

DECEMBER 21, 2020

RULES COMMITTEE PRINT 116–68
TEXT OF THE HOUSE AMENDMENT TO THE
SENATE AMENDMENT TO H.R. 133

**[Showing the text of the Consolidated Appropriations Act,
2021]**

In lieu of the matter proposed to be inserted by the
Senate, insert the following:

1 SECTION 1. SHORT TITLE.

2 This Act may be cited as the “Consolidated Appro-
3 priations Act, 2021”.

4 SEC. 2. TABLE OF CONTENTS.

- Sec. 1. Short title.
- Sec. 2. Table of contents.
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- Sec. 4. Explanatory statement.
- Sec. 5. Statement of appropriations.
- Sec. 6. Availability of funds.
- Sec. 7. Adjustments to compensation.
- Sec. 8. Definition.
- Sec. 9. Office of Management and Budget Reporting Requirement.

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TIONS ACT, 2021

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Title XIX—United States-Mexico Economic Partnership Act

Title XX—Consumer Product Safety Commission Port Surveillance

Title XXI—COVID–19 Regulatory Relief and Work From Home Safety Act

1 **SEC. 3. REFERENCES.**

2 Except as expressly provided otherwise, any reference
 3 to “this Act” contained in any division of this Act shall
 4 be treated as referring only to the provisions of that divi-
 5 sion.

6 **SEC. 4. EXPLANATORY STATEMENT.**

7 The explanatory statement regarding this Act, print-
 8 ed in the House section of the Congressional Record on
 9 or about December 21, 2020, and submitted by the Chair-
 10 woman of the Committee on Appropriations of the House,
 11 shall have the same effect with respect to the allocation
 12 of funds and implementation of divisions A through L of
 13 this Act as if it were a joint explanatory statement of a
 14 committee of conference.

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

4 CENTRAL UTAH PROJECT COMPLETION ACCOUNT

5 For carrying out activities authorized by the Central
6 Utah Project Completion Act, \$21,000,000, to remain
7 available until expended, of which \$1,800,000 shall be de-
8 posited into the Utah Reclamation Mitigation and Con-
9 servation Account for use by the Utah Reclamation Miti-
10 gation and Conservation Commission: *Provided*, That of
11 the amount provided under this heading, \$1,500,000 shall
12 be available until September 30, 2022, for expenses nec-
13 essary in carrying out related responsibilities of the Sec-
14 retary of the Interior: *Provided further*, That for fiscal
15 year 2021, of the amount made available to the Commis-
16 sion under this Act or any other Act, the Commission may
17 use an amount not to exceed \$1,500,000 for administra-
18 tive expenses.

19 BUREAU OF RECLAMATION

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

1 WATER AND RELATED RESOURCES

2 (INCLUDING TRANSFERS OF FUNDS)

3 For management, development, and restoration of
4 water and related natural resources and for related activi-
5 ties, including the operation, maintenance, and rehabilita-
6 tion of reclamation and other facilities, participation in
7 fulfilling related Federal responsibilities to Native Ameri-
8 cans, and related grants to, and cooperative and other
9 agreements with, State and local governments, federally
10 recognized Indian Tribes, and others, \$1,521,125,000, to
11 remain available until expended, of which \$58,476,000
12 shall be available for transfer to the Upper Colorado River
13 Basin Fund and \$5,584,000 shall be available for transfer
14 to the Lower Colorado River Basin Development Fund;
15 of which such amounts as may be necessary may be ad-
16 vanced to the Colorado River Dam Fund: *Provided*, That
17 \$25,882,000 shall be available for transfer into the Black-
18 feet Water Settlement Implementation Fund established
19 by section 3717 of Public Law 114–322: *Provided further*,
20 That such transfers may be increased or decreased within
21 the overall appropriation under this heading: *Provided fur-*
22 *ther*, That of the total appropriated, the amount for pro-
23 gram activities that can be financed by the Reclamation
24 Fund or the Bureau of Reclamation special fee account
25 established by 16 U.S.C. 6806 shall be derived from that

1 Fund or account: *Provided further*, That funds contributed
2 under 43 U.S.C. 395 are available until expended for the
3 purposes for which the funds were contributed: *Provided*
4 *further*, That funds advanced under 43 U.S.C. 397a shall
5 be credited to this account and are available until ex-
6 pended for the same purposes as the sums appropriated
7 under this heading: *Provided further*, That of the amounts
8 provided herein, funds may be used for high-priority
9 projects which shall be carried out by the Youth Conserva-
10 tion Corps, as authorized by 16 U.S.C. 1706: *Provided*
11 *further*, That within available funds, \$250,000 shall be for
12 grants and financial assistance for educational activities:
13 *Provided further*, That in accordance with section 4007 of
14 Public Law 114–322, funding provided for such purpose
15 in fiscal years 2017, 2018, 2019, and 2020 shall be made
16 available for the construction, pre-construction, or study
17 of the Friant-Kern Canal Capacity Correction Resulting
18 from Subsidence, the Boise River Basin—Anderson Ranch
19 Dam Raise, the North-of-the-Delta Off Stream Storage
20 (Sites Reservoir Project), the Los Vaqueros Reservoir
21 Phase 2 Expansion Project, and the Cle Elum Pool Raise
22 (Yakima), as recommended by the Secretary in the letters
23 dated June 22, 2020, and December 3, 2020, inclusive;
24 the Delta Mendota Canal Subsidence Correction, the Del
25 Puerto Water District, the San Luis Low Point Improve-

1 ment Project, and the Sacramento Regional Water Bank,
2 as recommended by the Secretary in the letter dated June
3 22, 2020: *Provided further*, That in accordance with sec-
4 tion 4009(c) of Public Law 114–322, and as recommended
5 by the Secretary in a letter dated December 3, 2020, fund-
6 ing provided for such purpose in fiscal years 2019 and
7 2020 shall be made available to the El Paso Aquifer Stor-
8 age and Recovery Using Reclaimed Water Project, the
9 Pure Water Monterey: A Groundwater Replenishment
10 Project, the Pure Water Soquel: Groundwater Replenish-
11 ment and Seawater Intrusion Prevention Project, the
12 Magna Water District Water Reclamation and Reuse
13 Project, the Pure Water Oceanside: Mission Basin
14 Groundwater Purification Facility Project, the Ground-
15 water Reliability Improvement Program Recycled Water
16 Project, and the Palmdale Regional Groundwater Re-
17 charge and Recovery Project: *Provided further*, That in ac-
18 cordance with section 4009(a) of Public Law 114–322,
19 and as recommended by the Secretary in a letter dated
20 December 3, 2020, funding provided for such purpose in
21 fiscal years 2019 and 2020 shall be made available to the
22 Doheny Ocean Desalination Project, the North Pleasant
23 Valley Desalter Facility, and the Energy-Efficient Brack-
24 ish Groundwater Desalination Project.

1 CENTRAL VALLEY PROJECT RESTORATION FUND

2 For carrying out the programs, projects, plans, habi-
3 tat restoration, improvement, and acquisition provisions of
4 the Central Valley Project Improvement Act, \$55,875,000,
5 to be derived from such sums as may be collected in the
6 Central Valley Project Restoration Fund pursuant to sec-
7 tions 3407(d), 3404(c)(3), and 3405(f) of Public Law
8 102–575, to remain available until expended: *Provided*,
9 That the Bureau of Reclamation is directed to assess and
10 collect the full amount of the additional mitigation and
11 restoration payments authorized by section 3407(d) of
12 Public Law 102–575: *Provided further*, That none of the
13 funds made available under this heading may be used for
14 the acquisition or leasing of water for in-stream purposes
15 if the water is already committed to in-stream purposes
16 by a court adopted decree or order.

17 CALIFORNIA BAY-DELTA RESTORATION

18 (INCLUDING TRANSFERS OF FUNDS)

19 For carrying out activities authorized by the Water
20 Supply, Reliability, and Environmental Improvement Act,
21 consistent with plans to be approved by the Secretary of
22 the Interior, \$33,000,000, to remain available until ex-
23 pended, of which such amounts as may be necessary to
24 carry out such activities may be transferred to appropriate
25 accounts of other participating Federal agencies to carry

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

8 POLICY AND ADMINISTRATION

9 For expenses necessary for policy, administration,
10 and related functions in the Office of the Commissioner,
11 the Denver office, and offices in the six regions of the Bu-
12 reau of Reclamation, to remain available until September
13 30, 2022, \$60,000,000, to be derived from the Reclama-
14 tion Fund and be nonreimbursable as provided in 43
15 U.S.C. 377: *Provided*, That no part of any other appro-
16 priation in this Act shall be available for activities or func-
17 tions budgeted as policy and administration expenses.

18 ADMINISTRATIVE PROVISION

19 Appropriations for the Bureau of Reclamation shall
20 be available for purchase of not to exceed five passenger
21 motor vehicles, which are for replacement only.

22 GENERAL PROVISIONS—DEPARTMENT OF THE
23 INTERIOR

24 SEC. 201. (a) None of the funds provided in title II
25 of this Act for Water and Related Resources, or provided

1 by previous or subsequent appropriations Acts to the agen-
2 cies or entities funded in title II of this Act for Water
3 and Related Resources that remain available for obligation
4 or expenditure in fiscal year 2021, shall be available for
5 obligation or expenditure through a reprogramming of
6 funds that—

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

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

10 (3) increases funds for any program, project, or
11 activity for which funds have been denied or re-
12 stricted by this Act, unless prior approval is received
13 from the Committees on Appropriations of both
14 Houses of Congress;

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

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

23 (A) 15 percent for any program, project or
24 activity for which \$2,000,000 or more is avail-
25 able at the beginning of the fiscal year; or

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

4 (6) transfers more than \$500,000 from either
5 the Facilities Operation, Maintenance, and Rehabili-
6 tation category or the Resources Management and
7 Development category to any program, project, or
8 activity in the other category, unless prior approval
9 is received from the Committees on Appropriations
10 of both Houses of Congress; or

11 (7) transfers, where necessary to discharge legal
12 obligations of the Bureau of Reclamation, more than
13 \$5,000,000 to provide adequate funds for settled
14 contractor claims, increased contractor earnings due
15 to accelerated rates of operations, and real estate de-
16 ficiency judgments, unless prior approval is received
17 from the Committees on Appropriations of both
18 Houses of Congress.

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

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

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

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

17 (b) The costs of the Kesterson Reservoir Cleanup
18 Program and the costs of the San Joaquin Valley Drain-
19 age Program shall be classified by the Secretary of the
20 Interior as reimbursable or nonreimbursable and collected
21 until fully repaid pursuant to the “Cleanup Program—
22 Alternative Repayment Plan” and the “SJVDP—Alter-
23 native Repayment Plan” described in the report entitled
24 “Repayment Report, Kesterson Reservoir Cleanup Pro-
25 gram and San Joaquin Valley Drainage Program, Feb-

1 ruary 1995”, prepared by the Department of the Interior,
2 Bureau of Reclamation. Any future obligations of funds
3 by the United States relating to, or providing for, drainage
4 service or drainage studies for the San Luis Unit shall
5 be fully reimbursable by San Luis Unit beneficiaries of
6 such service or studies pursuant to Federal reclamation
7 law.

8 SEC. 203. Section 9504(e) of the Omnibus Public
9 Land Management Act of 2009 (42 U.S.C. 10364(e)) is
10 amended by striking “ \$530,000,000” and inserting “
11 \$610,000,000”.

12 SEC. 204. Title I of Public Law 108–361 (the
13 CALFED Bay-Delta Authorization Act) (118 Stat. 1681),
14 as amended by section 4007(k) of Public Law 114–322,
15 is amended by striking “2020” each place it appears and
16 inserting “2021”.

17 SEC. 205. Section 9106(g)(2) of Public Law 111–11
18 (Omnibus Public Land Management Act of 2009) is
19 amended by striking “2020” and inserting “2021”.

20 SEC. 206. Section 6002(g)(4) of the Omnibus Public
21 Land Management Act of 2009 (Public Law 111–11) is
22 amended by striking “2020” and inserting “2021”.

23 SEC. 207. (a) Section 104(c) of the Reclamation
24 States Emergency Drought Relief Act of 1991 (43 U.S.C.

1 2214(c)) is amended by striking “2020” and inserting
2 “2021”.

3 (b) Section 301 of the Reclamation States Emergency
4 Drought Relief Act of 1991 (43 U.S.C. 2241) is amended
5 by striking “2020” and inserting “2021”.

6 SEC. 208. None of the funds made available by this
7 Act may be used for pre-construction or construction ac-
8 tivities for any project recommended after enactment of
9 the Energy and Water Development and Related Agencies
10 Appropriations Act, 2020 and prior to enactment of this
11 Act by the Secretary of the Interior and transmitted to
12 the appropriate committees of Congress pursuant to sec-
13 tion 4007, section 4009(a), or section 4009(c) of the
14 Water Infrastructure Improvements for the Nation Act
15 (Public Law 114–322) if such project is not named in this
16 Act.