

110TH CONGRESS
1ST SESSION

H. R. 2642

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 6, 2007

Ordered to be printed with the amendment of the Senate

[Strike out all after the enacting clause and insert the part printed in italic]

AN ACT

Making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2008, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 ~~That the following sums are appropriated, out of any~~
4 ~~money in the Treasury not otherwise appropriated, for~~
5 ~~military construction, the Department of Veterans Affairs,~~
6 ~~and related agencies for the fiscal year ending September~~
7 ~~30, 2008, and for other purposes, namely:~~

1 TITLE I
2 DEPARTMENT OF DEFENSE
3 MILITARY CONSTRUCTION, ARMY

4 For acquisition, construction, installation, and equip-
5 ment of temporary or permanent public works, military
6 installations, facilities, and real property for the Army as
7 currently authorized by law, including personnel in the
8 Army Corps of Engineers and other personal services nec-
9 essary for the purposes of this appropriation, and for con-
10 struction and operation of facilities in support of the func-
11 tions of the Commander in Chief, \$4,070,959,000, to re-
12 main available until September 30, 2012: *Provided*, That
13 of this amount, not to exceed \$481,468,000 shall be avail-
14 able for study, planning, design, architect and engineer
15 services, and host nation support, as authorized by law,
16 unless the Secretary of Defense determines that additional
17 obligations are necessary for such purposes and notifies
18 the Committees on Appropriations of both Houses of Con-
19 gress of the determination and the reasons therefor.

20 MILITARY CONSTRUCTION, NAVY AND MARINE CORPS
21 (INCLUDING RESCISSION OF FUNDS)

22 For acquisition, construction, installation, and equip-
23 ment of temporary or permanent public works, naval in-
24 stallations, facilities, and real property for the Navy and
25 Marine Corps as currently authorized by law, including

1 personnel in the Naval Facilities Engineering Command
2 and other personal services necessary for the purposes of
3 this appropriation, \$2,125,138,000, to remain available
4 until September 30, 2012: *Provided*, That of this amount,
5 not to exceed \$110,167,000 shall be available for study,
6 planning, design, and architect and engineer services, as
7 authorized by law, unless the Secretary of Defense deter-
8 mines that additional obligations are necessary for such
9 purposes and notifies the Committees on Appropriations
10 of both Houses of Congress of the determination and the
11 reasons therefor: *Provided further*, That of the funds ap-
12 propriated for “Military Construction, Navy and Marine
13 Corps” under Public Law 108–132, \$5,862,000 are here-
14 by rescinded.

15 MILITARY CONSTRUCTION, AIR FORCE

16 (INCLUDING RESCISSION OF FUNDS)

17 For acquisition, construction, installation, and equip-
18 ment of temporary or permanent public works, military
19 installations, facilities, and real property for the Air Force
20 as currently authorized by law, \$927,428,000, to remain
21 available until September 30, 2012: *Provided*, That of this
22 amount, not to exceed \$51,587,000 shall be available for
23 study, planning, design, and architect and engineer serv-
24 ices, as authorized by law, unless the Secretary of Defense
25 determines that additional obligations are necessary for

1 such purposes and notifies the Committees on Appropria-
2 tions of both Houses of Congress of the determination and
3 the reasons therefor: *Provided further*, That of the funds
4 appropriated for “Military Construction, Air Force” under
5 Public Law 108–324, \$5,319,000 are hereby rescinded.

6 ~~MILITARY CONSTRUCTION, DEFENSE-WIDE~~

7 ~~(INCLUDING TRANSFER AND RESCISSION OF FUNDS)~~

8 For acquisition, construction, installation, and equip-
9 ment of temporary or permanent public works, installa-
10 tions, facilities, and real property for activities and agen-
11 cies of the Department of Defense (other than the military
12 departments), as currently authorized by law,
13 \$1,806,928,000, to remain available until September 30,
14 2012: *Provided*, That such amounts of this appropriation
15 as may be determined by the Secretary of Defense may
16 be transferred to such appropriations of the Department
17 of Defense available for military construction or family
18 housing as the Secretary may designate, to be merged with
19 and to be available for the same purposes, and for the
20 same time period, as the appropriation or fund to which
21 transferred: *Provided further*, That of the amount appro-
22 priated, not to exceed \$154,728,000 shall be available for
23 study, planning, design, and architect and engineer serv-
24 ices, as authorized by law, unless the Secretary of Defense
25 determines that additional obligations are necessary for

1 such purposes and notifies the Committees on Appropria-
2 tions of both Houses of Congress of the determination and
3 the reasons therefor: *Provided further*, That of the funds
4 appropriated for “Military Construction, Defense-Wide”
5 under Public Law 110–5, \$7,592,000 are hereby re-
6 scinded.

7 MILITARY CONSTRUCTION, ARMY NATIONAL GUARD

8 For construction, acquisition, expansion, rehabilita-
9 tion, and conversion of facilities for the training and ad-
10 ministration of the Army National Guard, and contribu-
11 tions therefor, as authorized by chapter 1803 of title 10,
12 United States Code, and Military Construction Authoriza-
13 tion Acts, \$439,291,000, to remain available until Sep-
14 tember 30, 2012.

15 MILITARY CONSTRUCTION, AIR NATIONAL GUARD

16 For construction, acquisition, expansion, rehabilita-
17 tion, and conversion of facilities for the training and ad-
18 ministration of the Air National Guard, and contributions
19 therefor, as authorized by chapter 1803 of title 10, United
20 States Code, and Military Construction Authorization
21 Acts, \$95,517,000, to remain available until September
22 30, 2012.

23 MILITARY CONSTRUCTION, ARMY RESERVE

24 For construction, acquisition, expansion, rehabilita-
25 tion, and conversion of facilities for the training and ad-

1 ministration of the Army Reserve as authorized by chapter
2 1803 of title 10, United States Code, and Military Con-
3 struction Authorization Acts, \$154,684,000, to remain
4 available until September 30, 2012.

5 MILITARY CONSTRUCTION, NAVY RESERVE

6 For construction, acquisition, expansion, rehabilita-
7 tion, and conversion of facilities for the training and ad-
8 ministration of the reserve components of the Navy and
9 Marine Corps as authorized by chapter 1803 of title 10,
10 United States Code, and Military Construction Authoriza-
11 tion Acts, \$69,150,000, to remain available until Sep-
12 tember 30, 2012.

13 MILITARY CONSTRUCTION, AIR FORCE RESERVE

14 (INCLUDING RESCISSION OF FUNDS)

15 For construction, acquisition, expansion, rehabilita-
16 tion, and conversion of facilities for the training and ad-
17 ministration of the Air Force Reserve as authorized by
18 chapter 1803 of title 10, United States Code, and Military
19 Construction Authorization Acts, \$39,628,000, to remain
20 available until September 30, 2012: *Provided*, That of the
21 funds appropriated for “Military Construction, Air Force
22 Reserve” under Public Law 109–114, \$3,069,000 are
23 hereby rescinded.

1 NORTH ATLANTIC TREATY ORGANIZATION
2 SECURITY INVESTMENT PROGRAM

3 For the United States share of the cost of the North
4 Atlantic Treaty Organization Security Investment Pro-
5 gram for the acquisition and construction of military fa-
6 cilities and installations (including international military
7 headquarters) and for related expenses for the collective
8 defense of the North Atlantic Treaty Area as authorized
9 by section 2806 of title 10, United States Code, and Mili-
10 tary Construction Authorization Acts, \$201,400,000, to
11 remain available until expended.

12 FAMILY HOUSING CONSTRUCTION, ARMY

13 For expenses of family housing for the Army for con-
14 struction, including acquisition, replacement, addition, ex-
15 pansion, extension, and alteration, as authorized by law,
16 \$419,400,000, to remain available until September 30,
17 2012.

18 FAMILY HOUSING OPERATION AND MAINTENANCE,

19 ARMY

20 For expenses of family housing for the Army for op-
21 eration and maintenance, including debt payment, leasing,
22 minor construction, principal and interest charges, and in-
23 surance premiums, as authorized by law, \$742,920,000.

1 FAMILY HOUSING CONSTRUCTION, NAVY AND MARINE
2 CORPS

3 For expenses of family housing for the Navy and Ma-
4 rine Corps for construction, including acquisition, replace-
5 ment, addition, expansion, extension, and alteration, as
6 authorized by law, \$298,329,000, to remain available until
7 September 30, 2012.

8 FAMILY HOUSING OPERATION AND MAINTENANCE,
9 NAVY AND MARINE CORPS

10 For expenses of family housing for the Navy and Ma-
11 rine Corps for operation and maintenance, including debt
12 payment, leasing, minor construction, principal and inter-
13 est charges, and insurance premiums, as authorized by
14 law, \$371,404,000.

15 FAMILY HOUSING CONSTRUCTION, AIR FORCE

16 For expenses of family housing for the Air Force for
17 construction, including acquisition, replacement, addition,
18 expansion, extension, and alteration, as authorized by law,
19 \$362,747,000, to remain available until September 30,
20 2012.

21 FAMILY HOUSING OPERATION AND MAINTENANCE, AIR
22 FORCE

23 For expenses of family housing for the Air Force for
24 operation and maintenance, including debt payment, leas-
25 ing, minor construction, principal and interest charges,

1 and insurance premiums, as authorized by law,
2 \$688,335,000.

3 FAMILY HOUSING OPERATION AND MAINTENANCE,
4 DEFENSE-WIDE

5 For expenses of family housing for the activities and
6 agencies of the Department of Defense (other than the
7 military departments) for operation and maintenance,
8 leasing, and minor construction, as authorized by law,
9 \$48,848,000.

10 DEPARTMENT OF DEFENSE FAMILY HOUSING
11 IMPROVEMENT FUND

12 For the Department of Defense Family Housing Im-
13 provement Fund, \$500,000, to remain available until ex-
14 pended, for family housing initiatives undertaken pursu-
15 ant to section 2883 of title 10, United States Code, pro-
16 viding alternative means of acquiring and improving mili-
17 tary family housing and supporting facilities.

18 CHEMICAL DEMILITARIZATION CONSTRUCTION,
19 DEFENSE-WIDE
20 (INCLUDING TRANSFER OF FUNDS)

21 For expenses of construction, not otherwise provided
22 for, necessary for the destruction of the United States
23 stockpile of lethal chemical agents and munitions in ac-
24 cordance with the provisions of section 1412 of the De-
25 partment of Defense Authorization Act, 1986 (50 U.S.C.

1 1521), and for the destruction of other chemical warfare
2 materials that are not in the chemical weapon stockpile,
3 as currently authorized by law, \$86,176,000, to remain
4 available until September 30, 2012: *Provided*, That such
5 amounts of this appropriation as may be determined by
6 the Secretary of Defense may be transferred to such ap-
7 propriations of the Department of Defense available for
8 military construction as the Secretary may designate, to
9 be merged with and to be available for the same purposes,
10 and for the same time period, as the appropriation to
11 which transferred.

12 DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT

13 1990

14 For deposit into the Department of Defense Base
15 Closure Account 1990, established by section 2906(a)(1)
16 of the Defense Base Closure and Realignment Act of 1990
17 (10 U.S.C. 2687 note), \$270,689,000, to remain available
18 until expended.

19 DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT

20 2005

21 For deposit into the Department of Defense Base
22 Closure Account 2005, established by section 2906A(a)(1)
23 of the Defense Base Closure and Realignment Act of 1990
24 (10 U.S.C. 2687 note), \$8,174,315,000, to remain avail-
25 able until expended.

1 ADMINISTRATIVE PROVISIONS

2 SEC. 101. None of the funds made available in this
3 title shall be expended for payments under a cost-plus-a-
4 fixed-fee contract for construction, where cost estimates
5 exceed \$25,000, to be performed within the United States,
6 except Alaska, without the specific approval in writing of
7 the Secretary of Defense setting forth the reasons there-
8 for.

9 SEC. 102. Funds made available in this title for con-
10 struction shall be available for hire of passenger motor ve-
11 hicles.

12 SEC. 103. Funds made available in this title for con-
13 struction may be used for advances to the Federal High-
14 way Administration, Department of Transportation, for
15 the construction of access roads as authorized by section
16 210 of title 23, United States Code, when projects author-
17 ized therein are certified as important to the national de-
18 fense by the Secretary of Defense.

19 SEC. 104. None of the funds made available in this
20 title may be used to begin construction of new bases in
21 the United States for which specific appropriations have
22 not been made.

23 SEC. 105. None of the funds made available in this
24 title shall be used for purchase of land or land easements
25 in excess of 100 percent of the value as determined by

1 the Army Corps of Engineers or the Naval Facilities Engi-
2 neering Command, except: (1) where there is a determina-
3 tion of value by a Federal court; (2) purchases negotiated
4 by the Attorney General or the designee of the Attorney
5 General; (3) where the estimated value is less than
6 \$25,000; or (4) as otherwise determined by the Secretary
7 of Defense to be in the public interest.

8 SEC. 106. None of the funds made available in this
9 title shall be used to: (1) acquire land; (2) provide for site
10 preparation; or (3) install utilities for any family housing;
11 except housing for which funds have been made available
12 in annual Acts making appropriations for military con-
13 struction.

14 SEC. 107. None of the funds made available in this
15 title for minor construction may be used to transfer or
16 relocate any activity from one base or installation to an-
17 other, without prior notification to the Committees on Ap-
18 propriations of both Houses of Congress.

19 SEC. 108. None of the funds made available in this
20 title may be used for the procurement of steel for any con-
21 struction project or activity for which American steel pro-
22 ducers, fabricators, and manufacturers have been denied
23 the opportunity to compete for such steel procurement.

24 SEC. 109. None of the funds available to the Depart-
25 ment of Defense for military construction or family hous-

1 ing during the current fiscal year may be used to pay real
2 property taxes in any foreign nation.

3 SEC. 110. None of the funds made available in this
4 title may be used to initiate a new installation overseas
5 without prior notification to the Committees on Appro-
6 priations of both Houses of Congress.

7 SEC. 111. None of the funds made available in this
8 title may be obligated for architect and engineer contracts
9 estimated by the Government to exceed \$500,000 for
10 projects to be accomplished in Japan, in any North Atlan-
11 tic Treaty Organization member country, or in countries
12 bordering the Arabian Sea, unless such contracts are
13 awarded to United States firms or United States firms
14 in joint venture with host nation firms.

15 SEC. 112. None of the funds made available in this
16 title for military construction in the United States terri-
17 tories and possessions in the Pacific and on Kwajalein
18 Atoll, or in countries bordering the Arabian Sea, may be
19 used to award any contract estimated by the Government
20 to exceed \$1,000,000 to a foreign contractor: *Provided,*
21 *That this section shall not be applicable to contract*
22 *awards for which the lowest responsive and responsible bid*
23 *of a United States contractor exceeds the lowest respon-*
24 *sive and responsible bid of a foreign contractor by greater*
25 *than 20 percent. Provided further, That this section shall*

1 not apply to contract awards for military construction on
2 Kwajalein Atoll for which the lowest responsive and re-
3 sponsible bid is submitted by a Marshallese contractor.

4 SEC. 113. The Secretary of Defense is to inform the
5 appropriate committees of both Houses of Congress, in-
6 cluding the Committees on Appropriations, of the plans
7 and scope of any proposed military exercise involving
8 United States personnel 30 days prior to its occurring,
9 if amounts expended for construction, either temporary or
10 permanent, are anticipated to exceed \$100,000.

11 SEC. 114. Not more than 20 percent of the funds
12 made available in this title which are limited for obligation
13 during the current fiscal year shall be obligated during
14 the last two months of the fiscal year.

15 (INCLUDING TRANSFER OF FUNDS)

16 SEC. 115. Funds appropriated to the Department of
17 Defense for construction in prior years shall be available
18 for construction authorized for each such military depart-
19 ment by the authorizations enacted into law during the
20 current session of Congress.

21 SEC. 116. For military construction or family housing
22 projects that are being completed with funds otherwise ex-
23 pired or lapsed for obligation, expired or lapsed funds may
24 be used to pay the cost of associated supervision, inspec-
25 tion, overhead, engineering and design on those projects
26 and on subsequent claims, if any.

1 SEC. 117. Notwithstanding any other provision of
2 law, any funds made available to a military department
3 or defense agency for the construction of military projects
4 may be obligated for a military construction project or
5 contract, or for any portion of such a project or contract,
6 at any time before the end of the fourth fiscal year after
7 the fiscal year for which funds for such project were made
8 available, if the funds obligated for such project: (1) are
9 obligated from funds available for military construction
10 projects; and (2) do not exceed the amount appropriated
11 for such project, plus any amount by which the cost of
12 such project is increased pursuant to law.

13 SEC. 118. The Secretary of Defense is to provide the
14 Committees on Appropriations of both Houses of Congress
15 with an annual report by February 15, containing details
16 of the specific actions proposed to be taken by the Depart-
17 ment of Defense during the current fiscal year to encour-
18 age other member nations of the North Atlantic Treaty
19 Organization, Japan, Korea, and United States allies bor-
20 dering the Arabian Sea to assume a greater share of the
21 common defense burden of such nations and the United
22 States.

23 (INCLUDING TRANSFER OF FUNDS)

24 SEC. 119. In addition to any other transfer authority
25 available to the Department of Defense, proceeds depos-
26 ited to the Department of Defense Base Closure Account

1 established by section 207(a)(1) of the Defense Authoriza-
2 tion Amendments and Base Closure and Realignment Act
3 (10 U.S.C. 2687 note) pursuant to section 207(a)(2)(C)
4 of such Act, may be transferred to the account established
5 by section 2906(a)(1) of the Defense Base Closure and
6 Realignment Act of 1990 (10 U.S.C. 2687 note), to be
7 merged with, and to be available for the same purposes
8 and the same time period as that account.

9 (INCLUDING TRANSFER OF FUNDS)

10 SEC. 120. Subject to 30 days prior notification to the
11 Committees on Appropriations of both Houses of Con-
12 gress, such additional amounts as may be determined by
13 the Secretary of Defense may be transferred to: (1) the
14 Department of Defense Family Housing Improvement
15 Fund from amounts appropriated for construction in
16 "Family Housing" accounts, to be merged with and to be
17 available for the same purposes and for the same period
18 of time as amounts appropriated directly to the Fund; or
19 (2) the Department of Defense Military Unaccompanied
20 Housing Improvement Fund from amounts appropriated
21 for construction of military unaccompanied housing in
22 "Military Construction" accounts, to be merged with and
23 to be available for the same purposes and for the same
24 period of time as amounts appropriated directly to the
25 Fund: *Provided*, That appropriations made available to
26 the Funds shall be available to cover the costs, as defined

1 in section 502(5) of the Congressional Budget Act of
2 1974, of direct loans or loan guarantees issued by the De-
3 partment of Defense pursuant to the provisions of sub-
4 chapter IV of chapter 169 of title 10, United States Code,
5 pertaining to alternative means of acquiring and improv-
6 ing military family housing, military unaccompanied hous-
7 ing, and supporting facilities.

8 SEC. 121. None of the funds made available in this
9 title may be obligated for Partnership for Peace Programs
10 in the New Independent States of the former Soviet
11 Union.

12 SEC. 122. (a) Not later than 60 days before issuing
13 any solicitation for a contract with the private sector for
14 military family housing the Secretary of the military de-
15 partment concerned shall submit to the Committees on
16 Appropriations of both Houses of Congress the notice de-
17 scribed in subsection (b).

18 (b)(1) A notice referred to in subsection (a) is a no-
19 tice of any guarantee (including the making of mortgage
20 or rental payments) proposed to be made by the Secretary
21 to the private party under the contract involved in the
22 event of—

23 (A) the closure or realignment of the installa-
24 tion for which housing is provided under the con-
25 tract;

1 (B) a reduction in force of units stationed at
2 such installation; or

3 (C) the extended deployment overseas of units
4 stationed at such installation.

5 (2) Each notice under this subsection shall specify
6 the nature of the guarantee involved and assess the extent
7 and likelihood, if any, of the liability of the Federal Gov-
8 ernment with respect to the guarantee.

9 (INCLUDING TRANSFER OF FUNDS)

10 ~~SEC. 123.~~ In addition to any other transfer authority
11 available to the Department of Defense, amounts may be
12 transferred from the accounts established by sections
13 2906(a)(1) and 2906A(a)(1) of the Defense Base Closure
14 and Realignment Act of 1990 (10 U.S.C. 2687 note), to
15 the fund established by section 1013(d) of the Demonstra-
16 tion Cities and Metropolitan Development Act of 1966 (42
17 U.S.C. 3374) to pay for expenses associated with the
18 Homeowners Assistance Program. Any amounts trans-
19 ferred shall be merged with and be available for the same
20 purposes and for the same time period as the fund to
21 which transferred.

22 ~~SEC. 124.~~ Notwithstanding this or any other provi-
23 sion of law, funds made available in this title for operation
24 and maintenance of family housing shall be the exclusive
25 source of funds for repair and maintenance of all family
26 housing units, including general or flag officer quarters:

1 *Provided*, That not more than \$35,000 per unit may be
2 spent annually for the maintenance and repair of any gen-
3 eral or flag officer quarters without 30 days prior notifica-
4 tion to the Committees on Appropriations of both Houses
5 of Congress, except that an after-the-fact notification shall
6 be submitted if the limitation is exceeded solely due to
7 costs associated with environmental remediation that
8 could not be reasonably anticipated at the time of the
9 budget submission: *Provided further*, That the Under Sec-
10 retary of Defense (Comptroller) is to report annually to
11 the Committees on Appropriations of both Houses of Con-
12 gress all operation and maintenance expenditures for each
13 individual general or flag officer quarters for the prior fis-
14 cal year.

15 SEC. 125. Whenever the Secretary of Defense or any
16 other official of the Department of Defense is requested
17 by the subcommittee on Military Construction, Veterans
18 Affairs, and Related Agencies of the Committee on Appro-
19 priations of the House of Representatives or the sub-
20 committee on Military Construction, Veterans Affairs, and
21 Related Agencies of the Committee on Appropriations of
22 the Senate to respond to a question or inquiry submitted
23 by the chairman or another member of that subcommittee
24 pursuant to a subcommittee hearing or other activity, the
25 Secretary (or other official) shall respond to the request,

1 in writing, within 21 days of the date on which the request
2 is transmitted to the Secretary (or other official).

3 ~~SEC. 126. Amounts contained in the Ford Island Im-~~
4 ~~provement Account established by subsection (h) of sec-~~
5 ~~tion 2814 of title 10, United States Code, are appro-~~
6 ~~priated and shall be available until expended for the pur-~~
7 ~~poses specified in subsection (i)(1) of such section or until~~
8 ~~transferred pursuant to subsection (i)(3) of such section.~~

9 ~~SEC. 127. None of the funds made available in this~~
10 ~~title, or in any Act making appropriations for military con-~~
11 ~~struction which remain available for obligation, may be ob-~~
12 ~~ligated or expended to carry out a military construction,~~
13 ~~land acquisition, or family housing project at or for a mili-~~
14 ~~tary installation approved for closure, or at a military in-~~
15 ~~stallation for the purposes of supporting a function that~~
16 ~~has been approved for realignment to another installation,~~
17 ~~in 2005 under the Defense Base Closure and Realignment~~
18 ~~Act of 1990 (part A of title XXIX of Public Law 101-~~
19 ~~510; 10 U.S.C. 2687 note); unless such a project at a mili-~~
20 ~~tary installation approved for realignment will support a~~
21 ~~continuing mission or function at that installation or a~~
22 ~~new mission or function that is planned for that installa-~~
23 ~~tion, or unless the Secretary of Defense certifies that the~~
24 ~~cost to the United States of carrying out such project~~
25 ~~would be less than the cost to the United States of cancel-~~

1 ling such project, or if the project is at an active compo-
2 nent base that shall be established as an enclave or in the
3 case of projects having multi-agency use, that another
4 Government agency has indicated it will assume ownership
5 of the completed project. The Secretary of Defense may
6 not transfer funds made available as a result of this limi-
7 tation from any military construction project, land acquisi-
8 tion, or family housing project to another account or use
9 such funds for another purpose or project without the
10 prior approval of the Committees on Appropriations of
11 both Houses of Congress. This section shall not apply to
12 military construction projects, land acquisition, or family
13 housing projects for which the project is vital to the na-
14 tional security or the protection of health, safety, or envi-
15 ronmental quality: *Provided*, That the Secretary of De-
16 fense shall notify the congressional defense committees
17 within seven days of a decision to carry out such a military
18 construction project.

19 (INCLUDING TRANSFER OF FUNDS)

20 SEC. 128. During the 5-year period after appropria-
21 tions available in this Act to the Department of Defense
22 for military construction and family housing operation and
23 maintenance and construction have expired for obligation,
24 upon a determination that such appropriations will not be
25 necessary for the liquidation of obligations or for making
26 authorized adjustments to such appropriations for obliga-

1 tions incurred during the period of availability of such ap-
2 propriations, unobligated balances of such appropriations
3 may be transferred into the appropriation “Foreign Cur-
4 rency Fluctuations, Construction, Defense”, to be merged
5 with and to be available for the same time period and for
6 the same purposes as the appropriation to which trans-
7 ferred.

8 SEC. 129. None of the funds in this title shall be used
9 for any activity related to the construction of an Outlying
10 Landing Field in Washington County, North Carolina.

11 TITLE II

12 DEPARTMENT OF VETERANS AFFAIRS

13 VETERANS BENEFITS ADMINISTRATION

14 COMPENSATION AND PENSIONS

15 (INCLUDING TRANSFER OF FUNDS)

16 For the payment of compensation benefits to or on
17 behalf of veterans and a pilot program for disability ex-
18 aminations as authorized by section 107 and chapters 11,
19 13, 18, 51, 53, 55, and 61 of title 38, United States Code;
20 pension benefits to or on behalf of veterans as authorized
21 by chapters 15, 51, 53, 55, and 61 of title 38, United
22 States Code; and burial benefits, the Reinstated Entitle-
23 ment Program for Survivors, emergency and other offi-
24 cers’ retirement pay, adjusted-service credits and certifi-
25 cates, payment of premiums due on commercial life insur-
26 ance policies guaranteed under the provisions of title IV

1 of the Servicemembers Civil Relief Act (50 U.S.C. App.
2 541 et seq.) and for other benefits as authorized by sec-
3 tions 107, 1312, 1977, and 2106, and chapters 23, 51,
4 53, 55, and 61 of title 38, United States Code,
5 \$41,236,322,000, to remain available until expended: *Pro-*
6 *vided*, That not to exceed \$25,033,000 of the amount ap-
7 propriated under this heading shall be reimbursed to
8 “General operating expenses” and “Medical administra-
9 tion” for necessary expenses in implementing the provi-
10 sions of chapters 51, 53, and 55 of title 38, United States
11 Code, the funding source for which is specifically provided
12 as the “Compensation and pensions” appropriation: *Pro-*
13 *vided further*, That such sums as may be earned on an
14 actual qualifying patient basis, shall be reimbursed to
15 “Medical care collections fund” to augment the funding
16 of individual medical facilities for nursing home care pro-
17 vided to pensioners as authorized.

18 READJUSTMENT BENEFITS

19 For the payment of readjustment and rehabilitation
20 benefits to or on behalf of veterans as authorized by chap-
21 ters 21, 30, 31, 34, 35, 36, 39, 51, 53, 55, and 61 of
22 title 38, United States Code, \$3,300,289,000, to remain
23 available until expended: *Provided*, That expenses for re-
24 habilitation program services and assistance which the
25 Secretary is authorized to provide under subsection (a) of
26 section 3104 of title 38, United States Code, other than

1 under paragraphs (1), (2), (5), and (11) of that sub-
2 section, shall be charged to this account.

3 VETERANS INSURANCE AND INDEMNITIES

4 For military and naval insurance, national service life
5 insurance, servicemen's indemnities, service-disabled vet-
6 erans insurance, and veterans mortgage life insurance as
7 authorized by title 38, United States Code, chapters 19
8 and 21, \$41,250,000, to remain available until expended.

9 VETERANS HOUSING BENEFIT PROGRAM FUND PROGRAM

10 ACCOUNT

11 (INCLUDING TRANSFER OF FUNDS)

12 For the cost of direct and guaranteed loans, such
13 sums as may be necessary to carry out the program, as
14 authorized by subchapters I through III of chapter 37 of
15 title 38, United States Code: *Provided*, That such costs,
16 including the cost of modifying such loans, shall be as de-
17 fined in section 502 of the Congressional Budget Act of
18 1974: *Provided further*, That during fiscal year 2008,
19 within the resources available, not to exceed \$500,000 in
20 gross obligations for direct loans are authorized for spe-
21 cially adapted housing loans.

22 In addition, for administrative expenses to carry out
23 the direct and guaranteed loan programs, \$154,562,000,
24 which may be transferred to and merged with the appro-
25 priation for "General operating expenses".

1 VOCATIONAL REHABILITATION LOANS PROGRAM ACCOUNT
2 (INCLUDING TRANSFER OF FUNDS)

3 For the cost of direct loans, \$71,000, as authorized
4 by chapter 31 of title 38, United States Code: *Provided,*
5 That such costs, including the cost of modifying such
6 loans, shall be as defined in section 502 of the Congres-
7 sional Budget Act of 1974: *Provided further,* That funds
8 made available under this heading are available to sub-
9 sidize gross obligations for the principal amount of direct
10 loans not to exceed \$3,287,000.

11 In addition, for administrative expenses necessary to
12 carry out the direct loan program, \$311,000, which may
13 be transferred to and merged with the appropriation for
14 “General operating expenses”.

15 NATIVE AMERICAN VETERAN HOUSING LOAN PROGRAM
16 ACCOUNT
17 (INCLUDING TRANSFER OF FUNDS)

18 For administrative expenses to carry out the direct
19 loan program authorized by subchapter V of chapter 37
20 of title 38, United States Code, \$628,000, which may be
21 transferred to and merged with the appropriation for
22 “General operating expenses”: *Provided,* That no new
23 loans in excess of \$30,000,000 may be made in fiscal year
24 2008.

1 GUARANTEED TRANSITIONAL HOUSING LOANS FOR
 2 HOMELESS VETERANS PROGRAM ACCOUNT

3 For the administrative expenses to carry out the
 4 guaranteed transitional housing loan program authorized
 5 by subchapter VI of chapter 37 of title 38, United States
 6 Code, not to exceed \$750,000 of the amounts appropriated
 7 by this Act for “General operating expenses” and “Med-
 8 ical administration” may be expended.

9 VETERANS HEALTH ADMINISTRATION

10 MEDICAL SERVICES

11 (INCLUDING TRANSFER OF FUNDS)

12 For necessary expenses for furnishing, as authorized
 13 by law, inpatient and outpatient care and treatment to
 14 beneficiaries of the Department of Veterans Affairs and
 15 veterans described in section 1705(a) of title 38, United
 16 States Code, including care and treatment in facilities not
 17 under the jurisdiction of the Department, and including
 18 medical supplies and equipment, food services, and sala-
 19 ries and expenses of health-care employees hired under
 20 title 38, United States Code, and aid to State homes as
 21 authorized by section 1741 of title 38, United States Code;
 22 \$28,906,400,000 (increased by \$125,000,000), plus reim-
 23 bursements, of which not less than \$2,900,000,000 shall
 24 be expended for specialty mental health care; not less than
 25 \$130,000,000 shall be expended for the homeless grants
 26 and per diem program; not less than \$428,873,754 shall

1 be expended for the substance abuse program; and not less
2 than \$100,275,000 shall be expended for blind rehabilita-
3 tion services: *Provided*, That of the funds made available
4 under this heading, not to exceed \$1,100,000,000 shall be
5 available until September 30, 2009: *Provided further*,
6 That, notwithstanding any other provision of law, the Sec-
7 retary of Veterans Affairs shall establish a priority for the
8 provision of medical treatment for veterans who have serv-
9 ice-connected disabilities, lower income, or have special
10 needs: *Provided further*, That, notwithstanding any other
11 provision of law, the Secretary of Veterans Affairs shall
12 give priority funding for the provision of basic medical
13 benefits to veterans in enrollment priority groups 1
14 through 6: *Provided further*, That, notwithstanding any
15 other provision of law, the Secretary of Veterans Affairs
16 may authorize the dispensing of prescription drugs from
17 Veterans Health Administration facilities to enrolled vet-
18 erans with privately written prescriptions based on re-
19 quirements established by the Secretary: *Provided further*,
20 That the implementation of the program described in the
21 previous proviso shall incur no additional cost to the De-
22 partment of Veterans Affairs: *Provided further*, That for
23 the DOD-VA Health Care Sharing Incentive Fund, as au-
24 thorized by section 8111(d) of title 38, United States
25 Code, a minimum of \$15,000,000, to remain available

1 until expended, for any purpose authorized by section
2 8111 of title 38, United States Code.

3 MEDICAL ADMINISTRATION

4 For necessary expenses in the administration of the
5 medical, hospital, nursing home, domiciliary, construction,
6 supply, and research activities, as authorized by law; ad-
7 ministrative expenses in support of capital policy activi-
8 ties; and administrative and legal expenses of the Depart-
9 ment for collecting and recovering amounts owed the De-
10 partment as authorized under chapter 17 of title 38,
11 United States Code, and the Federal Medical Care Recov-
12 ery Act (42 U.S.C. 2651 et seq.); \$3,635,600,000 (in-
13 creased by \$5,000,000) (reduced by \$5,000,000) (reduced
14 by \$125,000,000), plus reimbursements, of which
15 \$250,000,000 shall be available until September 30, 2009.

16 MEDICAL FACILITIES

17 For necessary expenses for the maintenance and op-
18 eration of hospitals, nursing homes, and domiciliary facili-
19 ties, and other necessary facilities of the Veterans Health
20 Administration; for administrative expenses in support of
21 planning, design, project management, real property ac-
22 quisition and disposition, construction, and renovation of
23 any facility under the jurisdiction or for the use of the
24 Department; for oversight, engineering, and architectural
25 activities not charged to project costs; for repairing, alter-
26 ing, improving, or providing facilities in the several hos-

1 pitals and homes under the jurisdiction of the Depart-
2 ment, not otherwise provided for, either by contract or by
3 the hire of temporary employees and purchase of mate-
4 rials; for leases of facilities; and for laundry services;
5 \$4,100,000,000, plus reimbursements, of which
6 \$250,000,000 shall be available until September 30, 2009:
7 *Provided*, That \$300,000,000 for non-recurring mainte-
8 nance provided under this heading shall be allocated in
9 a manner not subject to the Veterans Equitable Resource
10 Allocation.

11 MEDICAL AND PROSTHETIC RESEARCH

12 For necessary expenses in carrying out programs of
13 medical and prosthetic research and development as au-
14 thorized by chapter 73 of title 38, United States Code,
15 \$480,000,000, plus reimbursements, to remain available
16 until September 30, 2009.

17 DEPARTMENTAL ADMINISTRATION

18 GENERAL OPERATING EXPENSES

19 For necessary operating expenses of the Department
20 of Veterans Affairs, not otherwise provided for, including
21 administrative expenses in support of Department-Wide
22 capital planning, management and policy activities, uni-
23 forms, or allowances therefor, not to exceed \$25,000 for
24 official reception and representation expenses; hire of pas-
25 senger motor vehicles; and reimbursement of the General
26 Services Administration for security guard services and

1 the Department of Defense for the cost of overseas em-
2 ployee mail, \$1,598,500,000: *Provided*, That expenses for
3 services and assistance authorized under paragraphs (1),
4 (2), (5), and (11) of section 3104(a) of title 38, United
5 States Code, that the Secretary of Veterans Affairs deter-
6 mines are necessary to enable entitled veterans: (1) to the
7 maximum extent feasible, to become employable and to ob-
8 tain and maintain suitable employment; or (2) to achieve
9 maximum independence in daily living, shall be charged
10 to this account: *Provided further*, That the Veterans Bene-
11 fits Administration shall be funded at not less than
12 \$1,324,957,000: *Provided further*, That of the funds made
13 available under this heading, not to exceed \$75,000,000
14 shall be available for obligation until September 30, 2009:
15 *Provided further*, That from the funds made available
16 under this heading, the Veterans Benefits Administration
17 may purchase (on a one-for-one replacement basis only)
18 up to two passenger motor vehicles for use in operations
19 of that Administration in Manila, Philippines: *Provided*
20 *further*, That of the funds made available under this head-
21 ing, \$2,000,000 is for the Advisory Committee on Women
22 Veterans under section 542 of title 38, United States
23 Code.

24 INFORMATION TECHNOLOGY SYSTEMS

25 For necessary expenses for information technology
26 systems and telecommunications support, including devel-

1 opmental information systems and operational information
2 systems and pay and associated cost for operations and
3 maintenance associated staff; for the capital asset acquisi-
4 tion of information technology systems, including manage-
5 ment and related contractual costs of said acquisitions, in-
6 cluding contractual costs associated with operations au-
7 thorized by chapter 3109 of title 5, United States Code,
8 \$1,859,217,000, to remain available until September 30,
9 2009: *Provided*, That none of these funds may be obli-
10 gated until the Secretary of Veterans Affairs submits to
11 the Committees on Appropriations of both Houses of Con-
12 gress, and such Committees approve, a plan for expendi-
13 ture that: (1) meets the capital planning and investment
14 control review requirements established by the Office of
15 Management and Budget; (2) complies with the Depart-
16 ment of Veterans Affairs enterprise architecture; (3) con-
17 forms with an established enterprise life cycle method-
18 ology; and (4) complies with the acquisition rules, require-
19 ments, guidelines, and systems acquisition management
20 practices of the Federal Government: *Provided further*,
21 That within 30 days of the date of the enactment of this
22 Act, the Secretary of Veterans Affairs shall submit to the
23 Committees on Appropriations of both Houses of Congress
24 a reprogramming base letter which provides, by project,
25 the costs included in this appropriation.

1 NATIONAL CEMETERY ADMINISTRATION

2 For necessary expenses of the National Cemetery Ad-
3 ministration for operations and maintenance, not other-
4 wise provided for, including uniforms or allowances there-
5 for, cemeterial expenses as authorized by law; purchase
6 of one passenger motor vehicle for use in cemeterial oper-
7 ations; and hire of passenger motor vehicles,
8 \$170,000,000, of which not to exceed \$7,800,000 shall be
9 available until September 30, 2009.

10 OFFICE OF INSPECTOR GENERAL

11 For necessary expenses of the Office of Inspector
12 General in carrying out the provisions of the Inspector
13 General Act of 1978 (5 U.S.C. App.), \$76,500,000, of
14 which \$3,630,000 shall remain available until September
15 30, 2009.

16 CONSTRUCTION, MAJOR PROJECTS

17 For constructing, altering, extending, and improving
18 any of the facilities, including parking projects, under the
19 jurisdiction or for the use of the Department of Veterans
20 Affairs, or for any of the purposes set forth in sections
21 316, 2404, 2406, 8102, 8103, 8106, 8108, 8109, 8110,
22 and 8122 of title 38, United States Code, including plan-
23 ning, architectural and engineering services, construction
24 management services, maintenance or guarantee period
25 services costs associated with equipment guarantees pro-
26 vided under the project, services of claims analysts, offsite

1 utility and storm drainage system construction costs, and
2 site acquisition, where the estimated cost of a project is
3 more than the amount set forth in section 8104(a)(3)(A)
4 of title 38, United States Code, or where funds for a
5 project were made available in a previous major project
6 appropriation, \$1,410,800,000, to remain available until
7 expended, of which \$2,000,000 shall be to make reim-
8 bursements as provided in section 13 of the Contract Dis-
9 putes Act of 1978 (41 U.S.C. 612) for claims paid for
10 contract disputes: *Provided*, That except for advance plan-
11 ning activities, including needs assessments which may or
12 may not lead to capital investments, and other capital
13 asset management related activities, including portfolio
14 development and management activities, and investment
15 strategy studies funded through the advance planning
16 fund and the planning and design activities funded
17 through the design fund, including needs assessments
18 which may or may not lead to capital investments, none
19 of the funds appropriated under this heading shall be used
20 for any project which has not been approved by the Con-
21 gress in the budgetary process: *Provided further*, That
22 funds provided in this appropriation for fiscal year 2008,
23 for each approved project shall be obligated: (1) by the
24 awarding of a construction documents contract by Sep-
25 tember 30, 2008; and (2) by the awarding of a construc-

1 tion contract by September 30, 2009. *Provided further,*
2 That the Secretary of Veterans Affairs shall promptly sub-
3 mit to the Committees on Appropriations of both Houses
4 of Congress a written report on any approved major con-
5 struction project for which obligations are not incurred
6 within the time limitations established above. *Provided*
7 *further,* That none of the funds appropriated in this or
8 any other Act may be used to reduce the mission, services,
9 or infrastructure, including land, of the 18 facilities on
10 the Capital Asset Realignment for Enhanced Services
11 (CARES) list requiring further study, as specified by the
12 Secretary of Veterans Affairs, without prior approval of
13 the Committees on Appropriations of both Houses of Con-
14 gress.

15 CONSTRUCTION, MINOR PROJECTS

16 For constructing, altering, extending, and improving
17 any of the facilities, including parking projects, under the
18 jurisdiction or for the use of the Department of Veterans
19 Affairs, including planning and assessments of needs
20 which may lead to capital investments, architectural and
21 engineering services, maintenance or guarantee period
22 services costs associated with equipment guarantees pro-
23 vided under the project, services of claims analysts, offsite
24 utility and storm drainage system construction costs, and
25 site acquisition, or for any of the purposes set forth in
26 sections 216, 2404, 2406, 8102, 8103, 8106, 8108, 8109,

1 8110, 8122, and 8162 of title 38, United States Code,
 2 where the estimated cost of a project is equal to or less
 3 than the amount set forth in section 8104(a)(3)(A) of title
 4 38, United States Code, \$615,000,000, to remain avail-
 5 able until expended, along with unobligated balances of
 6 previous "Construction, minor projects" appropriations
 7 which are hereby made available for any project where the
 8 estimated cost is equal to or less than the amount set forth
 9 in such section: *Provided*, That funds in this account shall
 10 be available for: (1) repairs to any of the nonmedical facili-
 11 ties under the jurisdiction or for the use of the Depart-
 12 ment which are necessary because of loss or damage
 13 caused by any natural disaster or catastrophe; and (2)
 14 temporary measures necessary to prevent or to minimize
 15 further loss by such causes: *Provided further*, That within
 16 30 days of enactment of this Act, the Secretary of Vet-
 17 erans Affairs shall submit to the Committees on Appro-
 18 priations of both Houses of Congress a reprogramming
 19 base letter which provides, by project, the costs included
 20 in this appropriation.

21 GRANTS FOR CONSTRUCTION OF STATE EXTENDED CARE
 22 FACILITIES

23 For grants to assist States to acquire or construct
 24 State nursing home and domiciliary facilities and to re-
 25 model, modify, or alter existing hospital, nursing home,
 26 and domiciliary facilities in State homes, for furnishing

1 care to veterans as authorized by sections ~~8131~~ through
 2 ~~8137~~ of title ~~38~~, United States Code, \$165,000,000, to
 3 remain available until expended.

4 GRANTS FOR THE CONSTRUCTION OF STATE VETERANS
 5 CEMETERIES

6 For grants to assist States in establishing, expand-
 7 ing, or improving State veterans cemeteries as authorized
 8 by section ~~2408~~ of title ~~38~~, United States Code,
 9 \$37,000,000, to remain available until expended.

10 ADMINISTRATIVE PROVISIONS

11 (INCLUDING TRANSFER OF FUNDS)

12 SEC. ~~201~~. Any appropriation for fiscal year 2008 for
 13 “Compensation and pensions”, “Readjustment benefits”,
 14 and “Veterans insurance and indemnities” may be trans-
 15 ferred as necessary to any other of the mentioned appro-
 16 priations: *Provided*, That before a transfer may take place,
 17 the Secretary of Veterans Affairs shall request from the
 18 Committees on Appropriations of both Houses of Congress
 19 the authority to make the transfer and such Committees
 20 issue an approval, or absent a response, a period of 30
 21 days has elapsed.

22 SEC. ~~202~~. Appropriations available in this title for
 23 salaries and expenses shall be available for services au-
 24 thorized by section ~~3109~~ of title ~~5~~, United States Code,
 25 hire of passenger motor vehicles; lease of a facility or land
 26 or both; and uniforms or allowances therefore, as author-

1 ized by sections 5901 through 5902 of title 5, United
2 States Code.

3 SEC. 203. No appropriations in this title (except the
4 appropriations for “Construction, major projects”, and
5 “Construction, minor projects”) shall be available for the
6 purchase of any site for or toward the construction of any
7 new hospital or home.

8 SEC. 204. No appropriations in this title shall be
9 available for hospitalization or examination of any persons
10 (except beneficiaries entitled to such hospitalization or ex-
11 amination under the laws providing such benefits to vet-
12 erans, and persons receiving such treatment under sec-
13 tions 7901 through 7904 of title 5, United States Code,
14 or the Robert T. Stafford Disaster Relief and Emergency
15 Assistance Act (42 U.S.C. 5121 et seq.)); unless reim-
16 bursement of the cost of such hospitalization or examina-
17 tion is made to the “Medical services” account at such
18 rates as may be fixed by the Secretary of Veterans Affairs.

19 SEC. 205. Appropriations available in this title for
20 “Compensation and pensions”, “Readjustment benefits”,
21 and “Veterans insurance and indemnities” shall be avail-
22 able for payment of prior year accrued obligations re-
23 quired to be recorded by law against the corresponding
24 prior year accounts within the last quarter of fiscal year
25 2007.

1 SEC. 206. Appropriations available in this title shall
2 be available to pay prior year obligations of corresponding
3 prior year appropriations accounts resulting from sections
4 3328(a), 3334, and 3712(a) of title 31, United States
5 Code, except that if such obligations are from trust fund
6 accounts they shall be payable only from “Compensation
7 and pensions”.

8 (INCLUDING TRANSFER OF FUNDS)

9 SEC. 207. Notwithstanding any other provision of
10 law, during fiscal year 2008, the Secretary of Veterans
11 Affairs shall, from the National Service Life Insurance
12 Fund (38 U.S.C. 1920), the Veterans’ Special Life Insur-
13 ance Fund (38 U.S.C. 1923), and the United States Gov-
14 ernment Life Insurance Fund (38 U.S.C. 1955), reim-
15 burse the “General operating expenses” account for the
16 cost of administration of the insurance programs financed
17 through those accounts: *Provided*, That reimbursement
18 shall be made only from the surplus earnings accumulated
19 in such an insurance program during fiscal year 2008 that
20 are available for dividends in that program after claims
21 have been paid and actuarially determined reserves have
22 been set aside: *Provided further*, That if the cost of admin-
23 istration of such an insurance program exceeds the
24 amount of surplus earnings accumulated in that program,
25 reimbursement shall be made only to the extent of such
26 surplus earnings: *Provided further*, That the Secretary

1 shall determine the cost of administration for fiscal year
2 2008 which is properly allocable to the provision of each
3 such insurance program and to the provision of any total
4 disability income insurance included in that insurance pro-
5 gram.

6 SEC. 208. Amounts deducted from enhanced-use
7 lease proceeds to reimburse an account for expenses in-
8 curred by that account during a prior fiscal year for pro-
9 viding enhanced-use lease services, may be obligated dur-
10 ing the fiscal year in which the proceeds are received.

11 (INCLUDING TRANSFER OF FUNDS)

12 SEC. 209. Funds available in this title or funds for
13 salaries and other administrative expenses shall also be
14 available to reimburse the Office of Resolution Manage-
15 ment of the Department of Veterans Affairs and the Of-
16 fice of Employment Discrimination Complaint Adjudica-
17 tion under section 319 of title 38, United States Code,
18 for all services provided at rates which will recover actual
19 costs but not exceed \$32,067,000 for the Office of Resolu-
20 tion Management and \$3,148,000 for the Office of Em-
21 ployment and Discrimination Complaint Adjudication:
22 *Provided*, That payments may be made in advance for
23 services to be furnished based on estimated costs: *Provided*
24 *further*, That amounts received shall be credited to "Gen-
25 eral operating expenses" for use by the office that pro-
26 vided the service.

1 SEC. 210. No appropriations in this title shall be
2 available to enter into any new lease of real property if
3 the estimated annual rental is more than \$300,000 unless
4 the Secretary submits a report which the Committees on
5 Appropriations of both Houses of Congress approve within
6 30 days following the date on which the report is received.

7 SEC. 211. No funds of the Department of Veterans
8 Affairs shall be available for hospital care, nursing home
9 care, or medical services provided to any person under
10 chapter 17 of title 38, United States Code, for a non-serv-
11 ice-connected disability described in section 1729(a)(2) of
12 such title, unless that person has disclosed to the Sec-
13 retary of Veterans Affairs, in such form as the Secretary
14 may require, current, accurate third-party reimbursement
15 information for purposes of section 1729 of such title: *Pro-*
16 *vided,* That the Secretary may recover, in the same man-
17 ner as any other debt due the United States, the reason-
18 able charges for such care or services from any person who
19 does not make such disclosure as required: *Provided fur-*
20 *ther,* That any amounts so recovered for care or services
21 provided in a prior fiscal year may be obligated by the
22 Secretary during the fiscal year in which amounts are re-
23 ceived.

24 (INCLUDING TRANSFER OF FUNDS)

25 SEC. 212. Notwithstanding any other provision of
26 law, at the discretion of the Secretary of Veterans Affairs,

1 proceeds or revenues derived from enhanced-use leasing
2 activities (including disposal) may be deposited into the
3 “Construction, major projects” and “Construction, minor
4 projects” accounts and be used for construction (including
5 site acquisition and disposition), alterations, and improve-
6 ments of any medical facility under the jurisdiction or for
7 the use of the Department of Veterans Affairs. Such sums
8 as realized are in addition to the amount provided for in
9 “Construction, major projects” and “Construction, minor
10 projects”.

11 ~~SEC. 213.~~ Amounts made available under “Medical
12 services” are available—

13 (1) for furnishing recreational facilities, sup-
14 plies, and equipment; and

15 (2) for funeral expenses, burial expenses, and
16 other expenses incidental to funerals and burials for
17 beneficiaries receiving care in the Department.

18 (INCLUDING TRANSFER OF FUNDS)

19 ~~SEC. 214.~~ Such sums as may be deposited to the
20 Medical Care Collections Fund pursuant to section 1729A
21 of title 38, United States Code, may be transferred to
22 “Medical services”, to remain available until expended for
23 the purposes of that account.

24 ~~SEC. 215.~~ Notwithstanding any other provision of
25 law, the Secretary of Veterans Affairs shall allow veterans
26 who are eligible under existing Department of Veterans

1 Affairs medical care requirements and who reside in Alas-
2 ka to obtain medical care services from medical facilities
3 supported by the Indian Health Service or tribal organiza-
4 tions. The Secretary shall: (1) limit the application of this
5 provision to rural Alaskan veterans in areas where an ex-
6 isting Department of Veterans Affairs facility or Veterans
7 Affairs-contracted service is unavailable; (2) require par-
8 ticipating veterans and facilities to comply with all appro-
9 priate rules and regulations, as established by the Sec-
10 retary; (3) require this provision to be consistent with
11 Capital Asset Realignment for Enhanced Services activi-
12 ties; and (4) result in no additional cost to the Department
13 of Veterans Affairs or the Indian Health Service.

14 (INCLUDING TRANSFER OF FUNDS)

15 SEC. 216. Such sums as may be deposited to the De-
16 partment of Veterans Affairs Capital Asset Fund pursu-
17 ant to section 8118 of title 38, United States Code, may
18 be transferred to the “Construction, major projects” and
19 “Construction, minor projects” accounts, to remain avail-
20 able until expended for the purposes of these accounts.

21 SEC. 217. None of the funds available to the Depart-
22 ment of Veterans Affairs, in this or any other Act, may
23 be used to replace the current system by which the Vet-
24 erans Integrated Service Networks select and contract for
25 diabetes monitoring supplies and equipment.

1 SEC. 218. None of the funds made available in this
2 Act may be used to implement any policy prohibiting the
3 Directors of the Veterans Integrated Service Networks
4 from conducting outreach or marketing to enroll new vet-
5 erans within their respective Networks.

6 SEC. 219. The Secretary of Veterans Affairs shall
7 submit to the Committees on Appropriations of both
8 Houses of Congress a quarterly report on the financial
9 status of the Veterans Health Administration.

10 SEC. 220. Amounts made available for the “Informa-
11 tion technology systems” account may be reprogrammed
12 between projects: *Provided*, That no project may be in-
13 creased or decreased by more than \$1,000,000 of cost be-
14 fore the Secretary submits to the Committees on Appro-
15 priations of both Houses of Congress a reprogramming re-
16 quest and the Committees issue an approval, or absent
17 a response, a period of 30 days has elapsed.

18 (INCLUDING TRANSFER OF FUNDS)

19 SEC. 221. Any balances in prior year accounts estab-
20 lished for the payment of benefits under the Reinstated
21 Entitlement Program for Survivors shall be transferred to
22 and merged with amounts available under the “Compensa-
23 tion and pensions” account, and receipts that would other-
24 wise be credited to the accounts established for the pay-
25 ment of benefits under the Reinstated Entitlement Pro-
26 gram for Survivors program shall be credited to amounts

1 available under the "Compensation and pensions" ac-
2 count.

3 SEC. 222. Amounts made available for the "Con-
4 struction, minor projects" account may be reprogrammed
5 between projects: *Provided*, That no project may be in-
6 creased or decreased by more than \$1,000,000 of cost be-
7 fore the Secretary submits to the Committees on Appro-
8 priations of both Houses of Congress a reprogramming re-
9 quest and the Committees issue an approval, or absent
10 a response, a period of 30 days has elapsed.

11 TITLE III

12 RELATED AGENCIES

13 AMERICAN BATTLE MONUMENTS COMMISSION

14 SALARIES AND EXPENSES

15 For necessary expenses, not otherwise provided for,
16 of the American Battle Monuments Commission, including
17 the acquisition of land or interest in land in foreign coun-
18 tries; purchases and repair of uniforms for caretakers of
19 national cemeteries and monuments outside of the United
20 States and its territories and possessions; rent of office
21 and garage space in foreign countries; purchase (one-for-
22 one replacement basis only) and hire of passenger motor
23 vehicles; not to exceed \$7,500 for official reception and
24 representation expenses; and insurance of official motor
25 vehicles in foreign countries, when required by law of such

1 countries, ~~\$43,470,000~~, to remain available until ex-
2 pended.

3 FOREIGN CURRENCY FLUCTUATIONS ACCOUNT

4 For necessary expenses, not otherwise provided for,
5 of the American Battle Monuments Commission,
6 \$11,000,000, to remain available until expended, for pur-
7 poses authorized by section 2109 of title 36, United States
8 Code.

9 UNITED STATES COURT OF APPEALS FOR VETERANS

10 CLAIMS

11 SALARIES AND EXPENSES

12 For necessary expenses for the operation of the
13 United States Court of Appeals for Veterans Claims as
14 authorized by sections 7251 through 7298 of title 38,
15 United States Code, \$21,397,000, of which \$1,300,000
16 shall be available for the purpose of providing financial
17 assistance as described, and in accordance with the proc-
18 ess and reporting procedures set forth, under this heading
19 in Public Law 102-229.

20 DEPARTMENT OF DEFENSE—CIVIL

21 CEMETERY EXPENSES, ARMY

22 SALARIES AND EXPENSES

23 For necessary expenses, as authorized by law, for
24 maintenance, operation, and improvement of Arlington
25 National Cemetery and Soldiers' and Airmen's Home Na-
26 tional Cemetery, including the purchase of two passenger

1 motor vehicles for replacement only, and not to exceed
2 \$1,000 for official reception and representation expenses;
3 \$30,592,000, to remain available until expended. In addi-
4 tion, such sums as may be necessary for parking mainte-
5 nance, repairs and replacement, to be derived from the
6 Lease of Department of Defense Real Property for De-
7 fense Agencies account.

8 ARMED FORCES RETIREMENT HOME

9 TRUST FUND

10 For expenses necessary for the Armed Forces Retire-
11 ment Home to operate and maintain the Armed Forces
12 Retirement Home—Washington, District of Columbia and
13 the Armed Forces Retirement Home—Gulfport, Mis-
14 sissippi, to be paid from funds available in the Armed
15 Forces Retirement Home Trust Fund, \$55,724,000.

16 ARMED FORCES RETIREMENT HOME

17 FEDERAL FUND PAYMENT

18 For payment to the “Armed Forces Retirement
19 Home”, \$800,000, to remain available until expended.

20 TITLE IV

21 GENERAL PROVISIONS

22 SEC. 401. No part of any appropriation contained in
23 this Act shall remain available for obligation beyond the
24 current fiscal year unless expressly so provided herein.

1 SEC. 402. Such sums as may be necessary for fiscal
2 year 2008 pay raises for programs funded by this Act shall
3 be absorbed within the levels appropriated in this Act.

4 SEC. 403. None of the funds made available in this
5 Act may be used for any program, project, or activity,
6 when it is made known to the Federal entity or official
7 to which the funds are made available that the program,
8 project, or activity is not in compliance with any Federal
9 law relating to risk assessment, the protection of private
10 property rights, or unfunded mandates.

11 SEC. 404. No part of any funds appropriated in this
12 Act shall be used by an agency of the executive branch,
13 other than for normal and recognized executive-legislative
14 relationships, for publicity or propaganda purposes, and
15 for the preparation, distribution or use of any kit, pam-
16 phlet, booklet, publication, radio, television, or film presen-
17 tation designed to support or defeat legislation pending
18 before Congress, except in presentation to Congress itself.

19 SEC. 405. All departments and agencies funded under
20 this Act are directed, within the limits of the existing stat-
21 utory authorities and funding, to expand their use of “E-
22 Commerce” technologies and procedures in the conduct of
23 their business practices and public service activities.

24 SEC. 406. None of the funds made available in this
25 Act may be transferred to any department, agency, or in-

1 strumentality of the United States Government except
2 pursuant to a transfer made by, or transfer authority pro-
3 vided in, this or any other appropriations Act.

4 SEC. 407. Unless stated otherwise, all reports and no-
5 tifications required by this Act shall be submitted to the
6 Subcommittee on Military Construction, Veterans Affairs,
7 and Related Agencies of the Committee on Appropriations
8 of the House of Representatives and the Subcommittee on
9 Military Construction, Veterans Affairs, and Related
10 Agencies of the Committee on Appropriations of the Sen-
11 ate.

12 SEC. 408. The Director of the Congressional Budget
13 Office shall, not later than February 1, 2008, submit to
14 the Committees on Appropriations of the House of Rep-
15 resentatives and the Senate a report projecting annual ap-
16 propriations necessary for the Department of Veterans Af-
17 fairs to continue providing necessary health care to vet-
18 erans for fiscal years 2009 through 2012.

19 SEC. 409. None of the funds made available in this
20 Act may be used to purchase light bulbs unless the light
21 bulbs have the “ENERGY STAR” designation.

22 SEC. 410. None of the funds appropriated or other-
23 wise made available in this Act may be used for any action
24 that is related to or promotes the expansion of the bound-

1 aries or size of the Pinon Canyon Maneuver Site in south-
2 eastern Colorado.

3 This Act may be cited as the “Military Construction
4 and Veterans Affairs Appropriations Act, 2008”.

5 *That the following sums are appropriated, out of any*
6 *money in the Treasury not otherwise appropriated, for*
7 *military construction, the Department of Veterans Affairs,*
8 *and related agencies for the fiscal year ending September*
9 *30, 2008, and for other purposes, namely:*

10

TITLE I

11

DEPARTMENT OF DEFENSE

12

MILITARY CONSTRUCTION, ARMY

13

For acquisition, construction, installation, and equip-
14 *ment of temporary or permanent public works, military in-*
15 *stallations, facilities, and real property for the Army as*
16 *currently authorized by law, including personnel in the*
17 *Army Corps of Engineers and other personal services nec-*
18 *essary for the purposes of this appropriation, and for con-*
19 *struction and operation of facilities in support of the func-*
20 *tions of the Commander in Chief, \$3,928,149,000, to remain*
21 *available until September 30, 2012: Provided, That of this*
22 *amount, not to exceed \$317,149,000 shall be available for*
23 *study, planning, design, architect and engineer services,*
24 *and host nation support, as authorized by law, unless the*
25 *Secretary of Defense determines that additional obligations*

1 *are necessary for such purposes and notifies the Committees*
2 *on Appropriations of both Houses of Congress of the deter-*
3 *mination and the reasons therefor.*

4 *MILITARY CONSTRUCTION, NAVY AND MARINE CORPS*

5 *For acquisition, construction, installation, and equip-*
6 *ment of temporary or permanent public works, naval in-*
7 *stallations, facilities, and real property for the Navy and*
8 *Marine Corps as currently authorized by law, including*
9 *personnel in the Naval Facilities Engineering Command*
10 *and other personal services necessary for the purposes of this*
11 *appropriation, \$2,168,315,000, to remain available until*
12 *September 30, 2012: Provided, That of this amount, not to*
13 *exceed \$115,258,000 shall be available for study, planning,*
14 *design, and architect and engineer services, as authorized*
15 *by law, unless the Secretary of Defense determines that ad-*
16 *ditional obligations are necessary for such purposes and no-*
17 *tifies the Committees on Appropriations of both Houses of*
18 *Congress of the determination and the reasons therefor.*

19 *MILITARY CONSTRUCTION, AIR FORCE*

20 *For acquisition, construction, installation, and equip-*
21 *ment of temporary or permanent public works, military in-*
22 *stallations, facilities, and real property for the Air Force*
23 *as currently authorized by law, \$1,048,518,000, to remain*
24 *available until September 30, 2012: Provided, That of this*
25 *amount, not to exceed \$64,958,000 shall be available for*

1 *study, planning, design, and architect and engineer serv-*
2 *ices, as authorized by law, unless the Secretary of Defense*
3 *determines that additional obligations are necessary for*
4 *such purposes and notifies the Committees on Appropria-*
5 *tions of both Houses of Congress of the determination and*
6 *the reasons therefor.*

7 *MILITARY CONSTRUCTION, DEFENSE-WIDE*

8 *(INCLUDING TRANSFER OF FUNDS)*

9 *For acquisition, construction, installation, and equip-*
10 *ment of temporary or permanent public works, installa-*
11 *tions, facilities, and real property for activities and agen-*
12 *cies of the Department of Defense (other than the military*
13 *departments), as currently authorized by law,*
14 *\$1,758,755,000, to remain available until September 30,*
15 *2012: Provided, That such amounts of this appropriation*
16 *as may be determined by the Secretary of Defense may be*
17 *transferred to such appropriations of the Department of De-*
18 *fense available for military construction or family housing*
19 *as the Secretary may designate, to be merged with and to*
20 *be available for the same purposes, and for the same time*
21 *period, as the appropriation or fund to which transferred:*
22 *Provided further, That of the amount appropriated, not to*
23 *exceed \$154,728,000 shall be available for study, planning,*
24 *design, and architect and engineer services, as authorized*
25 *by law, unless the Secretary of Defense determines that ad-*

1 *ditional obligations are necessary for such purposes and no-*
2 *tifies the Committees on Appropriations of both Houses of*
3 *Congress of the determination and the reasons therefor.*

4 *MILITARY CONSTRUCTION, ARMY NATIONAL GUARD*

5 *For construction, acquisition, expansion, rehabilita-*
6 *tion, and conversion of facilities for the training and ad-*
7 *ministration of the Army National Guard, and contribu-*
8 *tions therefor, as authorized by chapter 1803 of title 10,*
9 *United States Code, and Military Construction Authoriza-*
10 *tion Acts, \$478,836,000, to remain available until Sep-*
11 *tember 30, 2012.*

12 *MILITARY CONSTRUCTION, AIR NATIONAL GUARD*

13 *For construction, acquisition, expansion, rehabilita-*
14 *tion, and conversion of facilities for the training and ad-*
15 *ministration of the Air National Guard, and contributions*
16 *therefor, as authorized by chapter 1803 of title 10, United*
17 *States Code, and Military Construction Authorization Acts,*
18 *\$228,995,000, to remain available until September 30,*
19 *2012.*

20 *MILITARY CONSTRUCTION, ARMY RESERVE*

21 *For construction, acquisition, expansion, rehabilita-*
22 *tion, and conversion of facilities for the training and ad-*
23 *ministration of the Army Reserve as authorized by chapter*
24 *1803 of title 10, United States Code, and Military Con-*

1 *struction Authorization Acts, \$138,424,000, to remain*
2 *available until September 30, 2012.*

3 *MILITARY CONSTRUCTION, NAVY RESERVE*

4 *For construction, acquisition, expansion, rehabilita-*
5 *tion, and conversion of facilities for the training and ad-*
6 *ministration of the reserve components of the Navy and Ma-*
7 *rine Corps as authorized by chapter 1803 of title 10, United*
8 *States Code, and Military Construction Authorization Acts,*
9 *\$59,150,000, to remain available until September 30, 2012.*

10 *MILITARY CONSTRUCTION, AIR FORCE RESERVE*

11 *(INCLUDING RESCISSION OF FUNDS)*

12 *For construction, acquisition, expansion, rehabilita-*
13 *tion, and conversion of facilities for the training and ad-*
14 *ministration of the Air Force Reserve as authorized by*
15 *chapter 1803 of title 10, United States Code, and Military*
16 *Construction Authorization Acts, \$27,559,000, to remain*
17 *available until September 30, 2012: Provided, That of the*
18 *funds appropriated for “Military Construction, Air Force*
19 *Reserve” under Public Law 109–114, \$3,100,000 are hereby*
20 *rescinded.*

21 *NORTH ATLANTIC TREATY ORGANIZATION*

22 *SECURITY INVESTMENT PROGRAM*

23 *For the United States share of the cost of the North*
24 *Atlantic Treaty Organization Security Investment Pro-*
25 *gram for the acquisition and construction of military facili-*

1 *ties and installations (including international military*
2 *headquarters) and for related expenses for the collective de-*
3 *fense of the North Atlantic Treaty Area as authorized by*
4 *section 2806 of title 10, United States Code, and Military*
5 *Construction Authorization Acts, \$201,400,000, to remain*
6 *available until expended.*

7 *FAMILY HOUSING CONSTRUCTION, ARMY*

8 *For expenses of family housing for the Army for con-*
9 *struction, including acquisition, replacement, addition, ex-*
10 *pansion, extension, and alteration, as authorized by law,*
11 *\$419,400,000, to remain available until September 30,*
12 *2012.*

13 *FAMILY HOUSING OPERATION AND MAINTENANCE, ARMY*

14 *For expenses of family housing for the Army for oper-*
15 *ation and maintenance, including debt payment, leasing,*
16 *minor construction, principal and interest charges, and in-*
17 *surance premiums, as authorized by law, \$742,920,000.*

18 *FAMILY HOUSING CONSTRUCTION, NAVY AND MARINE*

19 *CORPS*

20 *For expenses of family housing for the Navy and Ma-*
21 *rine Corps for construction, including acquisition, replace-*
22 *ment, addition, expansion, extension, and alteration, as au-*
23 *thorized by law, \$288,329,000, to remain available until*
24 *September 30, 2012.*

1 *FAMILY HOUSING OPERATION AND MAINTENANCE, NAVY*
2 *AND MARINE CORPS*

3 *For expenses of family housing for the Navy and Ma-*
4 *rine Corps for operation and maintenance, including debt*
5 *payment, leasing, minor construction, principal and inter-*
6 *est charges, and insurance premiums, as authorized by law,*
7 *\$371,404,000.*

8 *FAMILY HOUSING CONSTRUCTION, AIR FORCE*

9 *For expenses of family housing for the Air Force for*
10 *construction, including acquisition, replacement, addition,*
11 *expansion, extension, and alteration, as authorized by law,*
12 *\$362,747,000, to remain available until September 30,*
13 *2012.*

14 *FAMILY HOUSING OPERATION AND MAINTENANCE, AIR*
15 *FORCE*

16 *For expenses of family housing for the Air Force for*
17 *operation and maintenance, including debt payment, leas-*
18 *ing, minor construction, principal and interest charges,*
19 *and insurance premiums, as authorized by law,*
20 *\$688,335,000.*

21 *FAMILY HOUSING OPERATION AND MAINTENANCE,*
22 *DEFENSE-WIDE*

23 *For expenses of family housing for the activities and*
24 *agencies of the Department of Defense (other than the mili-*

1 tary departments) for operation and maintenance, leasing,
2 and minor construction, as authorized by law, \$48,848,000.

3 *DEPARTMENT OF DEFENSE FAMILY HOUSING*

4 *IMPROVEMENT FUND*

5 *For the Department of Defense Family Housing Im-*
6 *provement Fund, \$500,000, to remain available until ex-*
7 *pendent, for family housing initiatives undertaken pursuant*
8 *to section 2883 of title 10, United States Code, providing*
9 *alternative means of acquiring and improving military*
10 *family housing and supporting facilities.*

11 *CHEMICAL DEMILITARIZATION CONSTRUCTION, DEFENSE-*

12 *WIDE*

13 *For expenses of construction, not otherwise provided*
14 *for, necessary for the destruction of the United States stock-*
15 *pile of lethal chemical agents and munitions in accordance*
16 *with section 1412 of the Department of Defense Authoriza-*
17 *tion Act, 1986 (50 U.S.C. 1521), and for the destruction*
18 *of other chemical warfare materials that are not in the*
19 *chemical weapon stockpile, as currently authorized by law,*
20 *\$104,176,000, to remain available until September 30,*
21 *2012, which shall be only for the Assembled Chemical Weap-*
22 *ons Alternatives program.*

23 *DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT 1990*

24 *For deposit into the Department of Defense Base Clo-*
25 *sure Account 1990, established by section 2906(a)(1) of the*

1 *Defense Base Closure and Realignment Act of 1990 (10*
2 *U.S.C. 2687 note), \$320,689,000, to remain available until*
3 *expended.*

4 *DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT 2005*

5 *For deposit into the Department of Defense Base Clo-*
6 *sure Account 2005, established by section 2906A(a)(1) of the*
7 *Defense Base Closure and Realignment Act of 1990 (10*
8 *U.S.C. 2687 note), \$8,174,315,000, to remain available*
9 *until expended: Provided, That funds made available under*
10 *this heading for the construction of facilities are subject to*
11 *the notification and reprogramming requirements applica-*
12 *ble to military construction projects under section 2853 of*
13 *title 10, United States Code, and section 0703 of the De-*
14 *partment of Defense Financial Management Regulation of*
15 *December 1996, including the requirement to obtain the ap-*
16 *proval of the congressional defense committees prior to exe-*
17 *cuting certain reprogramming actions.*

18 *ADMINISTRATIVE PROVISIONS*

19 *SEC. 101. None of the funds made available in this*
20 *title shall be expended for payments under a cost-plus-a-*
21 *fixed-fee contract for construction, where cost estimates ex-*
22 *ceed \$25,000, to be performed within the United States, ex-*
23 *cept Alaska, without the specific approval in writing of the*
24 *Secretary of Defense setting forth the reasons therefor.*

1 *SEC. 102. Funds made available in this title for con-*
2 *struction shall be available for hire of passenger motor vehi-*
3 *cles.*

4 *SEC. 103. Funds made available in this title for con-*
5 *struction may be used for advances to the Federal Highway*
6 *Administration, Department of Transportation, for the con-*
7 *struction of access roads as authorized by section 210 of*
8 *title 23, United States Code, when projects authorized there-*
9 *in are certified as important to the national defense by the*
10 *Secretary of Defense.*

11 *SEC. 104. None of the funds made available in this*
12 *title may be used to begin construction of new bases in the*
13 *United States for which specific appropriations have not*
14 *been made.*

15 *SEC. 105. None of the funds made available in this*
16 *title shall be used for purchase of land or land easements*
17 *in excess of 100 percent of the value as determined by the*
18 *Army Corps of Engineers or the Naval Facilities Engineer-*
19 *ing Command, except: (1) where there is a determination*
20 *of value by a Federal court; (2) purchases negotiated by*
21 *the Attorney General or the designee of the Attorney Gen-*
22 *eral; (3) where the estimated value is less than \$25,000; or*
23 *(4) as otherwise determined by the Secretary of Defense to*
24 *be in the public interest.*

1 *SEC. 106. None of the funds made available in this*
2 *title shall be used to: (1) acquire land; (2) provide for site*
3 *preparation; or (3) install utilities for any family housing,*
4 *except housing for which funds have been made available*
5 *in annual Acts making appropriations for military con-*
6 *struction.*

7 *SEC. 107. None of the funds made available in this*
8 *title for minor construction may be used to transfer or relo-*
9 *cate any activity from one base or installation to another,*
10 *without prior notification to the Committees on Appropria-*
11 *tions of both Houses of Congress.*

12 *SEC. 108. None of the funds made available in this*
13 *title may be used for the procurement of steel for any con-*
14 *struction project or activity for which American steel pro-*
15 *ducers, fabricators, and manufacturers have been denied the*
16 *opportunity to compete for such steel procurement.*

17 *SEC. 109. None of the funds available to the Depart-*
18 *ment of Defense for military construction or family housing*
19 *during the current fiscal year may be used to pay real prop-*
20 *erty taxes in any foreign nation.*

21 *SEC. 110. None of the funds made available in this*
22 *title may be used to initiate a new installation overseas*
23 *without prior notification to the Committees on Appropria-*
24 *tions of both Houses of Congress.*

1 *SEC. 111. None of the funds made available in this*
2 *title may be obligated for architect and engineer contracts*
3 *estimated by the Government to exceed \$500,000 for projects*
4 *to be accomplished in Japan, in any North Atlantic Treaty*
5 *Organization member country, or in countries bordering the*
6 *Arabian Sea if that country has not increased its defense*
7 *spending by at least 3 percent in calendar year 2005, unless*
8 *such contracts are awarded to United States firms or*
9 *United States firms in joint venture with host nation firms.*

10 *SEC. 112. None of the funds made available in this*
11 *title for military construction in the United States terri-*
12 *ories and possessions in the Pacific and on Kwajalein*
13 *Atoll, or in countries bordering the Arabian Sea, may be*
14 *used to award any contract estimated by the Government*
15 *to exceed \$1,000,000 to a foreign contractor: Provided, That*
16 *this section shall not be applicable to contract awards for*
17 *which the lowest responsive and responsible bid of a United*
18 *States contractor exceeds the lowest responsive and respon-*
19 *sible bid of a foreign contractor by greater than 20 percent:*
20 *Provided further, That this section shall not apply to con-*
21 *tract awards for military construction on Kwajalein Atoll*
22 *for which the lowest responsive and responsible bid is sub-*
23 *mitted by a Marshallese contractor.*

24 *SEC. 113. The Secretary of Defense is to inform the*
25 *appropriate committees of both Houses of Congress, includ-*

1 *ing the Committees on Appropriations, of the plans and*
2 *scope of any proposed military exercise involving United*
3 *States personnel 30 days prior to its occurring, if amounts*
4 *expended for construction, either temporary or permanent,*
5 *are anticipated to exceed \$750,000.*

6 *SEC. 114. Not more than 20 percent of the funds made*
7 *available in this title which are limited for obligation dur-*
8 *ing the current fiscal year shall be obligated during the last*
9 *two months of the fiscal year.*

10 *(INCLUDING TRANSFER OF FUNDS)*

11 *SEC. 115. Funds appropriated to the Department of*
12 *Defense for construction in prior years shall be available*
13 *for construction authorized for each such military depart-*
14 *ment by the authorizations enacted into law during the cur-*
15 *rent session of Congress.*

16 *SEC. 116. For military construction or family housing*
17 *projects that are being completed with funds otherwise ex-*
18 *pired or lapsed for obligation, expired or lapsed funds may*
19 *be used to pay the cost of associated supervision, inspection,*
20 *overhead, engineering and design on those projects and on*
21 *subsequent claims, if any.*

22 *SEC. 117. Notwithstanding any other provision of law,*
23 *any funds made available to a military department or de-*
24 *fense agency for the construction of military projects may*
25 *be obligated for a military construction project or contract,*
26 *or for any portion of such a project or contract, at any*

1 *time before the end of the fourth fiscal year after the fiscal*
2 *year for which funds for such project were made available,*
3 *if the funds obligated for such project: (1) are obligated from*
4 *funds available for military construction projects; and (2)*
5 *do not exceed the amount appropriated for such project,*
6 *plus any amount by which the cost of such project is in-*
7 *creased pursuant to law.*

8 *SEC. 118. (a) The Secretary of Defense, in consultation*
9 *with the Secretary of State, shall submit to the Committees*
10 *on Appropriations of both Houses of Congress, by February*
11 *15 of each year, an annual report on actions taken by the*
12 *Department of Defense and the Department of State during*
13 *the previous fiscal year to encourage host countries to as-*
14 *sume a greater share of the common defense burden of such*
15 *countries and the United States.*

16 *(b) The report under subsection (a) shall include a de-*
17 *scription of—*

18 *(1) attempts to secure cash and in-kind contribu-*
19 *tions from host countries for military construction*
20 *projects;*

21 *(2) attempts to achieve economic incentives of-*
22 *fered by host countries to encourage private invest-*
23 *ment for the benefit of the United States Armed*
24 *Forces;*

1 (3) attempts to recover funds due to be paid to
 2 the United States by host countries for assets deeded
 3 or otherwise imparted to host countries upon the ces-
 4 sation of United States operations at military instal-
 5 lations;

6 (4) the amount spent by host countries on de-
 7 fense, in dollars and in terms of the percent of gross
 8 domestic product (GDP) of the host country; and

9 (5) for host countries that are members of the
 10 North Atlantic Treaty Organization (NATO), the
 11 amount contributed to NATO by host countries, in
 12 dollars and in terms of the percent of the total NATO
 13 budget.

14 (c) In this section, the term “host country” means
 15 other member countries of NATO, Japan, South Korea, and
 16 United States allies bordering the Arabian Sea.

17 (INCLUDING TRANSFER OF FUNDS)

18 SEC. 119. In addition to any other transfer authority
 19 available to the Department of Defense, proceeds deposited
 20 to the Department of Defense Base Closure Account estab-
 21 lished by section 207(a)(1) of the Defense Authorization
 22 Amendments and Base Closure and Realignment Act (10
 23 U.S.C. 2687 note) pursuant to section 207(a)(2)(C) of such
 24 Act, may be transferred to the account established by section
 25 2906(a)(1) of the Defense Base Closure and Realignment
 26 Act of 1990 (10 U.S.C. 2687 note), to be merged with, and

1 *to be available for the same purposes and the same time*
2 *period as that account.*

3 *(INCLUDING TRANSFER OF FUNDS)*

4 *SEC. 120. Subject to 30 days prior notification to the*
5 *Committees on Appropriations of both Houses of Congress,*
6 *such additional amounts as may be determined by the Sec-*
7 *retary of Defense may be transferred to: (1) the Department*
8 *of Defense Family Housing Improvement Fund from*
9 *amounts appropriated for construction in “Family Hous-*
10 *ing” accounts, to be merged with and to be available for*
11 *the same purposes and for the same period of time as*
12 *amounts appropriated directly to the Fund; or (2) the De-*
13 *partment of Defense Military Unaccompanied Housing Im-*
14 *provement Fund from amounts appropriated for construc-*
15 *tion of military unaccompanied housing in “Military Con-*
16 *struction” accounts, to be merged with and to be available*
17 *for the same purposes and for the same period of time as*
18 *amounts appropriated directly to the Fund: Provided, That*
19 *appropriations made available to the Funds shall be avail-*
20 *able to cover the costs, as defined in section 502(5) of the*
21 *Congressional Budget Act of 1974, of direct loans or loan*
22 *guarantees issued by the Department of Defense pursuant*
23 *to the provisions of subchapter IV of chapter 169 of title*
24 *10, United States Code, pertaining to alternative means of*
25 *acquiring and improving military family housing, military*
26 *unaccompanied housing, and supporting facilities.*

1 *SEC. 121. (a) Not later than 60 days before issuing*
2 *any solicitation for a contract with the private sector for*
3 *military family housing the Secretary of the military de-*
4 *partment concerned shall submit to the Committees on Ap-*
5 *propriations of both Houses of Congress the notice described*
6 *in subsection (b).*

7 *(b)(1) A notice referred to in subsection (a) is a notice*
8 *of any guarantee (including the making of mortgage or*
9 *rental payments) proposed to be made by the Secretary to*
10 *the private party under the contract involved in the event*
11 *of—*

12 *(A) the closure or realignment of the installation*
13 *for which housing is provided under the contract;*

14 *(B) a reduction in force of units stationed at*
15 *such installation; or*

16 *(C) the extended deployment overseas of units*
17 *stationed at such installation.*

18 *(2) Each notice under this subsection shall specify the*
19 *nature of the guarantee involved and assess the extent and*
20 *likelihood, if any, of the liability of the Federal Government*
21 *with respect to the guarantee.*

22 *(INCLUDING TRANSFER OF FUNDS)*

23 *SEC. 122. In addition to any other transfer authority*
24 *available to the Department of Defense, amounts may be*
25 *transferred from the accounts established by sections*
26 *2906(a)(1) and 2906A(a)(1) of the Defense Base Closure*

1 *and Realignment Act of 1990 (10 U.S.C. 2687 note), to the*
2 *fund established by section 1013(d) of the Demonstration*
3 *Cities and Metropolitan Development Act of 1966 (42*
4 *U.S.C. 3374) to pay for expenses associated with the Home-*
5 *owners Assistance Program. Any amounts transferred shall*
6 *be merged with and be available for the same purposes and*
7 *for the same time period as the fund to which transferred.*

8 *SEC. 123. Notwithstanding this or any other provision*
9 *of law, funds made available in this title for operation and*
10 *maintenance of family housing shall be the exclusive source*
11 *of funds for repair and maintenance of all family housing*
12 *units, including general or flag officer quarters: Provided,*
13 *That not more than \$35,000 per unit may be spent annu-*
14 *ally for the maintenance and repair of any general or flag*
15 *officer quarters without 30 days prior notification to the*
16 *Committees on Appropriations of both Houses of Congress,*
17 *except that an after-the-fact notification shall be submitted*
18 *if the limitation is exceeded solely due to costs associated*
19 *with environmental remediation that could not be reason-*
20 *ably anticipated at the time of the budget submission: Pro-*
21 *vided further, That the Under Secretary of Defense (Comp-*
22 *troller) is to report annually to the Committees on Appro-*
23 *priations of both Houses of Congress all operation and*
24 *maintenance expenditures for each individual general or*
25 *flag officer quarters for the prior fiscal year: Provided fur-*

1 *ther, That nothing in this section precludes the Secretary*
2 *of a military department, after notifying the congressional*
3 *defense committees and waiting 21 days, from using funds*
4 *derived under section 2601, chapter 403, chapter 603, or*
5 *chapter 903 of title 10, United States Code, for the mainte-*
6 *nance or repair of general and flag officer quarters at the*
7 *military service academy under the jurisdiction of that Sec-*
8 *retary: Provided further, That each Secretary of a military*
9 *department shall provide an annual report by February 15*
10 *to the congressional defense committees on the amount of*
11 *funds that were derived under section 2601, chapter 403,*
12 *chapter 603, or chapter 903 of title 10, United States Code,*
13 *in the previous year and were obligated for the construction,*
14 *improvement, repair, or maintenance of any military facil-*
15 *ity or infrastructure.*

16 *SEC. 124. Amounts contained in the Ford Island Im-*
17 *provement Account established by subsection (h) of section*
18 *2814 of title 10, United States Code, are appropriated and*
19 *shall be available until expended for the purposes specified*
20 *in subsection (i)(1) of such section or until transferred pur-*
21 *suant to subsection (i)(3) of such section.*

22 *(INCLUDING TRANSFER OF FUNDS)*

23 *SEC. 125. None of the funds made available in this*
24 *title, or in any Act making appropriations for military*
25 *construction which remain available for obligation, may be*
26 *obligated or expended to carry out a military construction,*

1 *land acquisition, or family housing project at or for a mili-*
2 *tary installation approved for closure, or at a military in-*
3 *stallation for the purposes of supporting a function that has*
4 *been approved for realignment to another installation, in*
5 *2005 under the Defense Base Closure and Realignment Act*
6 *of 1990 (part A of title XXIX of Public Law 101–510; 10*
7 *U.S.C. 2687 note), unless such a project at a military in-*
8 *stallation approved for realignment will support a con-*
9 *tinuing mission or function at that installation or a new*
10 *mission or function that is planned for that installation,*
11 *or unless the Secretary of Defense certifies that the cost to*
12 *the United States of carrying out such project would be less*
13 *than the cost to the United States of cancelling such project,*
14 *or if the project is at an active component base that shall*
15 *be established as an enclave or in the case of projects having*
16 *multi-agency use, that another Government agency has in-*
17 *dicated it will assume ownership of the completed project.*
18 *The Secretary of Defense may not transfer funds made*
19 *available as a result of this limitation from any military*
20 *construction project, land acquisition, or family housing*
21 *project to another account or use such funds for another*
22 *purpose or project without the prior approval of the Com-*
23 *mittees on Appropriations of both Houses of Congress. This*
24 *section shall not apply to military construction projects,*
25 *land acquisition, or family housing projects for which the*

1 *project is vital to the national security or the protection*
2 *of health, safety, or environmental quality: Provided, That*
3 *the Secretary of Defense shall notify the congressional de-*
4 *fense committees within seven days of a decision to carry*
5 *out such a military construction project.*

6 *SEC. 126. Funds made available by this title for the*
7 *construction of facilities identified in the State table of the*
8 *report accompanying this Act as “Grow the Force” projects*
9 *are subject to the notification and reprogramming require-*
10 *ments applicable to military construction projects under*
11 *section 2853 of title 10, United States Code, and section*
12 *0703 of the Department of Defense Financial Management*
13 *Regulation of December 1996, including the requirement to*
14 *obtain the approval of the congressional defense committees*
15 *prior to executing certain reprogramming actions.*

16 *TITLE II*

17 *DEPARTMENT OF VETERANS AFFAIRS*

18 *VETERANS BENEFITS PROGRAMS*

19 *COMPENSATION AND PENSIONS*

20 *(INCLUDING TRANSFER OF FUNDS)*

21 *For the payment of compensation benefits to or on be-*
22 *half of veterans and a pilot program for disability examina-*
23 *tions as authorized by law (38 U.S.C. 107, chapters 11, 13,*
24 *18, 51, 53, 55, and 61); pension benefits to or on behalf*
25 *of veterans as authorized by law (38 U.S.C. chapters 15,*
26 *51, 53, 55, and 61; 92 Stat. 2508); and burial benefits, the*

1 *Reinstated Entitlement Program for Survivors, emergency*
2 *and other officers' retirement pay, adjusted-service credits*
3 *and certificates, payment of premiums due on commercial*
4 *life insurance policies guaranteed under the provisions of*
5 *title IV of the Servicemembers Civil Relief Act (50 U.S.C.*
6 *App. 540 et seq.) and for other benefits as authorized by*
7 *law (38 U.S.C. 107, 1312, 1977, and 2106, chapters 23,*
8 *51, 53, 55, and 61; 43 Stat. 122, 123; 45 Stat. 735; 76*
9 *Stat. 1198), \$41,236,322,000, to remain available until ex-*
10 *pended: Provided, That not to exceed \$28,583,000 of the*
11 *amount appropriated under this heading shall be reim-*
12 *bursed to "General operating expenses" and "Medical ad-*
13 *ministration" for necessary expenses in implementing the*
14 *provisions of chapters 51, 53, and 55 of title 38, United*
15 *States Code, the funding source for which is specifically*
16 *provided as the "Compensation and pensions" appropria-*
17 *tion: Provided further, That such sums as may be earned*
18 *on an actual qualifying patient basis, shall be reimbursed*
19 *to "Medical care collections fund" to augment the funding*
20 *of individual medical facilities for nursing home care pro-*
21 *vided to pensioners as authorized.*

22 *READJUSTMENT BENEFITS*

23 *For the payment of readjustment and rehabilitation*
24 *benefits to or on behalf of veterans as authorized by law*
25 *(38 U.S.C. chapters 21, 30, 31, 34, 35, 36, 39, 51, 53, 55,*
26 *and 61), \$3,300,289,000, to remain available until ex-*

1 *pended: Provided, That expenses for rehabilitation program*
2 *services and assistance which the Secretary is authorized*
3 *to provide under section 3104(a) of title 38, United States*
4 *Code, other than under subsection (a)(1), (2), (5), and (11)*
5 *of that section, shall be charged to this account.*

6 *VETERANS INSURANCE AND INDEMNITIES*

7 *For military and naval insurance, national service life*
8 *insurance, servicemen's indemnities, service-disabled vet-*
9 *erans insurance, and veterans mortgage life insurance as*
10 *authorized by title 38, United States Code, chapter 19; 70*
11 *Stat. 887; 72 Stat. 487, \$41,250,000, to remain available*
12 *until expended.*

13 *VETERANS HOUSING BENEFIT PROGRAM FUND PROGRAM*
14 *ACCOUNT*

15 *For the cost of direct and guaranteed loans, such sums*
16 *as may be necessary to carry out the program, as authorized*
17 *by subchapters I through III of chapter 37 of title 38,*
18 *United States Code: Provided, That such costs, including*
19 *the cost of modifying such loans, shall be as defined in sec-*
20 *tion 502 of the Congressional Budget Act of 1974: Provided*
21 *further, That during fiscal year 2008, within the resources*
22 *available, not to exceed \$500,000 in gross obligations for*
23 *direct loans are authorized for specially adapted housing*
24 *loans.*

25 *In addition, for administrative expenses to carry out*
26 *the direct and guaranteed loan programs, \$154,562,000.*

1 VOCATIONAL REHABILITATION LOANS PROGRAM ACCOUNT
2 (INCLUDING TRANSFER OF FUNDS)

3 *For the cost of direct loans, \$71,000, as authorized by*
4 *chapter 31 of title 38, United States Code: Provided, That*
5 *such costs, including the cost of modifying such loans, shall*
6 *be as defined in section 502 of the Congressional Budget*
7 *Act of 1974: Provided further, That funds made available*
8 *under this heading are available to subsidize gross obliga-*
9 *tions for the principal amount of direct loans not to exceed*
10 *\$3,287,000.*

11 *In addition, for administrative expenses necessary to*
12 *carry out the direct loan program, \$311,000, which may*
13 *be transferred to and merged with the appropriation for*
14 *“General operating expenses”.*

15 NATIVE AMERICAN VETERAN HOUSING LOAN PROGRAM
16 ACCOUNT
17 (INCLUDING TRANSFER OF FUNDS)

18 *For administrative expenses to carry out the direct*
19 *loan program authorized by subchapter V of chapter 37 of*
20 *title 38, United States Code, \$628,000.*

21 GUARANTEED TRANSITIONAL HOUSING LOANS FOR
22 HOMELESS VETERANS PROGRAM ACCOUNT

23 *For the administrative expenses to carry out the guar-*
24 *anteed transitional housing loan program authorized by*
25 *subchapter VI of chapter 37 of title 38, United States Code,*
26 *not to exceed \$750,000 of the amounts appropriated by this*

1 Act for “General operating expenses” and “Medical serv-
2 ices” may be expended.

3 VETERANS HEALTH ADMINISTRATION

4 MEDICAL SERVICES

5 (INCLUDING TRANSFER OF FUNDS)

6 For necessary expenses for furnishing, as authorized
7 by law, inpatient and outpatient care and treatment to
8 beneficiaries of the Department of Veterans Affairs and vet-
9 erans described in section 1705(a) of title 38, United States
10 Code, including care and treatment in facilities not under
11 the jurisdiction of the Department, and including medical
12 supplies and equipment, food services, and salaries and ex-
13 penses of health-care employees hired under title 38, United
14 States Code, and aid to State homes as authorized by sec-
15 tion 1741 of title 38, United States Code; \$28,979,220,000,
16 plus reimbursements: Provided, That of the funds made
17 available under this heading, not to exceed \$1,350,000,000
18 shall remain available until September 30, 2009: Provided
19 further, That, notwithstanding any other provision of law,
20 the Secretary of Veterans Affairs shall establish a priority
21 for treatment for veterans who are service-connected dis-
22 abled, lower income, or have special needs: Provided further,
23 That, notwithstanding any other provision of law, the Sec-
24 retary of Veterans Affairs shall give priority funding for
25 the provision of basic medical benefits to veterans in enroll-
26 ment priority groups 1 through 6: Provided further, That,

1 *notwithstanding any other provision of law, the Secretary*
2 *of Veterans Affairs may authorize the dispensing of pre-*
3 *scription drugs from Veterans Health Administration fa-*
4 *cilities to enrolled veterans with privately written prescrip-*
5 *tions based on requirements established by the Secretary:*
6 *Provided further, That the implementation of the program*
7 *described in the previous proviso shall incur no additional*
8 *cost to the Department of Veterans Affairs: Provided fur-*
9 *ther, That for the Department of Defense/Department of*
10 *Veterans Affairs Health Care Sharing Incentive Fund, as*
11 *authorized by section 8111(d) of title 38, United States*
12 *Code, a minimum of \$15,000,000, to remain available until*
13 *expended, for any purpose authorized by section 8111 of*
14 *title 38, United States Code.*

15 *MEDICAL ADMINISTRATION*

16 *For necessary expenses in the administration of the*
17 *medical, hospital, nursing home, domiciliary, construction,*
18 *supply, and research activities, as authorized by law; ad-*
19 *ministrative expenses in support of capital policy activities;*
20 *and administrative and legal expenses of the Department*
21 *for collecting and recovering amounts owed the Department*
22 *as authorized under chapter 17 of title 38, United States*
23 *Code, and Federal Medical Care Recovery Act (42 U.S.C.*
24 *2651 et seq.): \$3,642,000,000, plus reimbursements, of*
25 *which \$250,000,000 shall remain available until September*
26 *30, 2009.*

1 *MEDICAL FACILITIES*

2 *For necessary expenses for the maintenance and oper-*
3 *ation of hospitals, nursing homes, and domiciliary facilities*
4 *and other necessary facilities for the Veterans Health Ad-*
5 *ministration; for administrative expenses in support of*
6 *planning, design, project management, real property acqui-*
7 *sition and disposition, construction and renovation of any*
8 *facility under the jurisdiction or for the use of the Depart-*
9 *ment; for oversight, engineering and architectural activities*
10 *not charged to project costs; for repairing, altering, improv-*
11 *ing or providing facilities in the several hospitals and*
12 *homes under the jurisdiction of the Department, not other-*
13 *wise provided for, either by contract or by the hire of tem-*
14 *porary employees and purchase of materials; for leases of*
15 *facilities; and for laundry services, \$4,092,000,000, plus re-*
16 *imbursements, of which \$350,000,000 shall remain avail-*
17 *able until September 30, 2009: Provided, That not less than*
18 *\$350,000,000 for non-recurring maintenance provided*
19 *under this heading shall be allocated in a manner not sub-*
20 *ject to the Veterans Equitable Resource Allocation.*

21 *MEDICAL AND PROSTHETIC RESEARCH*

22 *For necessary expenses in carrying out programs of*
23 *medical and prosthetic research and development as author-*
24 *ized by chapter 73 of title 38, United States Code,*
25 *\$500,000,000, plus reimbursements, to remain available*
26 *until September 30, 2009.*

1 *NATIONAL CEMETERY ADMINISTRATION*

2 *For necessary expenses of the National Cemetery Ad-*
3 *ministration for operations and maintenance, not otherwise*
4 *provided for, including uniforms or allowances therefor;*
5 *cemeterial expenses as authorized by law; purchase of one*
6 *passenger motor vehicle for use in cemeterial operations;*
7 *and hire of passenger motor vehicles, \$217,709,000, of which*
8 *not to exceed \$25,000,000 shall remain available until Sep-*
9 *tember 30, 2009.*

10 *DEPARTMENTAL ADMINISTRATION*11 *GENERAL OPERATING EXPENSES*12 *(INCLUDING TRANSFER OF FUNDS)*

13 *For necessary operating expenses of the Department of*
14 *Veterans Affairs, not otherwise provided for, including ad-*
15 *ministrative expenses in support of Department-wide cap-*
16 *ital planning, management and policy activities, uniforms*
17 *or allowances therefor; not to exceed \$25,000 for official re-*
18 *ception and representation expenses; hire of passenger*
19 *motor vehicles; and reimbursement of the General Services*
20 *Administration for security guard services, and the Depart-*
21 *ment of Defense for the cost of overseas employee mail,*
22 *\$1,612,031,000: Provided, That expenses for services and as-*
23 *sistance authorized under paragraphs (1), (2), (5), and (11)*
24 *of section 3104(a) of title 38, United States Code, that the*
25 *Secretary of Veterans Affairs determines are necessary to*
26 *enable entitled veterans: (1) to the maximum extent feasible,*

1 *to become employable and to obtain and maintain suitable*
2 *employment; or (2) to achieve maximum independence in*
3 *daily living, shall be charged to this account: Provided fur-*
4 *ther, That the Veterans Benefits Administration shall be*
5 *funded at not less than \$1,329,044,000: Provided further,*
6 *That of the funds made available under this heading, not*
7 *to exceed \$75,000,000 shall be available for obligation until*
8 *September 30, 2009: Provided further, That from the funds*
9 *made available under this heading, the Veterans Benefits*
10 *Administration may purchase up to two passenger motor*
11 *vehicles for use in operations of that Administration in Ma-*
12 *nila, Philippines.*

13 *OFFICE OF INSPECTOR GENERAL*

14 *For necessary expenses of the Office of Inspector Gen-*
15 *eral, to include information technology, in carrying out the*
16 *provisions of the Inspector General Act of 1978,*
17 *\$88,700,000, of which \$3,630,000 shall remain available*
18 *until September 30, 2009.*

19 *CONSTRUCTION, MAJOR PROJECTS*

20 *For constructing, altering, extending and improving*
21 *any of the facilities including parking projects under the*
22 *jurisdiction or for the use of the Department of Veterans*
23 *Affairs, or for any of the purposes set forth in sections 316,*
24 *2404, 2406, 8102, 8103, 8106, 8108, 8109, 8110, and 8122*
25 *of title 38, United States Code, including planning, archi-*
26 *tectural and engineering services, construction management*

1 *services, maintenance or guarantee period services costs as-*
2 *sociated with equipment guarantees provided under the*
3 *project, services of claims analysts, offsite utility and storm*
4 *drainage system construction costs, and site acquisition,*
5 *where the estimated cost of a project is more than the*
6 *amount set forth in section 8104(a)(3)(A) of title 38, United*
7 *States Code, or where funds for a project were made avail-*
8 *able in a previous major project appropriation,*
9 *\$727,400,000, to remain available until expended, of which*
10 *\$2,000,000 shall be to make reimbursements as provided in*
11 *section 13 of the Contract Disputes Act of 1978 (41 U.S.C.*
12 *612) for claims paid for contract disputes: Provided, That*
13 *except for advance planning activities, including needs as-*
14 *sessments which may or may not lead to capital invest-*
15 *ments, and other capital asset management related activi-*
16 *ties, such as portfolio development and management activi-*
17 *ties, and investment strategy studies funded through the ad-*
18 *vance planning fund and the planning and design activities*
19 *funded through the design fund and CARES funds, includ-*
20 *ing needs assessments which may or may not lead to capital*
21 *investments, none of the funds appropriated under this*
22 *heading shall be used for any project which has not been*
23 *approved by the Congress in the budgetary process: Pro-*
24 *vided further, That funds provided in this appropriation*
25 *for fiscal year 2008, for each approved project (except those*

1 *for CARES activities referenced above) shall be obligated:*
2 *(1) by the awarding of a construction documents contract*
3 *by September 30, 2008; and (2) by the awarding of a con-*
4 *struction contract by September 30, 2009: Provided further,*
5 *That the Secretary of Veterans Affairs shall promptly report*
6 *in writing to the Committees on Appropriations of both*
7 *Houses of Congress any approved major construction*
8 *project in which obligations are not incurred within the*
9 *time limitations established above.*

10 *CONSTRUCTION, MINOR PROJECTS*

11 *For constructing, altering, extending, and improving*
12 *any of the facilities including parking projects under the*
13 *jurisdiction or for the use of the Department of Veterans*
14 *Affairs, including planning and assessments of needs which*
15 *may lead to capital investments, architectural and engi-*
16 *neering services, maintenance or guarantee period services*
17 *costs associated with equipment guarantees provided under*
18 *the project, services of claims analysts, offsite utility and*
19 *storm drainage system construction costs, and site acquisi-*
20 *tion, or for any of the purposes set forth in sections 316,*
21 *2404, 2406, 8102, 8103, 8106, 8108, 8109, 8110, 8122, and*
22 *8162 of title 38, United States Code, where the estimated*
23 *cost of a project is equal to or less than the amount set*
24 *forth in section 8104(a)(3)(A) of title 38, United States*
25 *Code, \$751,398,000, to remain available until expended,*
26 *along with unobligated balances of previous “Construction,*

1 *minor projects” appropriations which are hereby made*
2 *available for any project where the estimated cost is equal*
3 *to or less than the amount set forth in such section for: (1)*
4 *repairs to any of the nonmedical facilities under the juris-*
5 *isdiction or for the use of the Department which are necessary*
6 *because of loss or damage caused by any natural disaster*
7 *or catastrophe; and (2) temporary measures necessary to*
8 *prevent or to minimize further loss by such causes.*

9 *GRANTS FOR CONSTRUCTION OF STATE EXTENDED CARE*

10 *FACILITIES*

11 *For grants to assist States to acquire or construct*
12 *State nursing home and domiciliary facilities and to re-*
13 *model, modify or alter existing hospital, nursing home and*
14 *domiciliary facilities in State homes, for furnishing care*
15 *to veterans as authorized by sections 8131–8137 of title 38,*
16 *United States Code, \$250,000,000, to remain available*
17 *until expended.*

18 *GRANTS FOR CONSTRUCTION OF STATE VETERANS*

19 *CEMETERIES*

20 *For grants to aid States in establishing, expanding,*
21 *or improving State veterans cemeteries as authorized by sec-*
22 *tion 2408 of title 38, United States Code, \$100,000,000, to*
23 *remain available until expended.*

24 *INFORMATION TECHNOLOGY SYSTEMS*

25 *For necessary expenses for information technology sys-*
26 *tems and telecommunications support, including develop-*

1 *mental information systems and operational information*
2 *systems; including pay and associated cost for operations*
3 *and maintenance associated staff; for the capital asset ac-*
4 *quisition of information technology systems, including*
5 *management and related contractual costs of said acquisi-*
6 *tions, including contractual costs associated with operations*
7 *authorized by section 3109 of title 5, United States Code,*
8 *\$1,898,000,000, to remain available until September 30,*
9 *2009: Provided, That none of these funds may be obligated*
10 *until the Department of Veterans Affairs submits to the*
11 *Committees on Appropriations of both Houses of Congress,*
12 *and such Committees approve, a plan for expenditure that:*
13 *(1) meets the capital planning and investment control re-*
14 *view requirements established by the Office of Management*
15 *and Budget; (2) complies with the Department of Veterans*
16 *Affairs enterprise architecture; (3) conforms with an estab-*
17 *lished enterprise life cycle methodology; and (4) complies*
18 *with the acquisition rules, requirements, guidelines, and*
19 *systems acquisition management practices of the Federal*
20 *Government: Provided further, That within 60 days of en-*
21 *actment of this Act, the Secretary of Veterans Affairs shall*
22 *submit to the Committees on Appropriations of both Houses*
23 *of Congress a reprogramming base letter which provides,*
24 *by project, the costs included in this appropriation.*

1 *ADMINISTRATIVE PROVISIONS*
2 *(INCLUDING TRANSFER OF FUNDS)*

3 *SEC. 201. Any appropriation for fiscal year 2008, in*
4 *this Act or any other Act, for “Compensation and pen-*
5 *sions”, “Readjustment benefits”, and “Veterans insurance*
6 *and indemnities” may be transferred as necessary to any*
7 *other of the mentioned appropriations: Provided, That be-*
8 *fore a transfer may take place, the Secretary of Veterans*
9 *Affairs shall request from the Committees on Appropria-*
10 *tions of both Houses of Congress the authority to make the*
11 *transfer and an approval is issued, or absent a response,*
12 *a period of 30 days has elapsed.*

13 *(INCLUDING TRANSFER OF FUNDS)*

14 *SEC. 202. Amounts made available for fiscal year*
15 *2008, in this Act or any other Act, under the “Medical serv-*
16 *ices”, “Medical Administration”, and “Medical facilities”*
17 *accounts may be transferred between the accounts to the ex-*
18 *tent necessary to implement the restructuring of the Vet-*
19 *erans Health Administration accounts: Provided, That be-*
20 *fore a transfer may take place, the Secretary of Veterans*
21 *Affairs shall request from the Committees on Appropria-*
22 *tions of both Houses of Congress the authority to make the*
23 *transfer and an approval is issued.*

24 *SEC. 203. Appropriations available in this title for sal-*
25 *aries and expenses shall be available for services authorized*
26 *by section 3109 of title 5, United States Code, hire of pas-*

1 *senger motor vehicles; lease of a facility or land or both;*
2 *and uniforms or allowances therefor, as authorized by sec-*
3 *tions 5901–5902 of title 5, United States Code.*

4 *SEC. 204. No appropriations in this title (except the*
5 *appropriations for “Construction, major projects”, and*
6 *“Construction, minor projects”) shall be available for the*
7 *purchase of any site for the construction of any new hos-*
8 *pital or home.*

9 *SEC. 205. No appropriations in this title shall be*
10 *available for hospitalization or examination of any persons*
11 *(except beneficiaries entitled under the laws bestowing such*
12 *benefits to veterans, and persons receiving such treatment*
13 *under sections 7901–7904 of title 5, United States Code or*
14 *the Robert T. Stafford Disaster Relief and Emergency As-*
15 *sistance Act (42 U.S.C. 5121 et seq.)), unless reimbursement*
16 *of cost is made to the “Medical services” account at such*
17 *rates as may be fixed by the Secretary of Veterans Affairs.*

18 *SEC. 206. Appropriations available in this title for*
19 *“Compensation and pensions”, “Readjustment benefits”,*
20 *and “Veterans insurance and indemnities” shall be avail-*
21 *able for payment of prior year accrued obligations required*
22 *to be recorded by law against the corresponding prior year*
23 *accounts within the last quarter of fiscal year 2007.*

24 *SEC. 207. Appropriations available in this title shall*
25 *be available to pay prior year obligations of corresponding*

1 *prior year appropriations accounts resulting from sections*
2 *3328(a), 3334, and 3712(a) of title 31, United States Code,*
3 *except that if such obligations are from trust fund accounts*
4 *they shall be payable from “Compensation and pensions”.*

5 *(INCLUDING TRANSFER OF FUNDS)*

6 *SEC. 208. Notwithstanding any other provision of law,*
7 *during fiscal year 2008, the Secretary of Veterans Affairs*
8 *shall, from the National Service Life Insurance Fund (38*
9 *U.S.C. 1920), the Veterans’ Special Life Insurance Fund*
10 *(38 U.S.C. 1923), and the United States Government Life*
11 *Insurance Fund (38 U.S.C. 1955), reimburse the “General*
12 *operating expenses” account for the cost of administration*
13 *of the insurance programs financed through those accounts:*
14 *Provided, That reimbursement shall be made only from the*
15 *surplus earnings accumulated in an insurance program in*
16 *fiscal year 2008 that are available for dividends in that*
17 *program after claims have been paid and actuarially deter-*
18 *mined reserves have been set aside: Provided further, That*
19 *if the cost of administration of an insurance program ex-*
20 *ceeds the amount of surplus earnings accumulated in that*
21 *program, reimbursement shall be made only to the extent*
22 *of such surplus earnings: Provided further, That the Sec-*
23 *retary shall determine the cost of administration for fiscal*
24 *year 2008 which is properly allocable to the provision of*
25 *each insurance program and to the provision of any total*

1 *disability income insurance included in such insurance*
2 *program.*

3 *SEC. 209. Amounts deducted from enhanced-use lease*
4 *proceeds to reimburse an account for expenses incurred by*
5 *that account during a prior fiscal year for providing en-*
6 *hanced-use lease services, may be obligated during the fiscal*
7 *year in which the proceeds are received.*

8 *(INCLUDING TRANSFER OF FUNDS)*

9 *SEC. 210. Funds available in this title or funds for*
10 *salaries and other administrative expenses shall also be*
11 *available to reimburse the Office of Resolution Management*
12 *and the Office of Employment Discrimination Complaint*
13 *Adjudication for all services provided at rates which will*
14 *recover actual costs but not exceed \$32,067,000 for the Office*
15 *of Resolution Management and \$3,148,000 for the Office of*
16 *Employment and Discrimination Complaint Adjudication:*
17 *Provided, That payments may be made in advance for serv-*
18 *ices to be furnished based on estimated costs: Provided fur-*
19 *ther, That amounts received shall be credited to “General*
20 *operating expenses” for use by the office that provided the*
21 *service.*

22 *SEC. 211. No appropriations in this title shall be*
23 *available to enter into any new lease of real property if*
24 *the estimated annual rental is more than \$300,000 unless*
25 *the Secretary submits a report which the Committees on*

1 *Appropriations of both Houses of Congress approve within*
2 *30 days following the date on which the report is received.*

3 *SEC. 212. No funds of the Department of Veterans Af-*
4 *fairs shall be available for hospital care, nursing home care,*
5 *or medical services provided to any person under chapter*
6 *17 of title 38, United States Code, for a non-service-con-*
7 *nected disability described in section 1729(a)(2) of such*
8 *title, unless that person has disclosed to the Secretary of*
9 *Veterans Affairs, in such form as the Secretary may require,*
10 *current, accurate third-party reimbursement information*
11 *for purposes of section 1729 of such title: Provided, That*
12 *the Secretary may recover, in the same manner as any other*
13 *debt due the United States, the reasonable charges for such*
14 *care or services from any person who does not make such*
15 *disclosure as required: Provided further, That any amounts*
16 *so recovered for care or services provided in a prior fiscal*
17 *year may be obligated by the Secretary during the fiscal*
18 *year in which amounts are received.*

19 *(INCLUDING TRANSFER OF FUNDS)*

20 *SEC. 213. Notwithstanding any other provision of law,*
21 *at the discretion of the Secretary of Veterans Affairs, pro-*
22 *ceeds or revenues derived from enhanced-use leasing activi-*
23 *ties (including disposal) may be deposited into the “Con-*
24 *struction, major projects” and “Construction, minor*
25 *projects” accounts and be used for construction (including*
26 *site acquisition and disposition), alterations and improve-*

1 *ments of any medical facility under the jurisdiction or for*
2 *the use of the Department of Veterans Affairs. Such sums*
3 *as realized are in addition to the amount provided for in*
4 *“Construction, major projects” and “Construction, minor*
5 *projects”.*

6 *SEC. 214. Amounts made available under “Medical*
7 *services” are available—*

8 *(1) for furnishing recreational facilities, sup-*
9 *plies, and equipment; and*

10 *(2) for funeral expenses, burial expenses, and*
11 *other expenses incidental to funerals and burials for*
12 *beneficiaries receiving care in the Department.*

13 *(INCLUDING TRANSFER OF FUNDS)*

14 *SEC. 215. Such sums as may be deposited to the Med-*
15 *ical Care Collections Fund pursuant to section 1729A of*
16 *title 38, United States Code, may be transferred to “Medical*
17 *services”, to remain available until expended for the pur-*
18 *poses of this account.*

19 *SEC. 216. Notwithstanding any other provision of law,*
20 *the Secretary of Veterans Affairs shall allow veterans eligi-*
21 *ble under existing Department of Veterans Affairs medical*
22 *care requirements and who reside in Alaska to obtain med-*
23 *ical care services from medical facilities supported by the*
24 *Indian Health Service or tribal organizations. The Sec-*
25 *retary shall: (1) limit the application of this provision to*
26 *rural Alaskan veterans in areas where an existing Depart-*

1 *ment of Veterans Affairs facility or Veterans Affairs-con-*
2 *tracted service is unavailable; (2) require participating vet-*
3 *erans and facilities to comply with all appropriate rules*
4 *and regulations, as established by the Secretary; (3) require*
5 *this provision to be consistent with Capital Asset Realign-*
6 *ment for Enhanced Services activities; and (4) result in no*
7 *additional cost to the Department of Veterans Affairs or*
8 *the Indian Health Service.*

9 *(INCLUDING TRANSFER OF FUNDS)*

10 *SEC. 217. Such sums as may be deposited to the De-*
11 *partment of Veterans Affairs Capital Asset Fund pursuant*
12 *to section 8118 of title 38, United States Code, may be*
13 *transferred to the “Construction, major projects” and “Con-*
14 *struction, minor projects” accounts, to remain available*
15 *until expended for the purposes of these accounts.*

16 *SEC. 218. None of the funds made available in this*
17 *Act may be used to implement any policy prohibiting the*
18 *Directors of the Veterans Integrated Service Networks from*
19 *conducting outreach or marketing to enroll new veterans*
20 *within their respective Networks.*

21 *SEC. 219. The Secretary of Veterans Affairs shall sub-*
22 *mit to the Committees on Appropriations of both Houses*
23 *of Congress a quarterly report on the financial status of*
24 *the Veterans Health Administration.*

1 (INCLUDING TRANSFER OF FUNDS)

2 SEC. 220. Amounts made available under the “Medical
3 services”, “Medical Administration”, “Medical facilities”,
4 “General operating expenses”, and “National Cemetery Ad-
5 ministration” accounts for fiscal year 2008, may be trans-
6 ferred to or from the “Information technology systems” ac-
7 count: Provided, That before a transfer may take place, the
8 Secretary of Veterans Affairs shall request from the Com-
9 mittees on Appropriations of both Houses of Congress the
10 authority to make the transfer and an approval is issued.

11 (INCLUDING TRANSFER OF FUNDS)

12 SEC. 221. For purposes of perfecting the funding
13 sources of the Department of Veterans Affairs’ new “Infor-
14 mation technology systems” account, funds made available
15 for fiscal year 2008, in this or any other Act, may be trans-
16 ferred from the “General operating expenses”, “National
17 Cemetery Administration”, and “Office of Inspector Gen-
18 eral” accounts to the “Medical services” account: Provided,
19 That before a transfer may take place, the Secretary of Vet-
20 erans Affairs shall request from the Committees on Appro-
21 priations of both Houses of Congress the authority to make
22 the transfer and an approval is issued.

23 (INCLUDING TRANSFER OF FUNDS)

24 SEC. 222. Amounts made available for the “Informa-
25 tion technology systems” account may be transferred be-
26 tween projects: Provided, That no project may be increased

1 *or decreased by more than \$1,000,000 of cost prior to sub-*
2 *mitting a request to the Committees on Appropriations of*
3 *both Houses of Congress to make the transfer and an ap-*
4 *proval is issued, or absent a response, a period of 30 days*
5 *has elapsed.*

6 *SEC. 223. None of the funds available to the Depart-*
7 *ment of Veterans Affairs, in this Act, or any other Act, may*
8 *be used to replace the current system by which the Veterans*
9 *Integrated Services Networks select and contract for diabetes*
10 *monitoring supplies and equipment.*

11 *SEC. 224. Of the amounts made available for fiscal*
12 *year 2008, in this Act or any other Act, under the “Medical*
13 *Facilities” account for non-recurring maintenance, not*
14 *more than 20 percent of the funds made available shall be*
15 *obligated during the last two months of the fiscal year.*

16 *SEC. 225. PROHIBITION ON DISPOSAL OF DEPART-*
17 *MENT OF VETERANS AFFAIRS LANDS AND IMPROVEMENTS*
18 *AT WEST LOS ANGELES MEDICAL CENTER, CALIFORNIA.*

19 *(a) IN GENERAL.—The Secretary of Veterans Affairs may*
20 *not declare as excess to the needs of the Department of Vet-*
21 *erans Affairs, or otherwise take any action to exchange,*
22 *trade, auction, transfer, or otherwise dispose of, or reduce*
23 *the acreage of, Federal land and improvements at the De-*
24 *partment of Veterans Affairs West Los Angeles Medical Cen-*
25 *ter, California, encompassing approximately 388 acres on*

1 *the north and south sides of Wilshire Boulevard and west*
2 *of the 405 Freeway.*

3 (b) *SPECIAL PROVISION REGARDING LEASE WITH*
4 *REPRESENTATIVE OF THE HOMELESS.*—*Notwithstanding*
5 *any provision of this Act, section 7 of the Homeless Veterans*
6 *Comprehensive Services Act of 1992 (Public Law 102–590)*
7 *shall remain in effect.*

8 (c) *CONFORMING AMENDMENT.*—*Section 8162(c)(1) of*
9 *title 38, United States Code, is amended—*

10 (1) *by inserting “or section 225(a) of the Mili-*
11 *tary Construction and Veterans Affairs and Related*
12 *Agencies Appropriations Act, 2008” after “section*
13 *421(b)(2) of the Veterans’ Benefits and Services Act*
14 *of 1988 (Public Law 100–322; 102 Stat. 553)”;* and

15 (2) *by striking “that section” and inserting*
16 *“such sections”.*

17 (d) *EFFECTIVE DATE.*—*This section, including the*
18 *amendment made by this section, shall apply with respect*
19 *to fiscal year 2008 and each fiscal year thereafter.*

20 *SEC. 226. The Department shall continue research into*
21 *Gulf War Illness at levels not less than those made available*
22 *in fiscal year 2007, within available funds contained in*
23 *this Act.*

24 *SEC. 227. (a) ANONYMOUS REPORTING OF WASTE,*
25 *FRAUD, OR ABUSE.*—*Not later than 30 days after the date*

1 *of the enactment of this Act, the Inspector General of the*
2 *Department of Veterans Affairs shall establish and main-*
3 *tain on the homepage of the Internet website of the Office*
4 *of Inspector General a mechanism by which individuals can*
5 *anonymously report cases of waste, fraud, or abuse with*
6 *respect to the Department of Veterans Affairs.*

7 **(b) LINK TO OFFICE OF INSPECTOR GENERAL FROM**
8 **HOMEPAGE OF DEPARTMENT OF VETERANS AFFAIRS.**—*Not*
9 *later than 30 days after the date of the enactment of this*
10 *Act, the Secretary of Veterans Affairs shall establish and*
11 *maintain on the homepage of the Internet website of the*
12 *Department of Veterans Affairs a direct link to the Internet*
13 *website of the Office of Inspector General of the Department*
14 *of Veterans Affairs.*

15 **SEC. 228. (a) AUTHORITY FOR TRANSFER OF FUNDS**
16 **TO SECRETARY OF HEALTH AND HUMAN SERVICES TO**
17 **TRAIN PSYCHOLOGISTS.**—*Upon a determination by the*
18 *Secretary of Veterans Affairs that such action is in the na-*
19 *tional interest, the Secretary of Veterans Affairs may trans-*
20 *fer not more than \$5,000,000 to the Secretary of Health*
21 *and Human Services for the Graduate Psychology Edu-*
22 *cation Program to support increased training of psycholo-*
23 *gists skilled in the treatment of post-traumatic stress dis-*
24 *order, traumatic brain injury, and related disorders.*

1 **(b) LIMITATION ON USE OF TRANSFERRED FUNDS.**—
2 *The Secretary of Health and Human Services may only*
3 *use funds transferred under this section for the purposes de-*
4 *scribed in subsection (a).*

5 **(c) NOTIFICATION.**—*The Secretary of Veterans Affairs*
6 *shall notify Congress of any such transfer of funds under*
7 *this section.*

8 **SEC. 229. (a) REPORTS ON RECONSTRUCTION OF DE-**
9 **PARTMENT OF VETERANS AFFAIRS MEDICAL CENTER IN**
10 **NEW ORLEANS, LOUISIANA.**—*(1) Not later than October 1*
11 *and April 1 each year, the Secretary of Veterans Affairs*
12 *shall submit to the Committees on Appropriations a report*
13 *on the current status of the reconstruction of the Depart-*
14 *ment of Veterans Affairs Medical Center in New Orleans,*
15 *Louisiana. Each report shall include the following:*

16 **(A)** *The current status of the reconstruction of*
17 *the Medical Center, including the status of any ongo-*
18 *ing environmental assessments, the status of any cur-*
19 *rent construction, and an assessment of the adequacy*
20 *of funding necessary to complete the reconstruction.*

21 **(B)** *If reconstruction of the Medical Center is*
22 *subject to any major delay—*

23 **(i)** *a description of each such delay;*

24 **(ii)** *an explanation for each such delay; and*

1 (iii) a description of the action being taken
2 or planned to address the delay.

3 (C) A description of current and anticipated
4 funding for the reconstruction of the Medical Center,
5 including an estimate of any additional funding re-
6 quired for the reconstruction.

7 (2) The requirement in paragraph (1) shall cease on
8 the day that the reconstruction of the Medical Center re-
9 ferred to in that paragraph is completed.

10 (b) *REPORT ON DESIGNATION OF DEPARTMENT OF*
11 *VETERANS AFFAIRS MEDICAL CENTER IN NEW ORLEANS*
12 *AS POLYTRAUMA REHABILITATION CENTER OR*
13 *POLYTRAUMA NETWORK SITE.*—Not later than 60 days
14 after the date of the enactment of this Act, the Secretary
15 shall submit to the Committees on Appropriations a report
16 setting forth the recommendation of the Secretary as to
17 whether or not the Department of Veterans Affairs Medical
18 Center being reconstructed in new Orleans, Louisiana,
19 should be designated as a tier I polytrauma rehabilitation
20 center or a polytrauma network site.

21 SEC. 230. (a) *ADDITIONAL AMOUNT FOR MEDICAL*
22 *SERVICES.*—The amount appropriated or otherwise made
23 available by this title under the heading “MEDICAL SERV-
24 ICES” is hereby increased by \$125,000,000.

1 (b) *AVAILABILITY.*—Of the amount appropriated or
2 otherwise made available by this title under the heading
3 “*MEDICAL SERVICES*”, as increased by subsection (a),
4 \$125,000,000 shall be available for the Veterans Beneficiary
5 Travel Program. The amount available for the Veterans
6 Beneficiary Travel Program under this subsection is in ad-
7 dition to any other amounts available for that program
8 under this title.

9 (c) *OFFSET.*—The amount appropriated or otherwise
10 made available by this title for the Veterans Health Admin-
11 istration under the heading “*MEDICAL ADMINISTRATION*” is
12 hereby decreased by \$125,000,000.

13 *SEC. 231. (a) REPORT ON ACCESS TO MEDICAL SERV-*
14 *ICES PROVIDED BY DEPARTMENT OF VETERANS AFFAIRS*
15 *TO VETERANS IN REMOTE RURAL AREAS.*—Not later than
16 six months after the date of the enactment of this Act, the
17 Secretary shall submit to the appropriate committees of
18 Congress a report setting forth the following:

19 (1) *A description of the following:*

20 (A) *The unique challenges and costs faced*
21 *by veterans in remote rural areas of contiguous*
22 *and non-contiguous States when obtaining med-*
23 *ical services from the Department of Veterans Af-*
24 *airs.*

1 (B) *The need to improve access to locally-*
2 *administered care for veterans who reside in re-*
3 *mote rural areas.*

4 (C) *The need to fund alternative sources of*
5 *medical services—*

6 (i) *in areas where facilities of the De-*
7 *partment of Veterans Affairs are not acces-*
8 *sible to veterans without leaving such areas;*
9 *and*

10 (ii) *in cases in which receipt of med-*
11 *ical services by a veteran in a facility of the*
12 *Department requires transportation of such*
13 *veteran by air due to geographic and*
14 *infrastructural constraints.*

15 (2) *An assessment of the potential for increasing*
16 *local access to medical services for veterans in remote*
17 *rural areas of contiguous and non-contiguous States*
18 *through strategic partnerships with other government*
19 *and local private health care providers.*

20 (b) *APPROPRIATE COMMITTEES OF CONGRESS DE-*
21 *FINED.—In this section, the term “appropriate committees*
22 *of Congress” means—*

23 (1) *the Committees on Veterans’ Affairs of the*
24 *Senate and the House of Representatives; and*

25 (2) *the Subcommittees referred to in section 407.*

1 *SEC. 232. None of the funds appropriated or otherwise*
2 *made available by this Act may be used during fiscal year*
3 *2008 to round down dollar amounts to the next lower whole*
4 *dollar for payments of the following:*

5 (1) *Disability compensation under section 1114*
6 *of 38, United States Code.*

7 (2) *Additional compensation for dependents*
8 *under section 1115(1) of such title.*

9 (3) *Clothing allowance under section 1162 of*
10 *such title.*

11 (4) *Dependency and indemnity compensation to*
12 *surviving spouse under subsections (a) through (d) of*
13 *section 1311 of such title.*

14 (5) *Dependency and indemnity compensation to*
15 *children under sections 1313(a) and 1314 of such*
16 *title.*

17 *SEC. 233. None of the funds appropriated or otherwise*
18 *made available by this Act or any other Act for the Depart-*
19 *ment of Veterans Affairs may be used in a manner that*
20 *is inconsistent with—*

21 (1) *section 842 of the Transportation, Treasury,*
22 *Housing and Urban Development, the Judiciary, and*
23 *Independent Agencies Appropriations Act, 2006 (Pub-*
24 *lic Law 109–115; 119 Stat. 2506); or*

1 (2) *section 8110(a)(5) of title 38, United States*
2 *Code.*

3 *SEC. 234. LIEUTENANT COLONEL CLEMENT C. VAN*
4 *WAGONER DEPARTMENT OF VETERANS AFFAIRS CLINIC.*

5 *(a) DESIGNATION.—The Department of Veterans Affairs*
6 *clinic located in Alpena, Michigan, shall be known and des-*
7 *ignated as the “Lieutenant Colonel Clement C. Van Wag-*
8 *oner Department of Veterans Affairs Clinic”.*

9 *(b) REFERENCES.—Any reference in a law, map, regu-*
10 *lation, document, paper, or other record of the United*
11 *States to the Department of Veterans Affairs clinic referred*
12 *to in subsection (a) shall be deemed to be a reference to*
13 *the “Lieutenant Colonel Clement C. Van Wagoner Depart-*
14 *ment of Veterans Affairs Clinic”.*

15 *SEC. 235. The Secretary of Veterans Affairs may carry*
16 *out a major medical facility lease in fiscal year 2008 in*
17 *an amount not to exceed \$12,000,000 to implement the rec-*
18 *ommendations outlined in the August, 2007 Study of South*
19 *Texas Veterans’ Inpatient and Specialty Outpatient Health*
20 *Care Needs.*

1 *TITLE III*
2 *RELATED AGENCIES*
3 *AMERICAN BATTLE MONUMENTS COMMISSION*
4 *SALARIES AND EXPENSES*

5 *For necessary expenses, not otherwise provided for, of*
6 *the American Battle Monuments Commission, including the*
7 *acquisition of land or interest in land in foreign countries;*
8 *purchases and repair of uniforms for caretakers of national*
9 *cemeteries and monuments outside of the United States and*
10 *its territories and possessions; rent of office and garage*
11 *space in foreign countries; purchase (one-for-one replace-*
12 *ment only) and hire of passenger motor vehicles; not to ex-*
13 *ceed \$7,500 for official reception and representation ex-*
14 *penses; and insurance of official motor vehicles in foreign*
15 *countries, when required by law of such countries,*
16 *\$45,600,000, to remain available until expended.*

17 *FOREIGN CURRENCY FLUCTUATIONS*

18 *For necessary expenses, not otherwise provided for, of*
19 *the American Battle Monuments Commission, \$11,000,000,*
20 *to remain available until expended, for purposes authorized*
21 *by section 2109 of title 36, United States Code.*

1 *UNITED STATES COURT OF APPEALS FOR*
2 *VETERANS CLAIMS*
3 *SALARIES AND EXPENSES*

4 *For necessary expenses for the operation of the United*
5 *States Court of Appeals for Veterans Claims as authorized*
6 *by sections 7251–7298 of title 38, United States Code,*
7 *\$24,217,000: Provided, That \$1,120,000 shall be available*
8 *for the purpose of providing financial assistance as de-*
9 *scribed, and in accordance with the process and reporting*
10 *procedures set forth, under this heading in Public Law 102–*
11 *229.*

12 *DEPARTMENT OF DEFENSE—CIVIL*

13 *CEMETERIAL EXPENSES, ARMY*

14 *SALARIES AND EXPENSES*

15 *For necessary expenses, as authorized by law, for*
16 *maintenance, operation, and improvement of Arlington Na-*
17 *tional Cemetery and Soldiers' and Airmen's Home Na-*
18 *tional Cemetery, including the purchase of two passenger*
19 *motor vehicles for replacement only, and not to exceed*
20 *\$1,000 for official reception and representation expenses,*
21 *\$31,865,000, to remain available until expended. In addi-*
22 *tion, such sums as may be necessary for parking mainte-*
23 *nance, repairs and replacement, to be derived from the*
24 *Lease of Department of Defense Real Property for Defense*
25 *Agencies account.*

1 *Funds appropriated under this Act may be provided*
2 *to Arlington County, Virginia, for the relocation of the fed-*
3 *erally-owned watermain at Arlington National Cemetery*
4 *making additional land available for ground burials.*

5 *ARMED FORCES RETIREMENT HOME*

6 *TRUST FUND*

7 *For expenses necessary for the Armed Forces Retire-*
8 *ment Home to operate and maintain the Armed Forces Re-*
9 *tirement Home—Washington, District of Columbia and the*
10 *Armed Forces Retirement Home—Gulfport, Mississippi, to*
11 *be paid from funds available in the Armed Forces Retire-*
12 *ment Home Trust Fund, \$55,724,000.*

13 *GENERAL FUND PAYMENT, ARMED FORCES RETIREMENT*
14 *HOME*

15 *For payment to the “Armed Forces Retirement Home”,*
16 *\$5,900,000, to remain available until expended.*

17 *ADMINISTRATIVE PROVISION*

18 *SEC. 301. None of the funds in this title under the*
19 *heading “American Battle Monuments Commission” shall*
20 *be available for the Capital Security Costs Sharing pro-*
21 *gram.*

1 *TITLE IV*2 *GENERAL PROVISIONS*

3 *SEC. 401. No part of any appropriation contained in*
4 *this Act shall remain available for obligation beyond the*
5 *current fiscal year unless expressly so provided herein.*

6 *SEC. 402. Such sums as may be necessary for fiscal*
7 *year 2008 pay raises for programs funded by this Act shall*
8 *be absorbed within the levels appropriated in this Act.*

9 *SEC. 403. None of the funds made available in this*
10 *Act may be used for any program, project, or activity, when*
11 *it is made known to the Federal entity or official to which*
12 *the funds are made available that the program, project, or*
13 *activity is not in compliance with any Federal law relating*
14 *to risk assessment, the protection of private property rights,*
15 *or unfunded mandates.*

16 *SEC. 404. No part of any funds appropriated in this*
17 *Act shall be used by an agency of the executive branch, other*
18 *than for normal and recognized executive-legislative rela-*
19 *tionships, for publicity or propaganda purposes, and for*
20 *the preparation, distribution or use of any kit, pamphlet,*
21 *booklet, publication, radio, television or film presentation*
22 *designed to support or defeat legislation pending before*
23 *Congress, except in presentation to Congress itself.*

24 *SEC. 405. All departments and agencies funded under*
25 *this Act are encouraged, within the limits of the existing*

1 *statutory authorities and funding, to expand their use of*
2 *“E-Commerce” technologies and procedures in the conduct*
3 *of their business practices and public service activities.*

4 *SEC. 406. None of the funds made available in this*
5 *Act may be transferred to any department, agency, or in-*
6 *strumentality of the United States Government except pur-*
7 *suant to a transfer made by, or transfer authority provided*
8 *in, this Act or any other appropriations Act.*

9 *SEC. 407. Unless stated otherwise, all reports and noti-*
10 *fications required by this Act shall be submitted to the Sub-*
11 *committee on Military Construction, Veterans Affairs, and*
12 *Related Agencies of the Committee on Appropriations of the*
13 *House of Representatives and the Subcommittee on Military*
14 *Construction, Veterans Affairs, and Related Agencies of the*
15 *Committee on Appropriations of the Senate.*

16 *SEC. 408. (a) ASSESSMENT OF MENTAL HEALTH CARE*
17 *SERVICES FOR FEMALE SERVICEMEMBERS AND VET-*
18 *ERANS.—The Comptroller General of the United States*
19 *shall conduct an assessment of the adequacy of the mental*
20 *health care services provided by the Department of Veterans*
21 *Affairs and the Department of Defense to female members*
22 *of the Armed Forces and female veterans to meet the mental*
23 *health care needs of such members and veterans.*

24 *(b) REPORT.—Not later than September 1, 2008, the*
25 *Comptroller General shall submit to the Subcommittees re-*

1 *ferred to in section 407 a report on the assessment required*
2 *by subsection (a).*

3 *SEC. 409. None of the funds appropriated or otherwise*
4 *made available by this Act may be used to enter into a*
5 *contract in an amount greater than \$5,000,000 or to award*
6 *a grant in excess of such amount unless the prospective con-*
7 *tractor or grantee certifies in writing to the agency award-*
8 *ing the contract or grant that the contractor or grantee has*
9 *filed all Federal tax returns required during the three years*
10 *preceding the certification, has not been convicted of a*
11 *criminal offense under the Internal Revenue Code of 1986,*
12 *and has not been notified of any unpaid Federal tax assess-*
13 *ment for which the liability remains unsatisfied unless the*
14 *assessment is the subject of an installment agreement or*
15 *offer in compromise that has been approved by the Internal*
16 *Revenue Service and is not in default or the assessment is*
17 *the subject of a non-frivolous administrative or judicial ap-*
18 *peal.*

19 *SEC. 410. (a) In this section:*

20 (1) *The term “City” means the City of Aurora,*
21 *Colorado.*

22 (2) *The term “deed” means the quitclaim deed—*

23 (A) *conveyed by the Secretary to the City;*

24 *and*

25 (B) *dated May 24, 1999.*

1 (3) *The term “non-Federal land” means—*

2 (A) *parcel I of the Fitzsimons Army Med-*
3 *ical Center, Colorado; and*

4 (B) *the parcel of land described in the deed.*

5 (4) *The term “Secretary” means the Secretary of*
6 *the Interior.*

7 (b)(1) *In accordance with paragraph (2), and subject*
8 *to each term and condition required under paragraph (3),*
9 *to allow the City to convey to the United States the non-*
10 *Federal land to be used by the Secretary of Veterans Affairs*
11 *for the construction of a veterans medical facility, the Sec-*
12 *retary may execute such instruments as determined by the*
13 *Secretary to be necessary to modify or release any condition*
14 *under which the non-Federal land would revert to the*
15 *United States.*

16 (2) *In carrying out paragraph (1), with respect to the*
17 *non-Federal land, the Secretary shall alter—*

18 (A) *each provision of the deed relating to a re-*
19 *versionary interest of the United States; and*

20 (B) *any other reversionary interest of the United*
21 *States.*

22 *To authorize the use of the property to include use as a*
23 *veteran’s facility in addition to use for recreational pur-*
24 *poses.*

1 (3) *The Secretary shall carry out paragraph (1) sub-*
2 *ject to such terms and conditions as the Secretary deter-*
3 *mines to be necessary to protect the interests of the United*
4 *States.*

5 *SEC. 411. For an additional amount \$100,000,000,*
6 *with \$50,000,000 each to the Cities of Denver, Colorado,*
7 *and St. Paul, Minnesota, shall be available to the Depart-*
8 *ment of Homeland Security for State and local law enforce-*
9 *ment entities for security and related costs, including over-*
10 *time, associated with the Democratic National Convention*
11 *and Republican National Convention in 2008. The Depart-*
12 *ment of Homeland Security shall provide for an audit of*
13 *all amounts made available under this section, including*
14 *expenditures by State and local law enforcement entities.*
15 *Amounts provided by this section are designated as an*
16 *emergency requirement pursuant to section 204 of S. Con.*
17 *Res. 21 (110th Congress).*

18 *SEC. 412. None of the funds appropriated or otherwise*
19 *made available by this Act may be used for any action that*
20 *is related to or promotes the expansion of the boundaries*
21 *or size of the Pinon Canyon Maneuver Site, Colorado.*

1 *This Act may be cited as the “Military Construction*
2 *and Veterans Affairs and Related Agencies Appropriations*
3 *Act, 2008”.*

Passed the House of Representatives June 15, 2007.

Attest: LORRAINE C. MILLER,
Clerk.

Passed the Senate September 6, 2007.

Attest: NANCY ERICKSON,
Secretary.