION AND MAINTENANCE

For expenses necessary for the operation, maintenance, and care of existing river and harbor, flood and storm damage reduction, aquatic ecosystem restoration, and related projects authorized by law; providing security for infrastructure owned or operated by the Corps, including administrative buildings and laboratories; maintaining harbor channels provided by a State, municipality, or other public agency that serve essential navigation needs of general commerce, where authorized by law; surveying and charting northern and northwestern lakes and connecting waters; clearing and straightening channels; and removing obstructions to navigation, $2,682,000,000, to remain available until expended, of which such sums as are necessary to cover the Federal share of eligible operation and maintenance costs for coastal harbors and chan-
nels, and for inland harbors shall be derived from the Harbor Maintenance Trust Fund; of which such sums as become available from the special account for the Corps of Engineers established by the Land and Water Conservation Fund Act of 1965 shall be derived from that account for resource protection, research, interpretation, and maintenance activities related to resource protection in the areas at which outdoor recreation is available; and of which such sums as become available from fees collected under section 217 of Public Law 104–303 shall be used to cover the cost of operation and maintenance of the dredged material disposal facilities for which such fees have been collected. Provided, That 1 percent of the total amount of funds provided for each of the programs, projects or activities funded under this heading shall not be allocated to a field operating activity prior to the beginning of the fourth quarter of the fiscal year and shall be available for use by the Chief of Engineers to fund such emergency activities as the Chief of Engineers determines to be necessary and appropriate, and that the Chief of Engineers shall allocate during the fourth quarter any remaining funds which have not been used for emergency activities proportionally in accordance with the amounts provided for the programs, projects, or activities.
REGULATORY PROGRAM

For expenses necessary for administration of laws pertaining to regulation of navigable waters and wetlands, $193,000,000, to remain available until September 30, 2015.

FORMERLY UTILIZED SITES REMEDIAL ACTION PROGRAM

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

FLOOD CONTROL AND COASTAL EMERGENCIES

For expenses necessary to prepare for flood, hurricane, and other natural disasters and support emergency operations, repairs, and other activities in response to such disasters as authorized by law, $28,000,000, to remain available until expended.

EXPENSES

For expenses necessary for the supervision and general administration of the civil works program in the headquarters of the Corps of Engineers and the offices of the Division Engineers; and for costs of management and operation of the Humphreys Engineer Center Support Activity, the Institute for Water Resources, the United States Army Engineer Research and Development Center, and the United States Army Corps of Engineers Finance Cen-
ter allocable to the civil works program, $182,000,000, to
remain available until September 30, 2015, of which not
to exceed $5,000 may be used for official reception and
representation purposes and only during the current fiscal
year: Provided, That no part of any other appropriation
provided in this title shall be available to fund the civil
works activities of the Office of the Chief of Engineers
or the civil works executive direction and management ac-
tivities of the division offices: Provided further, That any
Flood Control and Coastal Emergencies appropriation
may be used to fund the supervision and general adminis-
tration of emergency operations, repairs, and other activi-
ties in response to any flood, hurricane, or other natural
disaster.

OFFICE OF THE ASSISTANT SECRETARY OF THE ARMY
FOR CIVIL WORKS

For the Office of the Assistant Secretary of the Army
for Civil Works as authorized by 10 U.S.C. 3016(b)(3),
$5,000,000, to remain available until September 30, 2015.

ADMINISTRATIVE PROVISION

The Revolving Fund, Corps of Engineers, shall be
available during the current fiscal year for purchase (not
to exceed 100 for replacement only) and hire of passenger
motor vehicles for the civil works program.
GENERAL PROVISIONS, CORPS OF
ENGINEERS—CIVIL
(INCLUDING TRANSFER OF FUNDS)

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

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

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

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

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

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

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

(b) Subsection (a)(1) shall not apply to any project
or activity authorized under section 205 of the Flood Con-
trol Act of 1948, section 14 of the Flood Control Act of
1946, section 208 of the Flood Control Act of 1954, sec-

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

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

SEC. 103. None of the funds in this Act, or previous Acts, making funds available for Energy and Water Development, shall be used to award any continuing contract that commits additional funding from the Inland Water-
ways Trust Fund unless or until such time that a long-
term mechanism to enhance revenues in this Fund suffi-
cient to meet the cost-sharing authorized in the Water Re-
sources Development Act of 1986 (Public Law 99-662) 
is enacted.

SEC. 104. Not later than 120 days after the date of 
the Chief of Engineers Report on a water resource matter, 
the Assistant Secretary of the Army (Civil Works) shall 
submit the report to the appropriate authorizing and ap-
propriating committees of the Congress.

SEC. 105. During the fiscal year period covered by 
this Act, the Secretary of the Army is authorized to imple-
ment measures recommended in the efficacy study author-
ized under section 3061 of the Water Resources Develop-
ment Act of 2007 (Public Law 110–114; 121 Stat. 1121) 
or in interim reports, with such modifications or emer-
gency measures as the Secretary of the Army determines 
to be appropriate, to prevent aquatic nuisance species 
from dispersing into the Great Lakes by way of any hydro-
logic connection between the Great Lakes and the Mis-
sissippi River Basin.

SEC. 106. As of the date of enactment of this Act 
and each fiscal year hereafter, the Secretary of the Army 
may transfer to the Fish and Wildlife Service, and the 
Fish and Wildlife Service may accept and expend, such
funds as the Secretary and the Director of the Fish and Wildlife Service determine to be necessary to mitigate for fisheries lost due to Corps of Engineers projects, except that in no event may the amount of funds transferred pursuant to this section during any fiscal year exceed the amount identified for such purpose in the report accompanying the appropriations for that fiscal year.

Sec. 107. None of the funds made available in this Act or any other Act making appropriations for Energy and Water Development may be used by the Corps of Engineers to develop, adopt, implement, administer, or enforce any change to the regulations and guidance in effect on October 1, 2012, pertaining to the definition of waters under the jurisdiction of the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.), including the provisions of the rules dated November 13, 1986, and August 25, 1993, relating to such jurisdiction, and the guidance documents dated January 15, 2003, and December 2, 2008, relating to such jurisdiction.

Sec. 108. Section 3(a)(6) of the Water Resources Development Act of 1988 (Public Law 100–676; 102 Stat. 4013) is amended by striking “$775,000,000” each place it appears and inserting “$2,918,000,000”.

•HR 2609 RH
SEC. 109. (a) Section 1001(17)(A) of the Water Resources Development Act of 2007 (Public Law 110–114; 121 Stat. 1052) is amended—

(1) by striking “$125,270,000” and inserting “$152,510,000”;

(2) by striking “$75,140,000” and inserting “$92,007,000”; and

(3) by striking “$50,130,000” and inserting “$60,503,000”.

(b) The amendments made by subsection (a) shall take effect as of November 8, 2007.

SEC. 110. The authorization under the heading “Little Calumet River Basin (Cady Marsh Ditch), Indiana”, in section 401(a) of the Water Resources Development Act of 1986 (Public Law 99–662; 100 Stat. 4115), as modified by section 127 of Public Law 109–103 (119 Stat. 2259), is further modified to authorize completion of the project at a total cost of $269,988,000 with an estimated Federal cost of $202,800,000 and an estimated non-Federal cost of $67,188,000.

SEC. 111. During fiscal year 2014, the limitation relating to total project costs in section 902 of the Water Resources Development Act of 1986 (33 U.S.C. 2280) shall not apply with respect to any project that receives funds made available by this title.
SEC. 112. None of the funds made available in this Act or any other Act making appropriations for Energy and Water Development for any fiscal year may be used by the Corps of Engineers to develop, adopt, implement, administer, or enforce any change to the regulations in effect on October 1, 2012, pertaining to the definitions of the terms “fill material” or “discharge of fill material” for the purposes of the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.).

SEC. 113. As of the date of enactment of this Act and thereafter, the Secretary of the Army shall not promulgate or enforce any regulation that prohibits an individual from possessing a firearm, including an assembled or functional firearm, at a water resources development project covered under section 327.0 of title 36, Code of Federal Regulations (as in effect on the date of enactment of this Act), if (1) the individual is not otherwise prohibited by law from possessing the firearm; and (2) the possession of the firearm is in compliance with the law of the State in which the water resources development project is located.
TITLE II—DEPARTMENT OF THE INTERIOR

Central Utah Project

Central Utah Project Completion Account

For carrying out activities authorized by the Central Utah Project Completion Act, $7,425,000, to remain available until expended, of which $1,000,000 shall be deposited into the Utah Reclamation Mitigation and Conservation Account for use by the Utah Reclamation Mitigation and Conservation Commission. In addition, for necessary expenses incurred in carrying out related responsibilities of the Secretary of the Interior, $1,300,000, to remain available until September 30, 2015.

For fiscal year 2014, the Commission may use an amount not to exceed $1,500,000 for administrative expenses.

Bureau of Reclamation

The following appropriations shall be expended to execute authorized functions of the Bureau of Reclamation:

Water and Related Resources

(Including Transfers of Funds)

For management, development, and restoration of water and related natural resources and for related activities, including the operation, maintenance, and rehabilitation of reclamation and other facilities, participation in
fulfilling related Federal responsibilities to Native Americans, and related grants to, and cooperative and other agreements with, State and local governments, federally recognized Indian tribes, and others, $812,744,000, to remain available until expended, of which $28,000 shall be available for transfer to the Upper Colorado River Basin Fund and $8,401,000 shall be available for transfer to the Lower Colorado River Basin Development Fund; of which such amounts as may be necessary may be advanced to the Colorado River Dam Fund: Provided, That such transfers may be increased or decreased within the overall appropriation under this heading: Provided further, That of the total appropriated, the amount for program activities that can be financed by the Reclamation Fund or the Bureau of Reclamation special fee account established by U.S.C. 6806 shall be derived from that Fund or account: Provided further, That funds contributed under 43 U.S.C. 395 are available until expended for the purposes for which the funds were contributed: Provided further, That funds advanced under 43 U.S.C. 397a shall be credited to this account and are available until expended for the same purposes as the sums appropriated under this heading: Provided further, That of the amounts provided here-
shall be carried out by the Youth Conservation Corps, as authorized by 16 U.S.C. 1706.

CENTRAL VALLEY PROJECT RESTORATION FUND

For carrying out the programs, projects, plans, habitat restoration, improvement, and acquisition provisions of the Central Valley Project Improvement Act, $53,288,000, to be derived from such sums as may be collected in the Central Valley Project Restoration Fund pursuant to sections 3407(d), 3404(c)(3), and 3405(f) of Public Law 102–575, to remain available until expended: Provided, That the Bureau of Reclamation is directed to assess and collect the full amount of the additional mitigation and restoration payments authorized by section 3407(d) of Public Law 102–575: Provided further, That none of the funds made available under this heading may be used for the acquisition or leasing of water for in-stream purposes if the water is already committed to in-stream purposes by a court adopted decree or order.

CALIFORNIA BAY-DELTA RESTORATION

(INCLUDING TRANSFERS OF FUNDS)

For carrying out activities authorized by the Water Supply, Reliability, and Environmental Improvement Act, consistent with plans to be approved by the Secretary of the Interior, $30,000,000, to remain available until expended, of which such amounts as may be necessary to
carry out such activities may be transferred to appropriate
accounts of other participating Federal agencies to carry
out authorized purposes: Provided, That funds appro-
priated herein may be used for the Federal share of the
costs of CALFED Program management: Provided fur-
ther, That CALFED implementation shall be carried out
in a balanced manner with clear performance measures
demonstrating concurrent progress in achieving the goals
and objectives of the Program.

POLICY AND ADMINISTRATION

For necessary expenses of policy, administration, and
related functions in the Office of the Commissioner, the
Denver office, and offices in the five regions of the Bureau
of Reclamation, to remain available until September 30,
2015, $60,000,000, to be derived from the Reclamation
Fund and be nonreimbursable as provided in 43 U.S.C.
377: Provided, That no part of any other appropriation
in this Act shall be available for activities or functions
budgeted as policy and administration expenses.

ADMINISTRATIVE PROVISION

Appropriations for the Bureau of Reclamation shall
be available for purchase of not to exceed five passenger
motor vehicles, which are for replacement only.
Sec. 201. (a) None of the funds provided in this title shall be available for obligation or expenditure through a reprogramming of funds that—

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

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

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

(4) restarts or resumes any program, project or activity for which funds are not provided in this Act, unless prior approval is received from the Committees on Appropriations of the House of Representatives and the Senate;

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

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

(B) $300,000 for any program, project or activity for which less than $2,000,000 is available at the beginning of the fiscal year;
(6) transfers more than $500,000 from either the Facilities Operation, Maintenance, and Rehabilitation category or the Resources Management and Development category to any program, project, or activity in the other category; or

(7) transfers, when necessary to discharge legal obligations of the Bureau of Reclamation, more than $5,000,000 to provide adequate funds for settled contractor claims, increased contractor earnings due to accelerated rates of operations, and real estate deficiency judgments.

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

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

(d) The Bureau of Reclamation shall submit reports on a quarterly basis to the Committees on Appropriations of the House of Representatives and the Senate detailing all the funds reprogrammed between programs, projects, activities, or categories of funding. The first quarterly report shall be submitted not later than 60 days after the date of enactment of this Act.
SEC. 202. (a) None of the funds appropriated or other- 
wise made available by this Act may be used to deter- 
mine the final point of discharge for the interceptor drain 
for the San Luis Unit until development by the Secretary 
of the Interior and the State of California of a plan, which 
shall conform to the water quality standards of the State 
of California as approved by the Administrator of the En-
vironmental Protection Agency, to minimize any detri-
mental effect of the San Luis drainage waters.

(b) The costs of the Kesterson Reservoir Cleanup 
Program and the costs of the San Joaquin Valley Drain-
age Program shall be classified by the Secretary of the 
Interior as reimbursable or nonreimbursable and collected 
until fully repaid pursuant to the “Cleanup Program-Al-
ternative Repayment Plan” and the “SJVDP-Alternative 
Repayment Plan” described in the report entitled “Repay-
ment Report, Kesterson Reservoir Cleanup Program and 
San Joaquin Valley Drainage Program, February 1995”, 
prepared by the Department of the Interior, Bureau of 
Reclamation. Any future obligations of funds by the 
United States relating to, or providing for, drainage serv-
ice or drainage studies for the San Luis Unit shall be fully 
reimbursable by San Luis Unit beneficiaries of such serv-
ice or studies pursuant to Federal reclamation law.
SEC. 203. Notwithstanding any other provision of law, until the pipeline reliability study required in the Consolidated Appropriations Act, 2012, is completed, and any necessary changes are made to Technical Memorandum No. 8140–CC–2004–1, the Bureau of Reclamation shall not deny approval, funding, or assistance to any project, nor disqualify any material from use, based, in whole or in part, on the corrosion control used, if the corrosion control meets the requirements of a published national or international standard promulgated by the American Water Works Association ("AWWA"), ASTM International, the American National Standards Institute ("ANSI"), NACE International ("NACE") or the American Society for Testing and Materials ("ASTM"). The Bureau shall allow any project initiated during the study to use any corrosion control meeting the above standards.

TITLE III—DEPARTMENT OF ENERGY

ENERGY PROGRAMS

RENEWABLE ENERGY, ENERGY RELIABILITY, AND EFFICIENCY

For Department of Energy expenses including the purchase, construction, and acquisition of plant and capital equipment, and other expenses necessary for energy efficiency and renewable energy activities, and electricity delivery and energy reliability activities, in carrying out
the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, $982,637,000, to remain available until expended: Provided, That of the amount provided under this heading, $76,926,000 shall be available until September 30, 2015, for program direction.

**NUCLEAR ENERGY**

**(INCLUDING TRANSFER OF FUNDS)**

For Department of Energy expenses including the purchase, construction, and acquisition of plant and capital equipment, and other expenses necessary for nuclear energy activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, and the purchase of not more than 10 buses and 2 ambulances, all for replacement only, $656,389,000, to remain available until expended, of which such sums as may be necessary shall be derived from the Nuclear Waste Fund, to be made available only to support the high-level waste geological repository at Yucca Mountain: Provided, That of the amount provided under this heading, $87,500,000 shall be available until
September 30, 2015, for program direction: Provided further, That of the amount provided under this heading, $5,000,000 shall be made available to affected units of local government, as defined in section 2(31) of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10101(31)), to support the Yucca Mountain high-level waste geological repository, as authorized by such Act: Provided further, That funds derived from the Nuclear Waste Fund may be transferred to “Independent Agencies—Nuclear Regulatory Commission—Salaries and Expenses” to support the Yucca Mountain high-level waste geological repository license application.

**FOSSIL ENERGY RESEARCH AND DEVELOPMENT**

For necessary expenses in carrying out fossil energy research and development activities, under the authority of the Department of Energy Organization Act (Public Law 95–91), 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), $450,000,000, to remain available until expended: Provided, That $115,753,000 shall be available
until September 30, 2015, for program direction: Provided further, That for all programs funded under Fossil Energy appropriations in this Act or any other Act, the Secretary may vest fee title or other property interests acquired under projects in any entity, including the United States.

**NAVAL PETROLEUM AND OIL SHALE RESERVES**

For expenses necessary to carry out naval petroleum and oil shale reserve activities, $14,909,000, to remain available until expended: Provided, That, notwithstanding any other provision of law, unobligated funds remaining from prior years shall be available for all naval petroleum and oil shale reserve activities.

**STRATEGIC PETROLEUM RESERVE**

For necessary expenses for Strategic Petroleum Reserve facility development and operations and program management activities pursuant to the Energy Policy and Conservation Act (42 U.S.C. 6201 et seq.), $189,400,000, to remain available until expended.

**NORTHEAST HOME HEATING OIL RESERVE**

For necessary expenses for Northeast Home Heating Oil Reserve storage, operation, and management activities pursuant to the Energy Policy and Conservation Act (42 U.S.C. 6201 et seq.), $8,000,000, to remain available until expended.
ENERGY INFORMATION ADMINISTRATION

For necessary expenses in carrying out the activities of the Energy Information Administration, $100,000,000, to remain available until expended.

NON-DEFENSE ENVIRONMENTAL CLEANUP

For Department of Energy expenses, including the purchase, construction, and acquisition of plant and capital equipment and other expenses necessary for non-defense environmental cleanup activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, $194,000,000, to remain available until expended.

URANIUM ENRICHMENT DECONTAMINATION AND DECOMMISSIONING FUND

For necessary expenses in carrying out uranium enrichment facility decontamination and decommissioning, remedial actions, and other activities of title II of the Atomic Energy Act of 1954, and title X, subtitle A, of the Energy Policy Act of 1992, $545,000,000, to be derived from the Uranium Enrichment Decontamination and Decommissioning Fund, to remain available until expended.
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 25 passenger motor vehicles for replacement only, including one law enforcement vehicle, one ambulance, and one bus, $4,653,000,000, to remain available until expended: Provided, That $174,862,000 shall be available until September 30, 2015, for program direction.

ADVANCED RESEARCH PROJECTS AGENCY—ENERGY

For necessary expenses in carrying out the activities authorized by section 5012 of the America COMPETES Act (42 U.S.C. 16538), $50,000,000, to remain available until expended.

TITLE 17 INNOVATIVE TECHNOLOGY LOAN GUARANTEE PROGRAM

Such sums as are derived from amounts received from borrowers pursuant to section 1702(b)(1)(B) of the Energy Policy Act of 2005 under this heading in prior Acts, shall be collected in accordance with section 502(7)
of the Congressional Budget Act of 1974: Provided, That, for necessary administrative expenses to carry out this Loan Guarantee program, $22,000,000 is appropriated, to remain available until September 30, 2015: Provided further, That $22,000,000 of the fees collected pursuant to section 1702(h) of the Energy Policy Act of 2005 (42 U.S.C. 16512(h)) shall be credited as offsetting collections to this account to cover administrative expenses and shall remain available until expended, so as to result in a final fiscal year 2014 appropriation from the general fund estimated at not more than $0: Provided further, That fees collected under section 1702(h) in excess of the amount appropriated for administrative expenses shall not be available until appropriated: Provided further, That the Department of Energy shall not subordinate any loan obligation to other financing in violation of section 1702 of the Energy Policy Act of 2005 (42 U.S.C. 16512) or subordinate any Guaranteed Obligation to any loan or other debt obligations in violation of section 609.10 of title 10, Code of Federal Regulations.

ADVANCED TECHNOLOGY VEHICLES MANUFACTURING

LOAN PROGRAM

For administrative expenses in carrying out the Advanced Technology Vehicles Manufacturing Loan Pro-
gram, $6,000,000, to remain available until September 30, 2015.

**DEPARTMENTAL ADMINISTRATION**

For salaries and expenses of the Department of Energy necessary for departmental administration in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the hire of passenger motor vehicles and official reception and representation expenses not to exceed $30,000, $187,863,000, to remain available until September 30, 2015, plus such additional amounts as necessary to cover increases in the estimated amount of cost of work for others notwithstanding the provisions of the Anti-Deficiency Act (31 U.S.C. 1511 et seq.): *Provided*, That such increases in cost of work are offset by revenue increases of the same or greater amount: *Provided further*, That monies received by the Department for miscellaneous revenues estimated to total $108,188,000 in fiscal year 2014 may be retained and used for operating expenses within this account, as authorized by section 201 of Public Law 95–238, notwithstanding the provisions of 31 U.S.C. 3302: *Provided further*, That the sum herein appropriated shall be reduced as collections are received during the fiscal year so as to result in a final fiscal year 2014 appropria-
tion from the general fund estimated at not more than $79,675,000.

Office of the Inspector General


Atomic Energy Defense Activities

National Nuclear Security Administration

Weapons Activities

For Department of Energy expenses, including the purchase, construction, and acquisition of plant and capital equipment and other incidental expenses necessary for atomic energy defense weapons activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, and the purchase of not to exceed one ambulance, $7,675,000,000, to remain available until expended.

Defense Nuclear Nonproliferation

For Department of Energy expenses, including the purchase, construction, and acquisition of plant and capital equipment and other incidental expenses necessary for
defense nuclear nonproliferation activities, in carrying out
the purposes of the Department of Energy Organization
Act (42 U.S.C. 7101 et seq.), including the acquisition or
condemnation of any real property or any facility or for
plant or facility acquisition, construction, or expansion,
$2,100,000,000, to remain available until expended: Pro-
vided, That the Secretary of Energy may make available
from funds provided under this heading in this Act not
more than $48,000,000 for the purpose of carrying out
domestic uranium enrichment research, development, and
demonstration activities.

NAVAL REACTORS

For Department of Energy expenses necessary for
naval reactors activities to carry out the Department of
Energy Organization Act (42 U.S.C. 7101 et seq.), includ-
ing the acquisition (by purchase, condemnation, construc-
tion, or otherwise) of real property, plant, and capital
equipment, facilities, and facility expansion,
$1,109,000,000, to remain available until expended: Pro-
vided, That $43,212,000 shall be available until Sep-
tember 30, 2015, for program direction.

OFFICE OF THE ADMINISTRATOR

For necessary expenses of the Office of the Adminis-
trator in the National Nuclear Security Administration,
including official reception and representation expenses
not to exceed $12,000, $382,000,000, to remain available until September 30, 2015.

ENVIRONMENTAL AND OTHER DEFENSE ACTIVITIES

DEFENSE ENVIRONMENTAL CLEANUP

For Department of Energy expenses, including the purchase, construction, and acquisition of plant and capital equipment and other expenses necessary for atomic energy defense environmental cleanup activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, and the purchase of not to exceed one sport utility vehicle, three lube trucks, and one fire truck for replacement only, $4,750,000,000, to remain available until expended: Provided, That $280,784,000 shall be available until September 30, 2015, for program direction.

OTHER DEFENSE ACTIVITIES

For Department of Energy expenses, including the purchase, construction, and acquisition of plant and capital equipment and other expenses, necessary for atomic energy defense, other defense activities, and classified activities, in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.),
including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, $830,000,000, to remain available until expended: Provided, That of such amount, $122,734,000 shall be available until September 30, 2015 for program direction.

POWER MARKETING ADMINISTRATION
BONNEVILLE POWER ADMINISTRATION FUND

Expenditures from the Bonneville Power Administration Fund, established pursuant to Public Law 93–454, are approved for construction of, or participating in the construction of, a high voltage line from Bonneville’s high voltage system to the service areas of requirements customers located within Bonneville’s service area in southern Idaho, southern Montana, and western Wyoming; and such line may extend to, and interconnect in, the Pacific Northwest with lines between the Pacific Northwest and the Pacific Southwest, and for John Day Reprogramming and Construction, the Columbia River Basin White Sturgeon Hatchery, and Kelt Reconditioning and Reproductive Success Evaluation Research, and, in addition, for official reception and representation expenses in an amount not to exceed $5,000: Provided, That during fiscal year 2014, no new direct loan obligations may be made.
For necessary expenses of operation and maintenance of power transmission facilities and of marketing electric power and energy, including transmission wheeling and ancillary services, pursuant to section 5 of the Flood Control Act of 1944 (16 U.S.C. 825s), as applied to the southeastern power area, and including official reception and representation expenses in an amount not to exceed $1,500, $7,750,000, to remain available until expended:

Provided, That notwithstanding 31 U.S.C. 3302 and section 5 of the Flood Control Act of 1944, up to $7,750,000 collected by the Southeastern Power Administration from the sale of power and related services shall be credited to this account as discretionary offsetting collections, to remain available until expended for the sole purpose of funding the annual expenses of the Southeastern Power Administration: Provided further, That the sum herein appropriated for annual expenses shall be reduced as collections are received during the fiscal year so as to result in a final fiscal year 2014 appropriation estimated at not more than $0: Provided further, That, notwithstanding 31 U.S.C. 3302, up to $78,081,000 collected by the Southeastern Power Administration pursuant to the Flood Control Act of 1944 to recover purchase power and wheeling expenses
shall be credited to this account as offsetting collections, to remain available until expended for the sole purpose of making purchase power and wheeling expenditures: Provided further, That for purposes of this appropriation, annual expenses means expenditures that are generally recovered in the same year that they are incurred (excluding purchase power and wheeling expenses).

Operation and Maintenance, Southwestern Power Administration

For necessary expenses of operation and maintenance of power transmission facilities and of marketing electric power and energy, for construction and acquisition of transmission lines, substations and appurtenant facilities, and for administrative expenses, including official reception and representation expenses in an amount not to exceed $1,500 in carrying out section 5 of the Flood Control Act of 1944 (16 U.S.C. 825s), as applied to the Southwestern Power Administration, $45,456,000, to remain available until expended: Provided, That notwithstanding 31 U.S.C. 3302 and section 5 of the Flood Control Act of 1944 (16 U.S.C. 825s), up to $33,564,000 collected by the Southwestern Power Administration from the sale of power and related services shall be credited to this account as discretionary offsetting collections, to remain available until expended, for the sole purpose of funding
the annual expenses of the Southwestern Power Adminis-
tration: Provided further, That the sum herein appro-
priated for annual expenses shall be reduced as collections
are received during the fiscal year so as to result in a final
fiscal year 2014 appropriation estimated at not more than
$11,892,000: Provided further, That, notwithstanding 31
U.S.C. 3302, up to $42,000,000 collected by the South-
western Power Administration pursuant to the Flood Con-
trol Act of 1944 to recover purchase power and wheeling
expenses shall be credited to this account as offsetting col-
lections, to remain available until expended for the sole
purpose of making purchase power and wheeling expendi-
tures: Provided further, That, for purposes of this appro-
priation, annual expenses means expenditures that are
generally recovered in the same year that they are in-
curred (excluding purchase power and wheeling expenses).

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

For carrying out the functions authorized by title III,
section 302(a)(1)(E) of the Act of August 4, 1977 (42
U.S.C. 7152), and other related activities including con-
servation and renewable resources programs as author-
ized, including official reception and representation ex-
penses in an amount not to exceed $1,500; $299,919,000,
to remain available until expended, of which $292,019,000 shall be derived from the Department of the Interior Reclamation Fund: Provided, That notwithstanding 31 U.S.C. 3302, section 5 of the Flood Control Act of 1944 (16 U.S.C. 825s), and section 1 of the Interior Department Appropriation Act, 1939 (43 U.S.C. 392a), up to $203,989,000 collected by the Western Area Power Administration from the sale of power and related services shall be credited to this account as discretionary offsetting collections, to remain available until expended, for the sole purpose of funding the annual expenses of the Western Area Power Administration: Provided further, That the sum herein appropriated for annual expenses shall be reduced as collections are received during the fiscal year so as to result in a final fiscal year 2014 appropriation estimated at not more than $95,930,000, of which $88,030,000 is derived from the Reclamation Fund: Provided further, That notwithstanding 31 U.S.C. 3302, up to $230,738,000 collected by the Western Area Power Administration pursuant to the Flood Control Act of 1944 and the Reclamation Project Act of 1939 to recover purchase power and wheeling expenses shall be credited to this account as offsetting collections, to remain available until expended for the sole purpose of making purchase power and wheeling expenditures: Provided further, That
for purposes of this appropriation, annual expenses means expenditures that are generally recovered in the same year that they are incurred (excluding purchase power and wheeling expenses).

**FALCON AND AMISTAD OPERATING AND MAINTENANCE FUND**

For operation, maintenance, and emergency costs for the hydroelectric facilities at the Falcon and Amistad Dams, $5,330,671, to remain available until expended, and to be derived from the Falcon and Amistad Operating and Maintenance Fund of the Western Area Power Administration, as provided in section 2 of the Act of June 18, 1954 (68 Stat. 255): *Provided,* That notwithstanding the provisions of that Act and of 31 U.S.C. 3302, up to $4,910,671 collected by the Western Area Power Administration from the sale of power and related services from the Falcon and Amistad Dams shall be credited to this account as discretionary offsetting collections, to remain available until expended for the sole purpose of funding the annual expenses of the hydroelectric facilities of these Dams and associated Western Area Power Administration activities: *Provided further,* That the sum herein appropriated for annual expenses shall be reduced as collections are received during the fiscal year so as to result in a final fiscal year 2014 appropriation estimated at not more than
$420,000: Provided further, That for purposes of this appropriation, annual expenses means expenditures that are generally recovered in the same year that they are incurred: Provided further, That for fiscal year 2014, the Administrator of the Western Area Power Administration may accept up to $865,000 in funds contributed by United States power customers of the Falcon and Amistad Dams for deposit into the Falcon and Amistad Operating and Maintenance Fund, and such funds shall be available for the purpose for which contributed in like manner as if said sums had been specifically appropriated for such purpose: Provided further, That any such funds shall be available without further appropriation and without fiscal year limitation for use by the Commissioner of the United States Section of the International Boundary and Water Commission for the sole purpose of operating, maintaining, repairing, rehabilitating, replacing, or upgrading the hydroelectric facilities at these Dams in accordance with agreements reached between the Administrator, Commissioner, and the power customers.

FEDERAL ENERGY REGULATORY COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Federal Energy Regulatory Commission to carry out the provisions of the Department of Energy Organization Act (42 U.S.C. 7101 et
sequence), including services as authorized by 5 U.S.C. 3109, the hire of passenger motor vehicles, and official reception and representation expenses not to exceed $3,000, $304,600,000, to remain available until expended: Provided, That notwithstanding any other provision of law, not to exceed $304,600,000 of revenues from fees and annual charges, and other services and collections in fiscal year 2014 shall be retained and used for necessary expenses in this account, and shall remain available until expended: Provided further, That the sum herein appropriated from the general fund shall be reduced as revenues are received during fiscal year 2014 so as to result in a final fiscal year 2014 appropriation from the general fund estimated at not more than $0.

GENERAL PROVISIONS, DEPARTMENT OF ENERGY

(INCLUDING TRANSFER OF FUNDS)

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

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

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

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

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

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

(2) The Secretary of Energy shall submit to the Committees on Appropriations of the House of Representatives and the Senate on the first business day of each quarter a report detailing each grant allocation or discretionary grant award totaling less than $1,000,000 provided during the previous quarter.
(3) The notification required by paragraph (1) and the report required by paragraph (2) shall include the recipient of the award, the amount of the award, the fiscal year for which the funds for the award were appropriated, the account and program, project, or activity from which the funds are being drawn, the title of the award, and a brief description of the activity for which the award is made.

(e) The Department of Energy may not, with respect to any program, project, or activity that uses budget authority made available in this title under the heading “Department of Energy—Energy Programs”, enter into a multiyear contract, award a multiyear grant, or enter into a multiyear cooperative agreement unless—

(1) the contract, grant, or cooperative agreement is funded for the full period of performance as anticipated at the time of award; or

(2) the contract, grant, or cooperative agreement includes a clause conditioning the Federal Government’s obligation on the availability of future year budget authority and the Secretary notifies the Committees on Appropriations of the House of Representatives and the Senate at least 3 days in advance.
(d) Except as provided in subsections (e), (f), and (g), the amounts made available by this title shall be expended as authorized by law for the programs, projects, and activities specified in the “Bill” column in the “Department of Energy” table or the text included under the heading “Title III—Department of Energy” in the report of the Committee on Appropriations accompanying this Act.

(e) The amounts made available by this title may be reprogrammed for any program, project, or activity, and the Department shall notify the Committees on Appropriations of the House of Representatives and the Senate at least 30 days prior to the use of any proposed reprogramming which would cause any program, project, or activity funding level to increase or decrease by more than $5,000,000 or 10 percent, whichever is less, during the time period covered by this Act.

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

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

(2) increases funds or personnel for any program, project, or activity for which funds are denied or restricted by this Act; or
(3) reduces funds that are directed to be used for a specific program, project, or activity by this Act.

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

(2) The Secretary of Energy shall notify the Committees on Appropriations of the House of Representatives and the Senate of any waiver under paragraph (1) as soon as practicable, but not later than 3 days after the date of the activity to which a requirement or restriction would otherwise have applied. Such notice shall include an explanation of the substantial risk under paragraph (1) that permitted such waiver.

SEC. 302. The unexpended balances of prior appropriations provided for activities in this Act may be available to the same appropriation accounts for such activities established pursuant to this title. Available balances may be merged with funds in the applicable established accounts and thereafter may be accounted for as one fund for the same time period as originally enacted.
SEC. 303. Funds appropriated by this or any other Act, or made available by the transfer of funds in this Act, for intelligence activities are deemed to be specifically authorized by the Congress for purposes of section 504 of the National Security Act of 1947 (50 U.S.C. 414) during fiscal year 2014 until the enactment of the Intelligence Authorization Act for fiscal year 2014.

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

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

ing in subsection (c) “an annual review” after “conduct” and inserting in lieu thereof “a review every three years”.

SEC. 307. None of the funds made available by this or any subsequent Act for fiscal year 2014 or any fiscal year hereafter may be used to pay the salaries of Department of Energy employees to carry out the amendments made by section 407 of division A of the American Recovery and Reinvestment Act of 2009.

SEC. 308. Notwithstanding section 307 of Public Law 111–85, of the funds made available by the Department of Energy for activities at Government-owned, contractor-operated laboratories funded in this or any subsequent Energy and Water Development appropriation Act for any fiscal year, the Secretary may authorize a specific amount, not to exceed 4.5 percent of such funds, to be used by such laboratories for laboratory directed research and development.

SEC. 309. Notwithstanding section 301(c) of this Act, none of the funds made available under the heading “Department of Energy—Energy Programs—Science” may be used for a multiyear contract, grant, cooperative agreement, or Other Transaction Agreement of $1,500,000 or less unless the contract, grant, cooperative agreement, or Other Transaction Agreement is funded for the full period of performance as anticipated at the time of award.
SEC. 310. Not later than June 30, 2014, the Secretary shall submit to the Committees on Appropriations of the House of Representatives and the Senate a tritium and enriched uranium management plan that provides—

(a) an assessment of the national security demand for tritium and low and highly enriched uranium through 2060;

(b) a description of the Department of Energy’s plan to provide adequate amounts of tritium and enriched uranium for national security purposes through 2060; and

(c) an analysis of planned and alternative technologies which are available to meet the supply needs for tritium and enriched uranium for national security purposes, including weapons dismantlement and down-blending.

SEC. 311. (a) The Secretary of Energy shall submit to the Committees on Appropriations of the House of Representatives and the Senate not later than December 1, 2013, a report which provides an analysis of alternatives for each major warhead refurbishment program that reaches Phase 6.3, including—

(1) A summary of the overall cost, scope, and schedule planning assumptions for the major refurbishment activity;
(2) A full description of alternatives considered prior to the award of Phase 6.3;

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

(4) An assessment of the risks, costs, and scheduling needs for each military requirement established by the Department of Defense and/or any requirement established to enhance safety, security, or maintainability;

(5) Identification of the cost and risk of critical technology elements associated with each refurbishment alternative, including technology maturity, integration risk, manufacturing feasibility, and demonstration needs; and

(6) Identification of the cost and risk of capital asset and infrastructure capabilities required to support production and certification of each refurbishment alternative.

(b) The Secretary of Energy or the Secretary’s designee shall certify to the Committees on Appropriations of the House of Representatives and the Senate that—

(1) No less than three feasible and distinct alternatives are considered prior to the award of mile-
stone Phase 6.3 for any major warhead refurbishment program; and

(2) Appropriate trade-offs among cost, schedule, and performance objectives have been made to ensure that the program is affordable when considering the per unit cost and the total acquisition cost in the context of the total resources available during the period covered by the most recent stockpile stewardship and management plan and the future-years nuclear security plan submitted during the fiscal year in which the certification is made.

(c) In this section, the term “major warhead refurbishment program” includes all nuclear weapons life extension programs, alterations, and modifications carried out for the life cycle management of the nuclear weapons stockpile, and all non-routine nuclear weapons stockpile activities that are estimated to cost over $1,000,000,000.

TITLE IV—INDEPENDENT AGENCIES

APPALACHIAN REGIONAL COMMISSION

For expenses necessary to carry out the programs authorized by the Appalachian Regional Development Act of 1965, notwithstanding 40 U.S.C. 14704, and for necessary expenses for the Federal Co-Chairman and the Alternate on the Appalachian Regional Commission, for payment of the Federal share of the administrative expenses
of the Commission, including services as authorized by 5
U.S.C. 3109, and hire of passenger motor vehicles,
$70,317,000, to remain available until expended.

**DEFENSE NUCLEAR FACILITIES SAFETY BOARD**

**SALARIES AND EXPENSES**

For necessary expenses of the Defense Nuclear Fa-
cilities Safety Board in carrying out activities authorized
by the Atomic Energy Act of 1954, as amended by Public
Law 100–456, section 1441, $29,915,000, to remain
available until September 30, 2015: Provided, That of the
amount provided under this heading, $850,000 shall be
made available to procure Inspector General services from
the Inspector General of the Nuclear Regulatory Commiss-
ion.

**DELTA REGIONAL AUTHORITY**

**SALARIES AND EXPENSES**

For necessary expenses of the Delta Regional Author-
ity and to carry out its activities, as authorized by the
Delta Regional Authority Act of 2000, notwithstanding
sections 382C(b)(2), 382F(d), 382M, and 382N of said
Act, $11,319,000, to remain available until expended.

**DENALI COMMISSION**

For expenses of the Denali Commission including the
purchase, construction, and acquisition of plant and cap-
ital equipment as necessary and other expenses,
$7,396,000, to remain available until expended, notwithstanding the limitations contained in section 306(g) of the Denali Commission Act of 1998: Provided, That funds shall be available for construction projects in an amount not to exceed 80 percent of total project cost for distressed communities, as defined by section 307 of the Denali Commission Act of 1998 (division C, title III, Public Law 105–277), as amended by section 701 of appendix D, title VII, Public Law 106–113 (113 Stat. 1501A–280), and an amount not to exceed 50 percent for non-distressed communities.

NORTHERN BORDER REGIONAL COMMISSION

For necessary expenses of the Northern Border Regional Commission in carrying out activities authorized by subtitle V of title 40, United States Code, $1,355,000, to remain available until expended: Provided, That such amounts shall be available for administrative expenses, notwithstanding section 15751(b) of title 40, United States Code.

SOUTHEAST CRESCENT REGIONAL COMMISSION

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

Salaries and Expenses

For necessary expenses of the Commission in carrying out the purposes of the Energy Reorganization Act of 1974 and the Atomic Energy Act of 1954, including official representation expenses (not to exceed $25,000), $1,043,937,000, to remain available until expended: Provided, That of the amount appropriated herein, not more than $9,500,000 may be made available for salaries, travel, and other support costs for the Office of the Commission, to remain available until September 30, 2015, of which, notwithstanding section 201(a)(2)(c) of the Energy Reorganization Act of 1974 (42 U.S.C. 5841(a)(2)(c)), the use and expenditure shall only be approved by a majority vote of the Commission: Provided further, That revenues from licensing fees, inspection services, and other services and collections estimated at $920,721,000 in fiscal year 2014 shall be retained and used for necessary salaries and expenses in this account, notwithstanding 31 U.S.C. 3302, and shall remain available until expended: Provided further, That the sum herein appropriated shall be reduced by the amount of revenues received during fiscal year 2014 so as to result in a final fiscal year 2014 appropriation estimated at not more than $123,216,000: Provided further, That of the amounts appropriated under
this heading, $10,000,000 shall be for university research and development in areas relevant to their respective organization’s mission, and $5,000,000 shall be for a Nuclear Science and Engineering Grant Program that will support multiyear projects that do not align with programmatic missions but are critical to maintaining the discipline of nuclear science and engineering.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, $11,105,000, to remain available until September 30, 2015: Provided, That revenues from licensing fees, inspection services, and other services and collections estimated at $9,994,000 in fiscal year 2014 shall be retained and be available until September 30, 2015, for necessary salaries and expenses in this account, notwithstanding section 3302 of title 31, United States Code: Provided further, That the sum herein appropriated shall be reduced by the amount of revenues received during fiscal year 2014 so as to result in a final fiscal year 2014 appropriation estimated at not more than $1,111,000.
Nuclear Waste Technical Review Board

Salaries and Expenses

For necessary expenses of the Nuclear Waste Technical Review Board, as authorized by Public Law 100–203, section 5051, $3,400,000, to be derived from the Nuclear Waste Fund, to remain available until September 30, 2015.

Office of the Federal Coordinator for Alaska Natural Gas Transportation Projects

For necessary expenses for the Office of the Federal Coordinator for Alaska Natural Gas Transportation Projects pursuant to the Alaska Natural Gas Pipeline Act, $1,000,000, to remain available until September 30, 2015: Provided, That any fees, charges, or commissions received pursuant to section 106(h) of the Alaska Natural Gas Pipeline Act (15 U.S.C. 720d(h)) in fiscal year 2014 in excess of $2,402,000 shall not be available for obligation until appropriated in a subsequent Act of Congress.

General Provisions—Independent Agencies

Sec. 401. The Chairman of the Nuclear Regulatory Commission may not terminate any program, project, or activity without a majority vote of the Commissioners of the Nuclear Regulatory Commission approving such action.
SEC. 402. The Chairman of the Nuclear Regulatory Commission shall notify the Committees on Appropriations of the House of Representatives and the Senate not later than 1 day after the Chairman begins performing functions under the authority of section 3 of Reorganization Plan No. 1 of 1980, or after a member of the Commission who was delegated emergency functions under subsection (b) of that section begins performing those functions. Such notification shall include an explanation of the circumstances warranting the exercise of such authority. The Chairman shall report to the Committees, not less frequently than once each week, on the actions taken by the Chairman, or a delegated member of the Commission, under such authority, until the authority is relinquished. The Chairman shall notify the Committees not later than 1 day after such authority is relinquished. The Chairman shall submit the report required by section 3(d) of the Reorganization Plan No. 1 of 1980 to the Committees not later than 1 day after it was submitted to the Commission.

TITLE V—GENERAL PROVISIONS

(INCLUDING TRANSFERS AND RESCISSIONS OF FUNDS)

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

SEC. 502. None of the funds made available by this Act may be used to eliminate or reduce funding for a pro-
gram, project, or activity as proposed in a President’s budget request for a fiscal year until such proposed change is subsequently enacted in an appropriations Act, or unless such change is made pursuant to the reprogramming and transfer provisions of this Act.

SEC. 503. None of the funds made available by this Act may be used to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to any corporation that was convicted of a felony criminal violation under any Federal law within the preceding 24 months, where the awarding agency is aware of the conviction, unless the agency has considered suspension or debarment of the corporation and has made a determination that this further action is not necessary to protect the interests of the Government.

SEC. 504. None of the funds made available by this Act may be used to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to, any cor-
poration that has any unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability, where the awarding agency is aware of the unpaid tax liability, unless the agency has considered suspension or debarment of the corporation and has made a determination that this further action is not necessary to protect the interests of the Government.

Sec. 505. (a) None of the funds made available in title III of this Act may be transferred to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by or transfer authority provided in this Act or any other appropriation Act for any fiscal year, transfer authority referenced in the report of the Committee on Appropriations accompanying this Act, or any authority whereby a department, agency, or instrumentality of the United States Government may provide goods or services to another department, agency, or instrumentality.

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

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

Sec. 506. None of the funds made available by this Act may be used in contravention of Executive Order No. 12898 of February 11, 1994 (“Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations”).
SEC. 507. None of the funds made available under this Act may be expended for any new hire by any Federal agency funded in this Act that is not verified through the E-Verify Program as described in section 403(a) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1324a note).

SEC. 508. (a) Of the unobligated balances available from prior year appropriations for the following accounts, the following amounts are hereby permanently rescinded:

(1) Under the heading “Corps of Engineers—Civil—Department of the Army”, $200,000,000, to be derived by the Secretary of the Army from funds made available for “Construction, General”, “Flood Control, Mississippi River and Tributaries, Arkansas, Illinois, Kentucky, Louisiana, Mississippi, Missouri, and Tennessee”, “General Investigations”, “Construction”, “Investigations”, and “Mississippi River and Tributaries”.


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

SEC. 509. None of the funds made available in this Act may be used to conduct closure of adjudicatory functions, technical review, or support activities associated with the Yucca Mountain geologic repository license application, or for actions that irrevocably remove the possibility that Yucca Mountain may be a repository option in the future.

SEC. 510. The Commissioner of the Bureau of Reclamation and the Assistant Secretary of the Army (Civil Works) shall submit to the Committees on Appropriations of the House of Representatives and the Senate, at the time that the President’s budget proposal for fiscal year 2015 is submitted pursuant to section 1105(a) of title 31, United States Code, a comprehensive report compiled in conjunction with the Government Accountability Office that details updated missions, goals, strategies, and prior-
ities, and performance metrics that are measurable, repeatable, and directly linked to requests for funding.

SEC. 511. It is the sense of the Congress that the Congress should not pass any legislation that authorizes spending cuts that would increase poverty in the United States.

SPENDING REDUCTION ACCOUNT

SEC. 512. The amount by which the applicable allocation of new budget authority made by the Committee on Appropriations of the House of Representatives under section 302(b) of the Congressional Budget Act of 1974 exceeds the amount of proposed new budget authority is $0. This Act may be cited as the “Energy and Water Development and Related Agencies Appropriations Act, 2014”.
Making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2014, and for other purposes.

JULY 2, 2013
Committed to the Committee of the Whole House on the State of the Union and ordered to be printed.

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[Report No. 113–135]