[FULL COMMITTEE PRINT]

Union Calendar No. _____

118TH CONGRESS
2D Session

H. R. ________

[Report No. 118—___]

Making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2025, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

____ --, 2024

Mr. FLEISCHMANN, 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, 2025, and for other purposes.
Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2025, and for other purposes, namely:

TITLE I
CORPS OF ENGINEERS—CIVIL
DEPARTMENT OF THE ARMY

The following appropriations shall be expended under the direction of the Secretary of the Army and the supervision of the Chief of Engineers for authorized civil functions of the Department of the Army pertaining to river and harbor, flood and storm damage reduction, shore protection, aquatic ecosystem restoration, and related efforts.

INVESTIGATIONS

For expenses necessary where authorized by law for the collection and study of basic information pertaining to river and harbor, flood and storm damage reduction, shore protection, aquatic ecosystem restoration, and related needs; for surveys and detailed studies, and plans and specifications of proposed river and harbor, flood and storm damage reduction, shore protection, and aquatic ecosystem restoration projects, and related efforts prior to
3 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, $159,000,000, to remain
available until expended: Provided, That the Secretary
shall not deviate from the work plan, once the plan has
been submitted to the Committees on Appropriations of
both Houses of Congress.

CONSTRUCTION

For expenses necessary for the construction of river
and harbor, flood and storm damage reduction, shore pro-
tection, 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 specifica-
tions, shall not constitute a commitment of the Govern-
ment to construction); $3,010,000,000, to remain avail-
able until expended; of which $34,900,000, to be derived
from the Harbor Maintenance Trust Fund, shall be to
cover the Federal share of construction costs for facilities
under the Dredged Material Disposal Facilities program;
and of which such sums as are necessary to cover 35 per-
cent of the costs of construction, replacement, rehabilita-
tion, and expansion of inland waterways projects shall be
derived from the Inland Waterways Trust Fund, except
as otherwise specifically provided for in law: Provided,
That the Secretary shall not deviate from the work plan,
once the plan has been submitted to the Committees on
Appropriations of both Houses of Congress.

MISSISSIPPI RIVER AND TRIBUTARIES

For expenses necessary for flood damage reduction
projects and related efforts in the Mississippi River allu-
valley below Cape Girardeau, Missouri, as authorized
by law, $370,000,000, to remain available until expended,
of which $5,465,000, to be derived from the Harbor Main-
tenance Trust Fund, shall be to cover the Federal share
of eligible operation and maintenance costs for inland har-
bors: Provided, That the Secretary shall not deviate from
the work plan, once the plan has been submitted to the
Committees on Appropriations of both Houses of Con-
gress.

OPERATION AND MAINTENANCE

For expenses necessary for the operation, mainte-
nance, 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, includ-
ing 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, $5,714,000,000, to remain available until expended, of which $3,106,635,000, to be derived from the Harbor Maintenance Trust Fund, shall be to cover the Federal share of eligible operations and maintenance costs for coastal harbors and channels, and for inland harbors, of which $60,000,000 shall be to carry out subsection (c) of section 2106 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2238c(c)) and shall be designated as being for such purpose pursuant to paragraph (2) of section 14003 of division B of the Coronavirus Aid, Relief, and Economic Security Act (Public Law 116–136); 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; 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 begin-
ning 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 En-
gineers shall allocate during the fourth quarter any re-
main ing funds which have not been used for emergency
activities proportionally in accordance with the amounts
provided for the programs, projects, or activities: Provided
further, That the Secretary shall not deviate from the work
plan, once the plan has been submitted to the Committees
on Appropriations of both Houses of Congress.

REGULATORY PROGRAM

For expenses necessary for administration of laws
pertaining to regulation of navigable waters and wetlands,
$218,000,000, to remain available until September 30,
2026.

FORMERLY UTILIZED SITES REMEDIAL ACTION PROGRAM

For expenses necessary to clean up contamination
from sites in the United States resulting from work per-
formed as part of the Nation’s early atomic energy pro-
gram, $200,000,000, to remain available until expended.

**FLOOD CONTROL AND COASTAL EMERGENCIES**

For expenses necessary to prepare for flood, hurri-
cane, and other natural disasters and support emergency
operations, repairs, and other activities in response to
such disasters as authorized by law, $45,000,000, to re-
main available until expended.

**EXPENSES**

For expenses necessary for the supervision and gen-
eral administration of the civil works program in the head-
quar ters of the Corps of Engineers and the offices of the
Division Engineers; and for costs of management and op-
eration of the Humphreys Engineer Center Support Activ-
ity, 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, $231,000,000, to
remain available until September 30, 2026, 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 administration of emergency operations, repairs, and other activities in response to any flood, hurricane, or other natural disaster.

OFFICE OF THE ASSISTANT SECRETARY OF THE ARMY

For the Office of the Assistant Secretary of the Army for Civil Works as authorized by 10 U.S.C. 7016(b)(3), $5,000,000, to remain available until September 30, 2026: Provided, That not more than 25 percent of such amount may be obligated or expended until the Assistant Secretary submits to the Committees on Appropriations of both Houses of Congress the report required under section 101(d) of this Act and a work plan that allocates at least 95 percent of the additional funding provided under each heading in the report accompanying this Act, to specific programs, projects, or activities.

WATER INFRASTRUCTURE FINANCE AND INNOVATION

PROGRAM ACCOUNT

For administrative expenses to carry out the direct and guaranteed loan programs, notwithstanding section 5033 of the Water Infrastructure Finance and Innovation
Act of 2014, $5,000,000, to remain available until September 30, 2026.

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

GENERAL PROVISIONS—CORPS OF ENGINEERS—CIVIL

(INCLUDING TRANSFER OF FUNDS)

Sec. 101. (a) None of the funds provided in title I of this Act, or provided by previous appropriations Acts to the agencies or entities funded in title I of this Act that remain available for obligation or expenditure in fiscal year 2025, shall be available for obligation or expenditure through a reprogramming of funds that:

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

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

(3) increases funds or personnel for any program, project, or activity for which funds have been denied or restricted by this Act, unless prior approval is received from the Committees on Appropriations of both Houses of Congress;

(4) proposes to use funds directed for a specific activity for a different purpose, unless prior approval
is received from the Committees on Appropriations of both Houses of Congress;

(5) augments or reduces existing programs, projects, or activities in excess of the amounts contained in paragraphs (6) through (10), unless prior approval is received from the Committees on Appropriations of both Houses of Congress;

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

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

(8) OPERATION AND MAINTENANCE.—Unlim-
ited reprogramming authority is granted for the
Corps to be able to respond to emergencies: Pro-
vided, That the Chief of Engineers shall notify the
Committees on Appropriations of both Houses of
Congress of these emergency actions as soon there-
after as practicable: Provided further, That for a
base level over $1,000,000, reprogramming of 15
percent of the base amount up to a limit of
$5,000,000 per project, study, or activity is allowed:
Provided further, That for a base level less than
$1,000,000, the reprogramming limit is $150,000:
Provided further, That $150,000 may be repro-
grammed into any continuing study or activity that
did not receive an appropriation;

(9) MISSISSIPPI RIVER AND TRIBUTARIES.—
The reprogramming guidelines in paragraphs (6),
(7), and (8) shall apply to the Investigations, Con-
struction, and Operation and Maintenance portions
of the Mississippi River and Tributaries Account, re-
spectively; and
(10) FORMERLY UTILIZED SITES REMEDIAL ACTION PROGRAM.—Reprogramming of up to 15 percent of the base of the receiving project is permitted.

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

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

(d) Not later than 60 days after the date of enactment of this Act, the Secretary shall submit a report to the Committees on Appropriations of both Houses of Congress to establish the baseline for application of reprogramming and transfer authorities for the current fiscal year which shall include:

(1) A table for each appropriation with a separate column to display the President’s budget request, adjustments made by Congress, adjustments due to enacted rescissions, if applicable, and the fiscal year enacted level;

(2) A delineation in the table for each appropriation both by object class and program, project and activity as detailed in the budget appendix for the respective appropriations; and
An identification of items of special congressional interest.

Sec. 102. The Secretary shall allocate funds made available in this Act solely in accordance with the provisions of this Act and in the report accompanying this Act.

Sec. 103. 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. 104. The Secretary of the Army may transfer to the Fish and Wildlife Service, and the Fish and Wildlife Service may accept and expend, up to $8,733,000 of funds provided in this title under the heading “Operation and Maintenance” to mitigate for fisheries lost due to Corps of Engineers projects.

Sec. 105. None of the funds in this Act shall be used for an open lake placement alternative for dredged material, after evaluating the least costly, environmentally acceptable manner for the disposal or management of dredged material originating from Lake Erie or tributaries thereto, unless it is approved under a State water quality certification pursuant to section 401 of the Federal Water
Pollution Control Act (33 U.S.C. 1341): Provided, That until an open lake placement alternative for dredged material is approved under a State water quality certification, the Corps of Engineers shall continue upland placement of such dredged material consistent with the requirements of section 101 of the Water Resources Development Act of 1986 (33 U.S.C. 2211).

Sec. 106. None of the funds made available by this Act may be used to carry out any water supply reallocation study under the Wolf Creek Dam, Lake Cumberland, Kentucky, project authorized under the Act of July 24, 1946 (60 Stat. 636, ch. 595).

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

Sec. 108. Not later than 15 days after the date of enactment of this Act, the Administrator of the Environmental Protection Agency and the Assistant Secretary of the Army for Civil Works shall provide to the appropriate congressional committees any guidance documents relating to the implementation of the rule entitled “Revised Definition of ‘Waters of the United States’; Conforming” published by the Army Corps of Engineers and the Environmental Protection Agency in the Federal Register on September 8, 2023 (88 Fed. Reg. 61964).
SEC. 109. None of the funds made available by this Act or any prior Act may be used to alter the eligibility requirements for assistance under section 5 of the Act of August 18, 1941 (33 U.S.C. 701n) in effect on November 14, 2022, without express authorization by Congress.

SEC. 110. As of the date of enactment of this Act and each fiscal year 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 a 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.

SEC. 111. None of the funds made available by this Act may be used to modify or amend the final rules entitled, “Reissuance and Modification of Nationwide Permits” (86 Fed. Reg. 2744) and “Reissuance and Modification of Nationwide Permits” (86 Fed. Reg. 73522).


SEC. 112. None of the funds made available by this Act may be used to implement or enforce section 370 of Public Law 116–283 with respect to civil works projects.

TITLE II

DEPARTMENT OF THE INTERIOR

CENTRAL UTAH PROJECT

CENTRAL UTAH PROJECT COMPLETION ACCOUNT

For carrying out activities authorized by the Central Utah Project Completion Act, $23,000,000, to remain available until expended, of which $4,000,000 shall be deposited into the Utah Reclamation Mitigation and Conservation Account for use by the Utah Reclamation Mitigation and Conservation Commission: Provided, That of the amount provided under this heading, $1,900,000 shall be available until September 30, 2026, for expenses necessary in carrying out related responsibilities of the Secretary of the Interior: Provided further, That for fiscal year 2025, of the amount made available to the Commission under this Act or any other Act, the Commission may use an amount not to exceed $2,164,000 for administrative expenses: Provided further, That of the amounts provided under this heading, not to exceed $1,000 may be for official reception and representation expenses.
The following appropriations shall be expended to execute authorized functions of the Bureau of Reclamation:

WATER AND RELATED RESOURCES
(INCLUDING TRANSFERS OF FUNDS)

For management, development, and restoration of water and related natural resources and for related activities, including the operation, maintenance, and rehabilitation of reclamation and other facilities, participation in fulfilling related Federal responsibilities to Native Americans, and related grants to, and cooperative and other agreements with, State and local governments, federally recognized Indian Tribes, and others, $1,773,000,000, to remain available until expended, of which $23,620,000 shall be available for transfer to the Upper Colorado River Basin Fund and $7,584,000 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 $100,000 shall be available for transfer into the Aging Infrastructure Account established by section 9603(d)(1) of the Omnibus Public Land Management Act of 2009, as amended (43 U.S.C. 510b(d)(1)): Provided further, That such transfers, except for the transfer authorized by the
preceding proviso, may be increased or decreased within
the overall appropriation under this heading: Provided fur-
ther, That of the total appropriated, the amount for pro-
gram activities that can be financed by the Reclamation
Fund, the Water Storage Enhancement Receipts account
established by section 4011(e) of Public Law 114–322, or
the Bureau of Reclamation special fee account established
by 16 U.S.C. 6806 shall be derived from that Fund or
account: Provided further, That funds contributed under
43 U.S.C. 395 are available until expended for the pur-
poses for which the funds were contributed: Provided fur-
ther, 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 made
available under this heading, $7,000,000 shall be depos-
ited in the San Gabriel Basin Restoration Fund estab-
lished by section 110 of title I of division B of appendix
D of Public Law 106–554: Provided further, That of the
amounts provided herein, funds may be used for high-pri-
ority projects which shall be carried out by the Youth Con-
servation Corps, as authorized by 16 U.S.C. 1706: Pro-
vided further, That within available funds, $250,000 shall
be for grants and financial assistance for educational ac-
tivities: Provided further, That in accordance with section
of Public Law 114–322 and as recommended by the Secretary in a letter dated May 22, 2024, funding provided for such purpose in fiscal year 2024 shall be made available to the Sites Reservoir Project: Provided further, That in accordance with section 4009(c) of Public Law 114–322, and as recommended by the Secretary in a letter dated May 22, 2024, funding provided for such purpose in fiscal year 2023 and fiscal year 2024 shall be made available to the El Paso Aquifer Storage and Recovery Enhanced Arroyo Project, the Replenish Big Bear, and the Purified Water Replenishment Project.

CENTRAL VALLEY PROJECT RESTORATION FUND

For carrying out the programs, projects, plans, habitat restoration, improvement, and acquisition provisions of the Central Valley Project Improvement Act, such sums as may be collected in fiscal year 2025 in the Central Valley Project Restoration Fund pursuant to sections 3407(d), 3404(e)(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, $33,000,000, to remain available until ex-
pended, 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 expenses necessary for policy, administration,
and related functions in the Office of the Commissioner,
the Denver office, and offices in the six regions of the Bu-
reau of Reclamation, to remain available until September
30, 2026, $66,794,000, to be derived from the Reclama-
tion Fund and be nonreimbursable as provided in 43
U.S.C. 377, of which not to exceed $5,000 may be used for official reception and representation expenses: 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 and replacement of not to exceed 30 motor vehicles, which are for replacement only.

GENERAL PROVISIONS—DEPARTMENT OF THE INTERIOR

Sec. 201. (a) None of the funds provided in title II of this Act for Water and Related Resources, or provided by previous or subsequent appropriations Acts to the agencies or entities funded in title II of this Act for Water and Related Resources that remain available for obligation or expenditure in fiscal year 2025, shall be available for obligation or expenditure through a reprogramming of funds that—

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

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

(3) increases funds for any program, project, or activity for which funds have been denied or restricted by this Act, unless prior approval is received
from the Committees on Appropriations of both Houses of Congress;

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

(5) transfers funds in excess of the following limits, unless prior approval is received from the Committees on Appropriations of both Houses of Congress:

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

(B) $400,000 for any program, project or activity for which less than $2,000,000 is available at the beginning of the fiscal year;

(6) transfers more than $500,000 from either the Facilities Operation, Maintenance, and Rehabilitation category or the Resources Management and Development category to any program, project, or activity in the other category, unless prior approval is received from the Committees on Appropriations of both Houses of Congress; or

(7) transfers, where necessary to discharge legal obligations of the Bureau of Reclamation, more than
$5,000,000 to provide adequate funds for settled contractor claims, increased contractor earnings due to accelerated rates of operations, and real estate deficiency judgments, unless prior approval is received from the Committees on Appropriations of both Houses of Congress.

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

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

(d) Except as provided in subsections (a) and (b), the amounts made available in this title under the heading “Bureau of Reclamation—Water and Related Resources” shall be expended for the programs, projects, and activities specified in the “House Recommended” columns in the “Water and Related Resources” table included under the heading “Title II—Department of the Interior” in the report accompanying this Act.

(e) The Bureau of Reclamation shall submit reports on a quarterly basis to the Committees on Appropriations of both Houses of Congress detailing all the funds programmed between programs, projects, activities, or categories of funding. The first quarterly report shall be sub-
mitted not later than 60 days after the date of enactment of this Act.

SEC. 202. (a) None of the funds appropriated or otherwise made available by this Act may be used to determine the final point of discharge for the interceptor drain for the San Luis Unit until development by the Secretary of the Interior and the State of California of a plan, which shall conform to the water quality standards of the State of California as approved by the Administrator of the Environmental Protection Agency, to minimize any detrimental effect of the San Luis drainage waters.

(b) The costs of the Kesterson Reservoir Cleanup Program and the costs of the San Joaquin Valley Drainage Program shall be classified by the Secretary of the Interior as reimbursable or nonreimbursable and collected until fully repaid pursuant to the "Cleanup Program—Alternative Repayment Plan" and the "SJVDP—Alternative Repayment Plan" described in the report entitled "Repayment Report, Kesterson Reservoir Cleanup Program and San Joaquin Valley Drainage Program, February 1995", prepared by the Department of the Interior, Bureau of Reclamation. Any future obligations of funds by the United States relating to, or providing for, drainage service or drainage studies for the San Luis Unit shall be fully reimbursable by San Luis Unit beneficiaries of
such service or studies pursuant to Federal reclamation law.

Sec. 203. (a) Title I of Public Law 108–361 (the Calfed Bay-Delta Authorization Act), shall be applied by substituting “2025” for “2022” each place it appears.

(b) Section 103(f)(4)(A) of Public Law 108–361 (the Calfed Bay-Delta Authorization Act) is amended by striking “$30,000,000” and inserting “$40,000,000”.

Sec. 204. (a) Section 104(c) of the Reclamation States Emergency Drought Relief Act of 1991, as amended (43 U.S.C. 2214(c)), shall be applied by substituting “2025” for “2022”.

(b) Section 301 of the Reclamation States Emergency Drought Relief Act of 1991 (43 U.S.C. 2241)—

(1) shall be applied by substituting “2025” for “2022”; and

(2) is amended by striking “$120,000,000” and inserting “$130,000,000”.

Sec. 205. None of the funds made available by this Act or any other Act may be used to continue the reinitiated consultation on the Long-Term Operation of the Central Valley Project and State Water Project under section 7 of the Endangered Species Act of 1973 (16 U.S.C. 1536), consistent with the letter from the Bureau of Reclamation dated September 30, 2021, requesting such re-
initiated consultation, until the Commissioner of the Bureau of Reclamation requests and receives in writing from the Director of the United States Fish and Wildlife Service a comprehensive report explaining the purpose, methodology, and anticipated outcomes of such reinitiated consultation: Provided, That not later than 15 days after the date on which the Director provides to the Commissioner such report, the Commissioner shall submit to Congress such report.

SEC. 206. (a) The Central Valley Project and California State Water Project shall be operated in accordance with the Preferred Alternative and FWS Biological Opinion and NOAA Biological Opinion.

(b) For the purposes of this section—

(1) the term “Preferred Alternative” means the Alternative 1 (Preferred Alternative), as described in the Final Environmental Impact Statement on the Reinitiation of Consultation on the Coordinated Long-Term Operation of the Central Valley Project and the State Water Project” issued by the Bureau of Reclamation, and dated December 2019;

(2) the term “FWS Biological Opinion” means the United States Fish and Wildlife Service “Biological Opinion for the Reinitiation of Consultation on the Coordinated Operations of the Central Valley
Project and State Water Project” (Service File No. 08FBTD00–2019–F–0164) signed on October 21, 2019; and

(3) the term “NOAA Biological Opinion” means the National Oceanic and Atmospheric Administration Fisheries “Biological Opinion on the Long-Term Operation of the Central Valley Project and the State Water Project” (Consultation Tracking Number: WRCO–2016–00069) signed on October 21, 2019.

SEC. 207. Section 40902(a)(2) of the Infrastructure Investment and Jobs Act (43 U.S.C. 3202(a)(2)) is amended—

(1) in subparagraph (B)—

(A) in the matter preceding clause (i), by striking “this Act, except for any project for which—” and inserting “this Act; or”; and

(B) by striking clauses (i) and (ii); and

(2) in subparagraph (C), by striking “(except that projects described in clauses (i) and (ii) of subparagraph (B) shall not be eligible)”.

SEC. 208. The Water Infrastructure Improvements for the Nation Act (Public Law 114–322) is amended in section 4004(a)—
(1) in the matter preceding paragraph (1),
strike “public water agency that contracts” and
insert “contractor”;

(2) in paragraph (1), by inserting “or pro-
posed action” after “biological assessment”;

(3) in paragraph (2), by inserting “or pro-
posed action” after “biological assessment”;

(4) by redesignating paragraphs (3)
through (6) as paragraphs (4) through (7), re-
spectively;

(5) after paragraph (2), by inserting the
following new paragraph:

“(3) receive a copy of the draft proposed
action and have the opportunity to review that
document and provide comment to the action
agency, which comments shall be afforded due
consideration during development;”; and

(6) in paragraph (7), as redesignated by
subparagraph (C) of this paragraph—

(A) in the matter preceding subpara-
graph (A), by inserting “action agency pro-
poses a proposed action or” before “the
consulting agency;”
(B) in subparagraph (A), by inserting
“proposed action or” before “alternative
will”; and

(C) in subparagraph (B), by striking
“alternative actions” and inserting “ac-
tions or alternatives”.

TITLE III
DEPARTMENT OF ENERGY
ENERGY PROGRAMS
ENERGY EFFICIENCY AND RENEWABLE ENERGY
For Department of Energy expenses including the
purchase, construction, and acquisition of plant and cap-
tal equipment, and other expenses necessary for energy
efficiency and renewable energy activities in carrying out
the purposes of the Department of Energy Organization
Act (42 U.S.C. 7101 et seq.), including the acquisition or
condemnation of any real property or any facility or for
plant or facility acquisition, construction, or expansion,
$1,960,000,000, to remain available until expended: Pro-
vided, That of such amount, $223,000,000 shall be avail-
able until September 30, 2026, for program direction.

CYBERSECURITY, ENERGY SECURITY, AND EMERGENCY
RESPONSE
For Department of Energy expenses including the
purchase, construction, and acquisition of plant and cap-
ital equipment, and other expenses necessary for energy sector cybersecurity, energy security, and emergency response activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, $200,000,000, to remain available until expended: Provided, That of such amount, $28,000,000 shall be available until September 30, 2026, for program direction.

Electricity

For Department of Energy expenses including the purchase, construction, and acquisition of plant and capital equipment, and other expenses necessary for electricity activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, $250,000,000, to remain available until expended: Provided, That of such amount, $19,700,000 shall be available until September 30, 2026, for program direction: Provided further, That funds under this heading allocated for the purposes of section 9 of the Small Business Act, as amended (15 U.S.C. 638), including for Small Business Innovation Research and Small
Business Technology Transfer activities, or for the purposes of section 1001 of the Energy Policy Act of 2005, as amended (42 U.S.C. 16391(a)), for Technology Commercialization Fund activities, may be reprogrammed without being subject to the restrictions in section 301 of this Act.

GRID DEPLOYMENT

For Department of Energy expenses including the purchase, construction, and acquisition of plant and capital equipment, and other expenses necessary for grid deployment in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, $60,000,000, to remain available until expended: Provided, That of such amount, $6,000,000 shall be available until September 30, 2026, for program direction.

NUCLEAR ENERGY

For Department of Energy expenses including the purchase, construction, and acquisition of plant and capital equipment, and other expenses necessary for nuclear energy activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any
real property or any facility or for plant or facility acquisition, construction, or expansion, $1,793,000,000, to remain available until expended: Provided, That of such amount, $97,000,000 shall be available until September 30, 2026, for program direction: Provided further, That for the purpose of section 954(a)(6) of the Energy Policy Act of 2005, as amended, the only amount available shall be from the amount specified as including that purpose in the “Bill” column in the “Department of Energy” table included under the heading “Title III—Department of Energy” in the report accompanying this Act.

FOSSIL ENERGY AND CARBON MANAGEMENT

For Department of Energy expenses necessary in carrying out fossil energy and carbon management research and development activities, under the authority of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition of interest, including defeasible and equitable interests in any real property or any facility or for plant or facility acquisition or expansion, and for conducting inquiries, technological investigations, and research concerning the extraction, processing, use, and disposal of mineral substances without objectionable social and environmental costs (30 U.S.C. 3, 1602, and 1603), $875,000,000, to remain available until expended:
Provided, That of such amount $70,000,000 shall be available until September 30, 2026, for program direction.

NAVAL PETROLEUM AND OIL SHALE RESERVES
For Department of Energy expenses necessary to carry out naval petroleum and oil shale reserve activities, $13,010,000, to remain available until expended: Provided, That notwithstanding any other provision of law, unobligated funds remaining from prior years shall be available for all naval petroleum and oil shale reserve activities.

STRATEGIC PETROLEUM RESERVE
For Department of Energy expenses necessary for Strategic Petroleum Reserve facility development and operations and program management activities pursuant to the Energy Policy and Conservation Act (42 U.S.C. 6201 et seq.), $295,148,000, to remain available until expended.

NORTHEAST HOME HEATING OIL RESERVE
For Department of Energy expenses necessary for Northeast Home Heating Oil Reserve storage, operation, and management activities pursuant to the Energy Policy and Conservation Act (42 U.S.C. 6201 et seq.), $7,150,000, to remain available until expended.

ENERGY INFORMATION ADMINISTRATION
For Department of Energy expenses necessary in carrying out the activities of the Energy Information Admin-
istration, $141,653,000, 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, $324,000,000, to remain available until expended: Provided, That in addition, fees collected pursuant to subsection (b)(1) of section 5 of the Mercury Export Ban Act of 2008 (42 U.S.C. 6939f(b)(1)) and deposited under this heading in fiscal year 2025 pursuant to section 309 of title III of division C of Public Law 116–94 are appropriated, to remain available until expended, for mercury storage costs.

URANIUM ENRICHMENT DECONTAMINATION AND DECOMMISSIONING FUND

For Department of Energy expenses necessary in carrying out uranium enrichment facility decontamination and decommissioning, remedial actions, and other activities of title II of the Atomic Energy Act of 1954, and

**SCIENCE**

For Department of Energy expenses including the purchase, construction, and acquisition of plant and capital equipment, and other expenses necessary for science activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, and purchase of not more than 35 passenger motor vehicles, $8,390,000,000, to remain available until expended: *Provided, That of such amount, $238,000,000 shall be available until September 30, 2026, for program direction.*

**NUCLEAR WASTE DISPOSAL**

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

TECHNOLOGY TRANSITIONS

For Department of Energy expenses necessary for carrying out the activities of technology transitions, $20,000,000, to remain available until expended: Provided, That of such amount, $12,000,000 shall be available until September 30, 2026, for program direction.

CLEAN ENERGY DEMONSTRATIONS

For Department of Energy expenses necessary to carry out program direction of the Office of Clean Energy Demonstrations, $27,500,000, to remain available until September 30, 2026.

ADVANCED RESEARCH PROJECTS AGENCY—ENERGY

For Department of Energy expenses necessary in carrying out the activities authorized by section 5012 of the America COMPETES Act (Public Law 110–69), $450,000,000, to remain available until expended: Provided, That of such amount, $40,000,000 shall be available until September 30, 2026, for program direction.

TITLE 17 INNOVATIVE TECHNOLOGY LOAN GUARANTEE PROGRAM

Such sums as are derived from amounts received from borrowers pursuant to section 1702(b) of the Energy Policy Act of 2005 under this heading in prior Acts, shall
be collected in accordance with section 502(7) of the Congressional Budget Act of 1974: Provided, That for necessary administrative expenses of the Title 17 Innovative Technology Loan Guarantee Program, as authorized, $55,000,000 is appropriated, to remain available until September 30, 2026: Provided further, That up to $55,000,000 of fees collected in fiscal year 2025 pursuant to section 1702(h) of the Energy Policy Act of 2005 shall be credited as offsetting collections under this heading and used for necessary administrative expenses in this appropriation and shall remain available until September 30, 2026: Provided further, That to the extent that fees collected in fiscal year 2025 exceed $55,000,000, those excess amounts shall be credited as offsetting collections under this heading and available in future fiscal years only to the extent provided in advance in appropriations Acts: Provided further, That the sum herein appropriated from the general fund shall be reduced (1) as such fees are received during fiscal year 2025 (estimated at $170,000,000) and (2) to the extent that any remaining general fund appropriations can be derived from fees collected in previous fiscal years that are not otherwise appropriated, so as to result in a final fiscal year 2025 appropriation from the general fund estimated at $0: Provided further, That the Department of Energy shall not
subordinate any loan obligation to other financing in violation of section 1702 of the Energy Policy Act of 2005 or subordinate any Guaranteed Obligation to any loan or other debt obligations in violation of section 609.8 of title 10, Code of Federal Regulations.

ADVANCED TECHNOLOGY VEHICLES MANUFACTURING LOAN PROGRAM

For Department of Energy administrative expenses necessary in carrying out the Advanced Technology Vehicles Manufacturing Loan Program, $18,000,000, to remain available until September 30, 2026.

TRIBAL ENERGY LOAN GUARANTEE PROGRAM

For Department of Energy administrative expenses necessary in carrying out the Tribal Energy Loan Guarantee Program, $6,300,000, to remain available until September 30, 2026.

INDIAN ENERGY POLICY AND PROGRAMS

For necessary expenses for Indian Energy activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), $95,000,000, to remain available until expended: Provided, That of the amount appropriated under this heading, $14,000,000 shall be available until September 30, 2026, for program direction.
DEPARTMENTAL ADMINISTRATION

For salaries and expenses of the Department of Energy necessary for departmental administration in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), $387,078,000, to remain available until September 30, 2026, including the hire of passenger motor vehicles and official reception and representation expenses not to exceed $30,000, plus such additional amounts as necessary to cover increases in the estimated amount of cost of work for others notwithstanding the provisions of the Anti-Deficiency Act (31 U.S.C. 1511 et seq.): Provided, That such increases in cost of work are offset by revenue increases of the same or greater amount: Provided further, That moneys received by the Department for miscellaneous revenues estimated to total $100,578,000 in fiscal year 2025 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 2025 appropriation from the general fund estimated at not more than $286,500,000.
Office of the Inspector General

For expenses necessary for the Office of the Inspector General in carrying out the provisions of the Inspector General Act of 1978, $100,000,000, to remain available until September 30, 2026.

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, $20,338,752,000, to remain available until expended: Provided, That of such amount, $135,264,000 shall be available until September 30, 2026, for program direction.

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, $2,445,000,000, to remain available until expended.

**NAVAL REACTORS**

(INCLUDING TRANSFER OF FUNDS)

For Department of Energy expenses necessary for naval reactors activities to carry out the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition (by purchase, condemnation, construction, or otherwise) of real property, plant, and capital equipment, facilities, and facility expansion, $2,118,773,000, to remain available until expended, of which, $94,750,000 shall be transferred to “Department of Energy—Energy Programs—Nuclear Energy”, for the Advanced Test Reactor: *Provided,* That of such amount made available under this heading, $62,848,000 shall be available until September 30, 2026, for program direction.

**FEDERAL SALARIES AND EXPENSES**

For expenses necessary for Federal Salaries and Expenses in the National Nuclear Security Administration, $564,475,000, to remain available until September 30, 2026, including official reception and representation expenses not to exceed $17,000.
ENVIRONMENTAL AND OTHER DEFENSE ACTIVITIES

DEFENSE ENVIRONMENTAL CLEANUP

For Department of Energy expenses, including the purchase, construction, and acquisition of plant and capital equipment and other expenses necessary for atomic energy defense environmental cleanup activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, $7,132,000,000, to remain available until expended: Provided, That of such amount, $326,893,000 shall be available until September 30, 2026, 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, $1,179,000,000, to remain available until expended: Provided, That of such amount,
$387,781,000 shall be available until September 30, 2026, for program direction.

POWER MARKETING ADMINISTRATIONS

BONNEVILLE POWER ADMINISTRATION FUND

Expenditures from the Bonneville Power Administration Fund, established pursuant to Public Law 93–454, are approved for official reception and representation expenses in an amount not to exceed $5,000: Provided, That during fiscal year 2025, no new direct loan obligations may be made.

OPERATION AND MAINTENANCE, SOUTHEASTERN POWER ADMINISTRATION

For expenses necessary for operation and maintenance of power transmission facilities and for marketing electric power and energy, including transmission wheeling and ancillary services, pursuant to section 5 of the Flood Control Act of 1944 (16 U.S.C. 825s), as applied to the southeastern power area, $9,127,000, including official reception and representation expenses in an amount not to exceed $1,500, to remain available until expended: Provided, That notwithstanding 31 U.S.C. 3302 and section 5 of the Flood Control Act of 1944, up to $9,127,000 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 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 2025 appropriation estimated at not more than
$0: *Provided further*, That notwithstanding 31 U.S.C.
3302, up to $75,778,000 collected by the Southeastern
Power Administration pursuant to the Flood Control Act
of 1944 to recover purchase power and wheeling expenses
shall be credited to this account as offsetting collections,
to remain available until expended for the sole purpose
of making purchase power and wheeling expenditures:
*Provided further*, That for purposes of this appropriation,
annual expenses means expenditures that are generally re-
covered in the same year that they are incurred (excluding
purchase power and wheeling expenses).

**Operation and Maintenance, Southwestern Power Administration**

For expenses necessary for operation and mainte-
nance of power transmission facilities and for marketing
electric power and energy, for construction and acquisition
of transmission lines, substations and appurtenant facili-
ties, and for administrative expenses, including official re-
ception 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, $55,070,000, 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 $43,630,000 collected by the Southwestern Power Administration from the sale of power and related services shall be credited to this account as discretionary offsetting collections, to remain available until expended, for the sole purpose of funding the annual expenses of the Southwestern Power Administration: Provided further, That the sum herein appropriated for annual expenses shall be reduced as collections are received during the fiscal year so as to result in a final fiscal year 2025 appropriation estimated at not more than $11,440,000: Provided further, That notwithstanding 31 U.S.C. 3302, up to $80,000,000 collected by the Southwestern Power Administration pursuant to the Flood Control Act of 1944 to recover purchase power and wheeling expenses shall be credited to this account as offsetting collections, to remain available until expended for the sole purpose of making purchase power and wheeling expenditures: Provided further, That for purposes of this appropriation, annual expenses means expenditures that
are generally recovered in the same year that they are incurred (excluding purchase power and wheeling expenses).

CONSTRUCTION, REHABILITATION, OPERATION AND MAINTENANCE, WESTERN AREA POWER ADMINISTRATION

(INCLUDING RESCISSION OF FUNDS)

For carrying out the functions authorized by title III, section 302(a)(1)(E) of the Act of August 4, 1977 (42 U.S.C. 7152), and other related activities including conservation and renewable resources programs as authorized, $340,983,000, including official reception and representation expenses in an amount not to exceed $1,500, to remain available until expended, of which $340,983,000 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 $241,111,000 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 re-
duced as collections are received during the fiscal year so as to result in a final fiscal year 2025 appropriation estimated at not more than $99,872,000, of which $99,872,000 is derived from the Reclamation Fund: Provided further, That notwithstanding 31 U.S.C. 3302, up to $525,000,000 collected by the Western Area Power Administration pursuant to the Flood Control Act of 1944 and the Reclamation Project Act of 1939 to recover purchase power and wheeling expenses shall be credited to this account as offsetting collections, to remain available until expended for the sole purpose of making purchase power and wheeling expenditures: Provided further, That for purposes of this appropriation, annual expenses means expenditures that are generally recovered in the same year that they are incurred (excluding purchase power and wheeling expenses): Provided further, That the remaining unobligated balances from amounts described in the fifth proviso under this heading in Public Law 111–85 are hereby permanently rescinded.

**FALCON AND AMISTAD OPERATING AND MAINTENANCE FUND**

For operation, maintenance, and emergency costs for the hydroelectric facilities at the Falcon and Amistad Dams, $6,525,000, to remain available until expended, and to be derived from the Falcon and Amistad Operating
and Maintenance Fund of the Western Area Power Administration, as provided in section 2 of the Act of June 18, 1954 (68 Stat. 255): Provided, That notwithstanding the provisions of that Act and of 31 U.S.C. 3302, up to $6,297,000 collected by the Western Area Power Administration from the sale of power and related services from the Falcon and Amistad Dams shall be credited to this account as discretionary offsetting collections, to remain available until expended for the sole purpose of funding the annual expenses of the hydroelectric facilities of these Dams and associated Western Area Power Administration activities: Provided further, That the sum herein appropriated for annual expenses shall be reduced as collections are received during the fiscal year so as to result in a final fiscal year 2025 appropriation estimated at not more than $228,000: Provided further, That for purposes of this appropriation, annual expenses means expenditures that are generally recovered in the same year that they are incurred: Provided further, That for fiscal year 2025, the Administrator of the Western Area Power Administration may accept up to $1,685,000 in funds contributed by United States power customers of the Falcon and Amistad Dams for deposit into the Falcon and Amistad Operating and Maintenance Fund, and such funds shall be available for the purpose for which contributed in like manner as
if said sums had been specifically appropriated for such purpose: *Provided further,* That any such funds shall be available without further appropriation and without fiscal year limitation for use by the Commissioner of the United States Section of the International Boundary and Water Commission for the sole purpose of operating, maintaining, repairing, rehabilitating, replacing, or upgrading the hydroelectric facilities at these Dams in accordance with agreements reached between the Administrator, Commissioner, and the power customers.

**Federal Energy Regulatory Commission**

**Salaries and Expenses**

For expenses necessary for the Federal Energy Regulatory Commission to carry out the provisions of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including services as authorized by 5 U.S.C. 3109, official reception and representation expenses not to exceed $3,000, and the hire of passenger motor vehicles, $532,000,000, to remain available until expended: *Provided,* That notwithstanding any other provision of law, not to exceed $532,000,000 of revenues from fees and annual charges, and other services and collections in fiscal year 2025 shall be retained and used for expenses necessary in this account, and shall remain available until expended: *Provided further,* That the sum herein appro-
priated from the general fund shall be reduced as revenues
are received during fiscal year 2025 so as to result in a
final fiscal year 2025 appropriation from the general fund
estimated at not more than $0.

GENERAL PROVISIONS—DEPARTMENT OF
ENERGY
(INCLUDING TRANSFERS OF FUNDS)

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

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

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

(B) make a discretionary contract award or
Other Transaction Agreement totaling $1,000,000
or more, including a contract covered by the Federal Acquisition Regulation;
(C) provide nonoperational funding through a competition restricted only to Department of Energy National Laboratories totaling $1,000,000 or more;
(D) provide nonoperational funding directly to a Department of Energy National Laboratory totaling $25,000,000 or more;
(E) issue a letter of intent to make an allocation, award, or Agreement in excess of the limits in subparagraph (A), (B), (C), or (D); or
(F) announce publicly the intention to make an allocation, award, or Agreement in excess of the limits in subparagraph (A), (B), (C), or (D).
(2) The Secretary of Energy shall submit to the Committees on Appropriations of both Houses of Congress within 15 days of the conclusion of each quarter a report detailing each grant allocation or discretionary grant award totaling less than $1,000,000 provided during the previous quarter.
(3) The notification required by paragraph (1) and the report required by paragraph (2) shall include the recipient of the award, the amount of the award, the fiscal year for which the funds for the award were appropriated, the account and program, project, or activity from which
the funds are being drawn, the title of the award, and
a brief description of the activity for which the award is
made.

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

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

(2) the contract, grant, or cooperative agree-
ment includes a clause conditioning the Federal Gov-
ernment’s obligation on the availability of future
year budget authority and the Secretary notifies the
Committees on Appropriations of both Houses of
Congress at least 3 days in advance.

(d) Except as provided in subsections (e), (f), and (g),
the amounts made available by this title shall be expended
as authorized by law for the programs, projects, and ac-
tivities specified in the “Bill” column in the “Department
of Energy” table included under the heading “Title III—
Department of Energy” in the report accompanying this
Act.
(e) The amounts made available by this title may be reprogrammed for any program, project, or activity, and the Department shall notify, and obtain the prior approval of, the Committees on Appropriations of both Houses of Congress at least 30 days prior to the use of any proposed reprogramming that would cause any program, project, or activity funding level to increase or decrease by more than $5,000,000 or 10 percent, whichever is less, during the time period covered by this Act.

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

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

(2) increases funds or personnel for any program, project, or activity for which funds are denied or restricted by this Act; or

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

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

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

(h) The unexpended balances of prior appropriations provided for activities in this Act may be available to the same appropriation accounts for such activities established pursuant to this title. Available balances may be merged with funds in the applicable established accounts and thereafter may be accounted for as one fund for the same time period as originally enacted.

Sec. 302. Funds appropriated by this or any other Act, or made available by the transfer of funds in this Act, for intelligence activities are deemed to be specifically authorized by the Congress for purposes of section 504 of the National Security Act of 1947 (50 U.S.C. 3094) during fiscal year 2025 until the enactment of the Intelligence Authorization Act for fiscal year 2025.

Sec. 303. None of the funds made available in this title shall be used for the construction of facilities classi-
fied as high-hazard nuclear facilities under 10 CFR Part 830 unless independent oversight is conducted by the Office of Enterprise Assessments to ensure the project is in compliance with nuclear safety requirements.

SEC. 304. None of the funds made available in this title may be used to approve critical decision-2 or critical decision-3 under Department of Energy Order 413.3B, or any successive departmental guidance, for construction projects where the total project cost exceeds $100,000,000, until a separate independent cost estimate has been developed for the project for that critical decision.

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

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

SEC. 307. (a) The Secretary of Energy may not establish any new regional petroleum product reserve unless
funding for the proposed regional petroleum product reserve is explicitly requested in advance in an annual budget submitted by the President pursuant to section 1105 of title 31, United States Code, and approved by the Congress in an appropriations Act.

(b) The budget request or notification shall include—

(1) the justification for the new reserve;

(2) a cost estimate for the establishment, operation, and maintenance of the reserve, including funding sources;

(3) a detailed plan for operation of the reserve, including the conditions upon which the products may be released;

(4) the location of the reserve; and

(5) the estimate of the total inventory of the reserve.

SEC. 308. None of the funds made available by this Act may be used to draw down and sell petroleum products from the Strategic Petroleum Reserve (1) to any entity that is under the ownership, control, or influence of the Chinese Communist Party; or (2) except on condition that such petroleum products will not be exported to the People’s Republic of China.

SEC. 309. (a) None of the funds made available by this Act may be used by the Secretary of Energy to award
any grant, contract, cooperative agreement, or loan of
$10,000,000 or greater to an entity of concern as defined

(b) The Secretary shall implement the requirements
under subsection (a) using a risk-based approach and ana-
lytical tools to aggregate, link, analyze, and maintain in-
formation reported by an entity seeking or receiving such
funds made available by this Act.

c) This section shall be applied in a manner con-
sistent with the obligations of the United States under ap-
plicable international agreements.

(d) The Secretary shall have the authority to require
the submission to the agency, by an entity seeking or re-
ceiving such funds made available by this Act, documenta-
tion necessary to implement the requirements under sub-
section (a).

e) Chapter 35 of title 44, United States Code (com-
monly known as the “Paperwork Reduction Act”), shall
not apply to the implementation of the requirements under
this section.

(f) The Secretary and other Federal agencies shall
coordinate to share relevant information necessary to im-
plement the requirements under subsection (a).

Sec. 310. None of the funds appropriated or other-
wise made available by this Act may be used to admit any
non-United States citizen from Russia or China to any nuclear weapons production facility, as such term is defined in section 4002 of the Atomic Energy Defense Act (50 U.S.C. 2501), other than areas accessible to the general public, unless 30 days prior to facility admittance, the Department of Energy provides notification to the Committees on Appropriations and Armed Services of both Houses of Congress.

SEC. 311. (a) None of the funds made available by this Act or otherwise made available for fiscal year 2025 for the Department of Energy may be obligated or expended to procure or purchase computers, printers, or interoperable videoconferencing services needed for an office environment in which the manufacturer, bidder, or offeror, or any subsidiary or parent entity of the manufacturer, bidder, or offeror, of the equipment is an entity, or parent company of an entity in which the People’s Republic of China has any ownership stake.

(b) The prohibition in subsection (a) also applies in cases in which the Secretary has contracted with a third party for the procurement, purchase, or expenditure of funds on any of the equipment and software described in such subsection.

SEC. 312. None of the funds made available by this Act may be used to further develop, finalize, administer,

SEC. 313. None of the funds made available by this Act may be used to provide a categorical exclusion from the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) for energy storage systems, as described in the Department of Energy’s final rule, part 1021 of title 10, Code of Federal Regulations.

SEC. 314. None of the funds made available by this Act may be expended to support the Department of Energy Justice40 initiative as defined by or required by Executive Order 14008 of January 27, 2021 (86 Fed. Reg. 7619; relating to tackling the climate crisis at home and abroad).

SEC. 315. Section 3 of the Natural Gas Act (15 U.S.C. 717b) is amended—

(1) by striking subsections (a) through (c);

(2) by redesignating subsections (e) and (f) as subsections (a) and (b), respectively;

(3) by redesignating subsection (d) as subsection (e), and moving such subsection after subsection (b), as so redesignated;
(4) in subsection (a), as so redesignated, by amending paragraph (1) to read as follows: “(1) The Federal Energy Regulatory Commission (in this subsection referred to as the ‘Commission’) shall have the exclusive authority to approve or deny an application for authorization for the siting, construction, expansion, or operation of a facility to export natural gas from the United States to a foreign country or import natural gas from a foreign country, including an LNG terminal. In determining whether to approve or deny an application under this paragraph, the Commission shall deem the exportation or importation of natural gas to be consistent with the public interest. Except as specifically provided in this Act, nothing in this Act is intended to affect otherwise applicable law related to any Federal agency’s authorities or responsibilities related to facilities to import or export natural gas, including LNG terminals.”; and

(5) by adding at the end the following new subsection:

“(d)(1) Nothing in this Act limits the authority of the President under the Constitution, the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.), the National Emergencies Act
(50 U.S.C. 1601 et seq.), part B of title II of the Energy Policy and Conservation Act (42 U.S.C. 6271 et seq.), the Trading With the Enemy Act (50 U.S.C. 4301 et seq.), or any other provision of law that imposes sanctions on a foreign person or foreign government (including any provision of law that prohibits or restricts United States persons from engaging in a transaction with a sanctioned person or government), including a country that is designated as a state sponsor of terrorism, to prohibit imports or exports.

“(2) In this subsection, the term ‘state sponsor of terrorism’ means a country the government of which the Secretary of State determines has repeatedly provided support for international terrorism pursuant to—

“(A) section 1754(c)(1)(A) of the Export Control Reform Act of 2018 (50 U.S.C. 4318(c)(1)(A));

“(B) section 620A of the Foreign Assistance Act of 1961 (22 U.S.C. 2371);

“(C) section 40 of the Arms Export Control Act (22 U.S.C. 2780); or

“(D) any other provision of law.”.

SEC. 316. From the unobligated balances of amounts made available under the heading “Department of En-
ergy—Energy Programs—Electricity” in title IV of divi-
section N of Public Law 117–328 to carry out activities to
improve the resilience of the Puerto Rican electric grid,
three-five hundredths of one percent of the amounts made
available under such heading shall be transferred not later
than January 1, 2025, to the Office of the Inspector Gen-
eral of the Department of Energy to carry out the provi-
sions of the Inspector General Act of 1978, in addition
to amounts otherwise available for such purpose, to re-
main available until expended: Provided, That any
amounts so transferred that were previously designated by
the Congress as an emergency requirement pursuant to
the Balanced Budget and Emergency Deficit Control Act
of 1985 or a concurrent resolution on the budget are des-
ignated by the Congress as an emergency requirement
pursuant to section 251(b)(2)(A)(i) of the Balanced Budg-
et and Emergency Deficit Control Act of 1985 and shall
be available only if the President designates such amount
as an emergency requirement pursuant to section
251(b)(2)(A)(i).

Sec. 317. (a) Of the unobligated balances from
amounts previously made available to the Department of
Energy, the following funds shall be transferred from the
following programs in the specified amounts to “Department
of Energy—Energy Programs—Nuclear Energy”,

and, in addition to amounts otherwise made available, shall be available for the not more than two competitive awards for Generation 3+ small modular reactor deployment projects described in section 311(a)(1)(A) of division D of the Consolidated Appropriations Act, 2024 (Public Law 118–42) and the two awards for demonstration projects made prior to the date of enactment of this Act under the Advanced Reactor Demonstration Program, as authorized under section 959A of the Energy Policy Act of 2005 (42 U.S.C. 16279a)—

(1) $980,000,000, to remain available until expended, from the unobligated balances under the heading “Department of Energy—Energy Programs—Nuclear Energy” in division J of the Infrastructure Investment and Jobs Act (Public Law 117–58), of which $120,000,000 shall be available in fiscal year 2025 and $860,000,000 shall be available in fiscal year 2026;

(2) $1,500,000,000, to remain available until expended, from the unobligated balances under the heading “Department of Energy—Energy Programs—Carbon Dioxide Transportation Infrastructure Finance and Innovation Program Account” in division J of the Infra-
structure Investment and Jobs Act (Public Law 117–58);

(3) $1,500,000,000, to remain available until September 30, 2026, from the unobligated balances under section 50141 of Public Law 117–169; and

(4) $5,000,000,000, to remain available until September 30, 2026, from the unobligated balances under section 50144 of Public Law 117–169:

Provided, That amounts transferred pursuant to paragraphs (1) and (2) shall continue to be treated as amounts specified in section 103(b) of division A of Public Law 118–5.

(b) Public Law 117–169 is amended—

(1) in section 50141(a) by amending the dollar amount to read as “$25,000,000,000”;

and

(2) in section 50144(b) by amending the dollar amount to read as “$5,000,000,000”.

TITLE IV
INDEPENDENT AGENCIES

APPALACHIAN REGIONAL COMMISSION

For expenses necessary to carry out the programs au-

thorized by the Appalachian Regional Development Act of
65

1 1965, as amended, and for expenses necessary for the
2 Federal Co-Chairman and the Alternate on the Appa-
3 lachian Regional Commission, for payment of the Federal
4 share of the administrative expenses of the Commission,
5 including services as authorized by 5 U.S.C. 3109, and
6 hire of passenger motor vehicles, $200,000,000, to remain
7 available until expended.

8 DEFENSE NUCLEAR FACILITIES SAFETY BOARD
9
10 SALARIES AND EXPENSES

11 For expenses necessary for the Defense Nuclear Fa-
12 cilities Safety Board in carrying out activities authorized
13 by the Atomic Energy Act of 1954, as amended by Public
14 Law 100–456, section 1441, $45,000,000, to remain
15 available until September 30, 2026, of which not to exceed
16 $1,000 shall be available for official reception and rep-
17 resentation expenses.

18 DELTA REGIONAL AUTHORITY
19
20 SALARIES AND EXPENSES

21 For expenses necessary for the Delta Regional Au-
22 thority and to carry out its activities, as authorized by
23 the Delta Regional Authority Act of 2000, notwith-
DENALI COMMISSION

For expenses necessary for the Denali Commission including the purchase, construction, and acquisition of plant and capital equipment as necessary and other expenses, $17,000,000, to remain available until expended, notwithstanding the limitations contained in section 306(g) of the Denali Commission Act of 1998:

Provided, That funds shall be available for construction projects for which the Denali Commission is the sole or primary funding source in an amount not to exceed 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 for Indian Tribes, as defined by section 5304(e) of title 25, United States Code, and in an amount not to exceed 50 percent for non-distressed communities: Provided further, That notwithstanding any other provision of law regarding payment of a non-Federal share in connection with a grant-in-aid program, amounts under this heading shall be available for the payment of such a non-Federal share for any project for which the Denali Commission is not the sole or primary funding source, provided that such project is consistent with the purposes of the Commission.
NORTHERN BORDER REGIONAL COMMISSION

For expenses necessary for the Northern Border Regional Commission in carrying out activities authorized by subtitle V of title 40, United States Code, $41,000,000, to remain available until expended: Provided, That such amounts shall be available for administrative expenses, notwithstanding section 15751(b) of title 40, United States Code.

SOUTHEAST CRESCENT REGIONAL COMMISSION

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

SOUTHWEST BORDER REGIONAL COMMISSION

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

GREAT LAKES AUTHORITY

For expenses necessary for the Great Lakes Authority in carrying out activities authorized by subtitle V of title 40, United States Code, $5,000,000, to remain available until expended.
NUCLEAR REGULATORY COMMISSION

SALARIES AND EXPENSES

For expenses necessary for the Commission in carrying out the purposes of the Energy Reorganization Act of 1974 and the Atomic Energy Act of 1954, $955,368,200, including official representation expenses not to exceed $30,000, to remain available until expended: Provided, That of the amount appropriated herein, not more than $11,435,000 may be made available for salaries, travel, and other support costs for the Office of the Commission, to remain available until September 30, 2026: Provided further, That revenues from licensing fees, inspection services, and other services and collections estimated at $807,672,200 in fiscal year 2025 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 2025 so as to result in a final fiscal year 2025 appropriation estimated at not more than $147,696,000.

OFFICE OF INSPECTOR GENERAL

For expenses necessary for the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, $19,578,000, to remain available
until September 30, 2026: Provided, That revenues from licensing fees, inspection services, and other services and collections estimated at $16,274,000 in fiscal year 2025 shall be retained and be available until September 30, 2026, 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 2025 so as to result in a final fiscal year 2025 appropriation estimated at not more than $3,304,000: Provided further, That of the amounts appropriated under this heading, $1,505,000 shall be for Inspector General services for the Defense Nuclear Facilities Safety Board.

NUCLEAR WASTE TECHNICAL REVIEW BOARD

SALARIES AND EXPENSES

For expenses necessary for the Nuclear Waste Technical Review Board, as authorized by Public Law 100–203, section 5051, $4,100,000, to be derived from the Nuclear Waste Fund, to remain available until September 30, 2026.

GENERAL PROVISIONS—INDEPENDENT AGENCIES

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

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

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

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

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

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

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

(1) total budget authority;
(2) total unobligated balances; and
(3) total unliquidated obligations.
TITLE V
GENERAL PROVISIONS
(INCLUDING TRANSFER OF FUNDS)

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

Sec. 502. (a) None of the funds made available in title III of this Act may be transferred to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by or transfer authority provided in this Act or any other appropriations Act for any fiscal year, transfer authority referenced in the report accompanying this Act, or any authority whereby a department, agency, or instrumentality of the United States Government may provide goods or services to another department, agency, or instrumentality.

(b) None of the funds made available for any department, agency, or instrumentality of the United States Government may be transferred to accounts funded in title III of this Act, except pursuant to a transfer made by or transfer authority provided in this Act or any other appropriations Act for any fiscal year, transfer authority ref-
erenced in the report accompanying this Act, or any au-

thority whereby a department, agency, or instrumentality
of the United States Government may provide goods or
services to another department, agency, or instrumen-
tality.

(c) The head of any relevant department or agency
funded in this Act utilizing any transfer authority shall
submit to the Committees on Appropriations of both
Houses of Congress a semiannual report detailing the
transfer authorities, except for any authority whereby a
department, agency, or instrumentality of the United
States Government may provide goods or services to an-
other 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 author-
ity.

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

(b) Nothing in subsection (a) shall limit the use of
funds necessary for any Federal, State, Tribal, or local
law enforcement agency or any other entity carrying out
criminal investigations, prosecution, or adjudication activities.

Sec. 504. (a) No federal monies shall be expended in furtherance of any agreement among private entities for consolidated interim storage of spent nuclear fuel that is not specifically authorized under federal law until such time that host state and local governments and any affected Indian tribes have formalized their consent.

(b) Provided that the prohibition provided for in this section shall not apply to facilities presently storing commercial spent nuclear fuel, pursuant to a license issued by the Nuclear Regulatory Commission, as of the date of enactment of this Act.

(c) For purposes of this section, “spent nuclear fuel” shall have the same meaning as provided in section 2 of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10101).

Sec. 505. None of the funds made available by this Act may be used to carry out any program, project, or activity that promotes or advances Critical Race Theory or any concept associated with Critical Race Theory.

Sec. 506. None of the funds appropriated or otherwise made available by this Act may be made available to implement, administer, apply, enforce, or carry out the Equity Action Plan of the Department of Energy, or Executive Order 13985 of January 20, 2021 (86 Fed. Reg.
7009, relating to advancing racial equity and support for
underserved communities through the Federal Govern-
ment), Executive Order 14035 of June 25, 2021 (86 Fed.
Reg. 34593, relating to diversity, equity, inclusion, and
accessibility in the Federal workforce), or Executive Order
14091 of February 16, 2023 (88 Fed. Reg. 10825, relating
to further advancing racial equity and support for un-
derserved communities through the Federal Government).

SEC. 507. (a) IN GENERAL.—Notwithstanding sec-
tion 7 of title 1, United States Code, section 1738C of
title 28, United States Code, or any other provision of law,
none of the funds provided by this Act, or previous appro-
priations Acts, shall be used in whole or in part to take
any discriminatory action against a person, wholly or par-
tially, on the basis that such person speaks, or acts, in
accordance with a sincerely held religious belief, or moral
conviction, that marriage is, or should be recognized as,
a union of one man and one woman.

(b) DISCRIMINATORY ACTION DEFINED.— As used
in subsection (a), a discriminatory action means any ac-
tion taken by the Federal Government to—

(1) alter in any way the Federal tax treat-
ment of, or cause any tax, penalty, or payment
to be assessed against, or deny, delay, or revoke
an exemption from taxation under section
501(a) of the Internal Revenue Code of 1986 of, any person referred to in subsection (a);

(2) disallow a deduction for Federal tax purposes of any charitable contribution made to or by such person;

(3) withhold, reduce the amount or funding for, exclude, terminate, or otherwise make unavailable or deny, any Federal grant, contract, subcontract, cooperative agreement, guarantee, loan, scholarship, license, certification, accreditation, employment, or other similar position or status from or to such person;

(4) withhold, reduce, exclude, terminate, or otherwise make unavailable or deny, any entitlement or benefit under a Federal benefit program, including admission to, equal treatment in, or eligibility for a degree from an educational program, from or to such person; or

(5) withhold, reduce, exclude, terminate, or otherwise make unavailable or deny access or an entitlement to Federal property, facilities, educational institutions, speech fora (including traditional, limited, and nonpublic fora), or charitable fundraising campaigns from or to such person.
(c) ACCREDITATION; LICENSURE; CERTIFICATION.— The Federal Government shall consider accredited, licensed, or certified for purposes of Federal law any person that would be accredited, licensed, or certified, respectively, for such purposes but for a determination against such person wholly or partially on the basis that the person speaks, or acts, in accordance with a sincerely held religious belief or moral conviction described in subsection (a).

SEC. 508. None of the funds made available by this Act or any other Act may be used to implement, administer, or enforce any COVID–19 mask or vaccine mandates.

SEC. 509. None of the funds made available by this Act may be used to obligate or award funds, including subgrants and other subawards, to the Wuhan Institute of Virology, including affiliated researchers.

SEC. 510. None of the funds appropriated or otherwise made available by this Act may be used to fly or display a flag over or within a facility of the federal government other than the flag of the United States, flag bearing an official U.S. Government seal or insignia, or POW/MIA flag.

SEC. 511. None of the funds appropriated or otherwise made available by this Act may be made available
to finalize any rule or regulation that meets the definition of section 804(2)(A) of title 5, United States Code.

SEC. 512. None of the funds made available by this Act may be used to develop or implement guidance related to the valuation of ecosystem and environmental services and natural assets in Federal regulatory decision-making, as directed by Executive Order 14072 of April 22, 2022 (87 Fed. Reg. 24851, relating to strengthening the Nation’s forests, communities, and local economies).

SEC. 513. The funds made available in this act or any other appropriations act for the purposes of implementing the United States Government Commitments in support of the Columbia Basin Restoration Initiative set forth in the Memorandum of Understanding of December 14, 2023, between the United States, the States of Oregon and Washington, the Confederated Tribes and Bands of the Yakama Nation, the Confederated Tribes of the Umatilla Indian Reservation, the Confederated Tribes of the Warm Springs Reservation of Oregon, the Nez Perce Tribe, and environmental non-profit organizations, that require reimbursement by the Bonneville Power Administration and do not arise from Bonneville’s current reimbursement obligations, shall be limited to the $300,000,000 Bonneville committed to in such Commitments of December 14, 2023, should Bonneville be re-
required to implement the U.S. Government Commitments
in support of the Columbia Basin Restoration Initiative
set forth in the Memorandum of Understanding of December 14, 2023, between the United States; the States of Oregon and Washington; the Confederated Tribes and Bands of the Yakama Nation; the Confederated Tribes of the Umatilla Indian Reservation; the Confederated Tribes of the Warm Springs Reservation; the Nez Perce Tribe; and environmental non-profit organizations.

SPENDING REDUCTION ACCOUNT

Sec. 514. $0.

This Act may be cited as the “Energy and Water Development and Related Agencies Appropriations Act, 2025”.