

# Union Calendar No. 110

110TH CONGRESS  
1ST SESSION

# H. R. 2642

[Report No. 110-186]

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.

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## IN THE HOUSE OF REPRESENTATIVES

JUNE 11, 2007

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

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## A BILL

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,

1 and related agencies for the fiscal year ending September  
2 30, 2008, and for other purposes, namely:

3 TITLE I

4 DEPARTMENT OF DEFENSE

5 MILITARY CONSTRUCTION, ARMY

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

22 MILITARY CONSTRUCTION, NAVY AND MARINE CORPS

23 (INCLUDING RESCISSION OF FUNDS)

24 For acquisition, construction, installation, and equip-  
25 ment of temporary or permanent public works, naval in-

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

17           MILITARY CONSTRUCTION, AIR FORCE

18           (INCLUDING RESCISSION OF FUNDS)

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

1 ices, as authorized by law, unless the Secretary of Defense  
2 determines that additional obligations are necessary for  
3 such purposes and notifies the Committees on Appropria-  
4 tions of both Houses of Congress of the determination and  
5 the reasons therefor: *Provided further*, That of the funds  
6 appropriated for “Military Construction, Air Force” under  
7 Public Law 108–324, \$5,319,000 are hereby rescinded.

8           MILITARY CONSTRUCTION, DEFENSE-WIDE

9           (INCLUDING TRANSFER AND RESCISSION OF FUNDS)

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

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

9       MILITARY CONSTRUCTION, ARMY NATIONAL GUARD

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

17       MILITARY CONSTRUCTION, AIR NATIONAL GUARD

18       For construction, acquisition, expansion, rehabilita-  
19 tion, and conversion of facilities for the training and ad-  
20 ministration of the Air National Guard, and contributions  
21 therefor, as authorized by chapter 1803 of title 10, United  
22 States Code, and Military Construction Authorization  
23 Acts, \$95,517,000, to remain available until September  
24 30, 2012.

## 1           MILITARY CONSTRUCTION, ARMY RESERVE

2           For construction, acquisition, expansion, rehabilita-  
3 tion, and conversion of facilities for the training and ad-  
4 ministration of the Army Reserve as authorized by chapter  
5 1803 of title 10, United States Code, and Military Con-  
6 struction Authorization Acts, \$154,684,000, to remain  
7 available until September 30, 2012.

## 8           MILITARY CONSTRUCTION, NAVY RESERVE

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

## 16          MILITARY CONSTRUCTION, AIR FORCE RESERVE

17                   (INCLUDING RESCISSION OF FUNDS)

18          For construction, acquisition, expansion, rehabilita-  
19 tion, and conversion of facilities for the training and ad-  
20 ministration of the Air Force Reserve as authorized by  
21 chapter 1803 of title 10, United States Code, and Military  
22 Construction Authorization Acts, \$39,628,000, to remain  
23 available until September 30, 2012: *Provided*, That of the  
24 funds appropriated for “Military Construction, Air Force

1 Reserve” under Public Law 109–114, \$3,069,000 are  
2 hereby rescinded.

3 NORTH ATLANTIC TREATY ORGANIZATION

4 SECURITY INVESTMENT PROGRAM

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

14 FAMILY HOUSING CONSTRUCTION, ARMY

15 For expenses of family housing for the Army for con-  
16 struction, including acquisition, replacement, addition, ex-  
17 pansion, extension, and alteration, as authorized by law,  
18 \$419,400,000, to remain available until September 30,  
19 2012.

20 FAMILY HOUSING OPERATION AND MAINTENANCE,

21 ARMY

22 For expenses of family housing for the Army for op-  
23 eration and maintenance, including debt payment, leasing,  
24 minor construction, principal and interest charges, and in-  
25 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. None of the funds made available in this  
16 title under the heading “North Atlantic Treaty Organiza-  
17 tion Security Investment Program”, and no funds appro-  
18 priated for any fiscal year before fiscal year 2008 for that  
19 program that remain available for obligation, may be obli-  
20 gated or expended for the conduct of studies of missile  
21 defense.

22       SEC. 126. Whenever the Secretary of Defense or any  
23 other official of the Department of Defense is requested  
24 by the subcommittee on Military Construction, Veterans  
25 Affairs, and Related Agencies of the Committee on Appro-

1 priations of the House of Representatives or the sub-  
2 committee on Military Construction, Veterans Affairs, and  
3 Related Agencies of the Committee on Appropriations of  
4 the Senate to respond to a question or inquiry submitted  
5 by the chairman or another member of that subcommittee  
6 pursuant to a subcommittee hearing or other activity, the  
7 Secretary (or other official) shall respond to the request,  
8 in writing, within 21 days of the date on which the request  
9 is transmitted to the Secretary (or other official).

10       SEC. 127. Amounts contained in the Ford Island Im-  
11 provement Account established by subsection (h) of sec-  
12 tion 2814 of title 10, United States Code, are appro-  
13 priated and shall be available until expended for the pur-  
14 poses specified in subsection (i)(1) of such section or until  
15 transferred pursuant to subsection (i)(3) of such section.

16       SEC. 128. None of the funds made available in this  
17 title, or in any Act making appropriations for military con-  
18 struction which remain available for obligation, may be ob-  
19 ligated or expended to carry out a military construction,  
20 land acquisition, or family housing project at or for a mili-  
21 tary installation approved for closure, or at a military in-  
22 stallation for the purposes of supporting a function that  
23 has been approved for realignment to another installation,  
24 in 2005 under the Defense Base Closure and Realignment  
25 Act of 1990 (part A of title XXIX of Public Law 101–

1 510; 10 U.S.C. 2687 note), unless such a project at a mili-  
2 tary installation approved for realignment will support a  
3 continuing mission or function at that installation or a  
4 new mission or function that is planned for that installa-  
5 tion, or unless the Secretary of Defense certifies that the  
6 cost to the United States of carrying out such project  
7 would be less than the cost to the United States of cancel-  
8 ling such project, or if the project is at an active compo-  
9 nent base that shall be established as an enclave or in the  
10 case of projects having multi-agency use, that another  
11 Government agency has indicated it will assume ownership  
12 of the completed project. The Secretary of Defense may  
13 not transfer funds made available as a result of this limi-  
14 tation from any military construction project, land acquisi-  
15 tion, or family housing project to another account or use  
16 such funds for another purpose or project without the  
17 prior approval of the Committees on Appropriations of  
18 both Houses of Congress. This section shall not apply to  
19 military construction projects, land acquisition, or family  
20 housing projects for which the project is vital to the na-  
21 tional security or the protection of health, safety, or envi-  
22 ronmental quality: *Provided*, That the Secretary of De-  
23 fense shall notify the congressional defense committees  
24 within seven days of a decision to carry out such a military  
25 construction project.

1 (INCLUDING TRANSFER OF FUNDS)

2 SEC. 129. During the 5-year period after appropria-  
3 tions available in this Act to the Department of Defense  
4 for military construction and family housing operation and  
5 maintenance and construction have expired for obligation,  
6 upon a determination that such appropriations will not be  
7 necessary for the liquidation of obligations or for making  
8 authorized adjustments to such appropriations for obliga-  
9 tions incurred during the period of availability of such ap-  
10 propriations, unobligated balances of such appropriations  
11 may be transferred into the appropriation “Foreign Cur-  
12 rency Fluctuations, Construction, Defense”, to be merged  
13 with and to be available for the same time period and for  
14 the same purposes as the appropriation to which trans-  
15 ferred.

16 SEC. 130. None of the funds in this title shall be used  
17 for any activity related to the construction of an Outlying  
18 Landing Field in Washington County, North Carolina.

## 19 TITLE II

### 20 DEPARTMENT OF VETERANS AFFAIRS

#### 21 VETERANS BENEFITS ADMINISTRATION

##### 22 COMPENSATION AND PENSIONS

23 (INCLUDING TRANSFER OF FUNDS)

24 For the payment of compensation benefits to or on  
25 behalf of veterans and a pilot program for disability ex-  
26 aminations as authorized by section 107 and chapters 11,

1 13, 18, 51, 53, 55, and 61 of title 38, United States Code;  
2 pension benefits to or on behalf of veterans as authorized  
3 by chapters 15, 51, 53, 55, and 61 of title 38, United  
4 States Code; and burial benefits, the Reinstated Entitle-  
5 ment Program for Survivors, emergency and other offi-  
6 cers' retirement pay, adjusted-service credits and certifi-  
7 cates, payment of premiums due on commercial life insur-  
8 ance policies guaranteed under the provisions of title IV  
9 of the Servicemembers Civil Relief Act (50 U.S.C. App.  
10 541 et seq.) and for other benefits as authorized by sec-  
11 tions 107, 1312, 1977, and 2106, and chapters 23, 51,  
12 53, 55, and 61 of title 38, United States Code,  
13 \$41,236,322,000, to remain available until expended: *Pro-*  
14 *vided*, That not to exceed \$25,033,000 of the amount ap-  
15 propriated under this heading shall be reimbursed to  
16 "General operating expenses" and "Medical administra-  
17 tion" for necessary expenses in implementing the provi-  
18 sions of chapters 51, 53, and 55 of title 38, United States  
19 Code, the funding source for which is specifically provided  
20 as the "Compensation and pensions" appropriation: *Pro-*  
21 *vided further*, That such sums as may be earned on an  
22 actual qualifying patient basis, shall be reimbursed to  
23 "Medical care collections fund" to augment the funding  
24 of individual medical facilities for nursing home care pro-  
25 vided to pensioners as authorized.

## 1 READJUSTMENT BENEFITS

2 For the payment of readjustment and rehabilitation  
3 benefits to or on behalf of veterans as authorized by chap-  
4 ters 21, 30, 31, 34, 35, 36, 39, 51, 53, 55, and 61 of  
5 title 38, United States Code, \$3,300,289,000, to remain  
6 available until expended: *Provided*, That expenses for re-  
7 habilitation program services and assistance which the  
8 Secretary is authorized to provide under subsection (a) of  
9 section 3104 of title 38, United States Code, other than  
10 under paragraphs (1), (2), (5), and (11) of that sub-  
11 section, shall be charged to this account.

## 12 VETERANS INSURANCE AND INDEMNITIES

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

## 18 VETERANS HOUSING BENEFIT PROGRAM FUND PROGRAM

## 19 ACCOUNT

## 20 (INCLUDING TRANSFER OF FUNDS)

21 For the cost of direct and guaranteed loans, such  
22 sums as may be necessary to carry out the program, as  
23 authorized by subchapters I through III of chapter 37 of  
24 title 38, United States Code: *Provided*, That such costs,  
25 including the cost of modifying such loans, shall be as de-  
26 fined in section 502 of the Congressional Budget Act of



1 1974: *Provided further*, That during fiscal year 2008,  
2 within the resources available, not to exceed \$500,000 in  
3 gross obligations for direct loans are authorized for spe-  
4 cially adapted housing loans.

5 In addition, for administrative expenses to carry out  
6 the direct and guaranteed loan programs, \$154,562,000,  
7 which may be transferred to and merged with the appro-  
8 priation for “General operating expenses”.

9 VOCATIONAL REHABILITATION LOANS PROGRAM ACCOUNT  
10 (INCLUDING TRANSFER OF FUNDS)

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

19 In addition, for administrative expenses necessary to  
20 carry out the direct loan program, \$311,000, which may  
21 be transferred to and merged with the appropriation for  
22 “General operating expenses”.

1 NATIVE AMERICAN VETERAN HOUSING LOAN PROGRAM  
2 ACCOUNT  
3 (INCLUDING TRANSFER OF FUNDS)

4 For administrative expenses to carry out the direct  
5 loan program authorized by subchapter V of chapter 37  
6 of title 38, United States Code, \$628,000, which may be  
7 transferred to and merged with the appropriation for  
8 “General operating expenses”: *Provided*, That no new  
9 loans in excess of \$30,000,000 may be made in fiscal year  
10 2008.

11 GUARANTEED TRANSITIONAL HOUSING LOANS FOR  
12 HOMELESS VETERANS PROGRAM ACCOUNT

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

19 VETERANS HEALTH ADMINISTRATION  
20 MEDICAL SERVICES  
21 (INCLUDING TRANSFER OF FUNDS)

22 For necessary expenses for furnishing, as authorized  
23 by law, inpatient and outpatient care and treatment to  
24 beneficiaries of the Department of Veterans Affairs and  
25 veterans described in section 1705(a) of title 38, United  
26 States Code, including care and treatment in facilities not

1 under the jurisdiction of the Department, and including  
2 medical supplies and equipment, food services, and sala-  
3 ries and expenses of health-care employees hired under  
4 title 38, United States Code, and aid to State homes as  
5 authorized by section 1741 of title 38, United States Code;  
6 \$28,906,400,000, plus reimbursements, of which not less  
7 than \$2,900,000,000 shall be expended for specialty men-  
8 tal health care; not less than \$130,000,000 shall be ex-  
9 pended for the homeless grants and per diem program;  
10 not less than \$428,873,754 shall be expended for the sub-  
11 stance abuse program; and not less than \$100,275,000  
12 shall be expended for blind rehabilitation services: *Pro-*  
13 *vided*, That of the funds made available under this head-  
14 ing, not to exceed \$1,100,000,000 shall be available until  
15 September 30, 2009: *Provided further*, That, notwith-  
16 standing any other provision of law, the Secretary of Vet-  
17 erans Affairs shall establish a priority for the provision  
18 of medical treatment for veterans who have service-con-  
19 nected disabilities, lower income, or have special needs:  
20 *Provided further*, That, notwithstanding any other provi-  
21 sion of law, the Secretary of Veterans Affairs shall give  
22 priority funding for the provision of basic medical benefits  
23 to veterans in enrollment priority groups 1 through 6: *Pro-*  
24 *vided further*, That, notwithstanding any other provision  
25 of law, the Secretary of Veterans Affairs may authorize

1 the dispensing of prescription drugs from Veterans Health  
2 Administration facilities to enrolled veterans with privately  
3 written prescriptions based on requirements established by  
4 the Secretary: *Provided further*, That the implementation  
5 of the program described in the previous proviso shall  
6 incur no additional cost to the Department of Veterans  
7 Affairs: *Provided further*, That for the DOD–VA Health  
8 Care Sharing Incentive Fund, as authorized by section  
9 8111(d) of title 38, United States Code, a minimum of  
10 \$15,000,000, to remain available until expended, for any  
11 purpose authorized by section 8111 of title 38, United  
12 States Code.

13 MEDICAL ADMINISTRATION

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

## 1 MEDICAL FACILITIES

2 For necessary expenses for the maintenance and op-  
3 eration of hospitals, nursing homes, and domiciliary facili-  
4 ties, and other necessary facilities of the Veterans Health  
5 Administration; for administrative expenses in support of  
6 planning, design, project management, real property ac-  
7 quisition and disposition, construction, and renovation of  
8 any facility under the jurisdiction or for the use of the  
9 Department; for oversight, engineering, and architectural  
10 activities not charged to project costs; for repairing, alter-  
11 ing, improving, or providing facilities in the several hos-  
12 pitals and homes under the jurisdiction of the Depart-  
13 ment, not otherwise provided for, either by contract or by  
14 the hire of temporary employees and purchase of mate-  
15 rials; for leases of facilities; and for laundry services,  
16 \$4,100,000,000, plus reimbursements, of which  
17 \$250,000,000 shall be available until September 30, 2009:  
18 *Provided*, That \$300,000,000 for non-recurring mainte-  
19 nance provided under this heading shall be allocated in  
20 a manner not subject to the Veterans Equitable Resource  
21 Allocation.

## 22 MEDICAL AND PROSTHETIC RESEARCH

23 For necessary expenses in carrying out programs of  
24 medical and prosthetic research and development as au-  
25 thorized by chapter 73 of title 38, United States Code,

1 \$480,000,000, plus reimbursements, to remain available  
2 until September 30, 2009.

3 DEPARTMENTAL ADMINISTRATION

4 GENERAL OPERATING EXPENSES

5 For necessary operating expenses of the Department  
6 of Veterans Affairs, not otherwise provided for, including  
7 administrative expenses in support of Department-Wide  
8 capital planning, management and policy activities, uni-  
9 forms, or allowances therefor; not to exceed \$25,000 for  
10 official reception and representation expenses; hire of pas-  
11 senger motor vehicles; and reimbursement of the General  
12 Services Administration for security guard services and  
13 the Department of Defense for the cost of overseas em-  
14 ployee mail, \$1,598,500,000: *Provided*, That expenses for  
15 services and assistance authorized under paragraphs (1),  
16 (2), (5), and (11) of section 3104(a) of title 38, United  
17 States Code, that the Secretary of Veterans Affairs deter-  
18 mines are necessary to enable entitled veterans: (1) to the  
19 maximum extent feasible, to become employable and to ob-  
20 tain and maintain suitable employment; or (2) to achieve  
21 maximum independence in daily living, shall be charged  
22 to this account: *Provided further*, That the Veterans Bene-  
23 fits Administration shall be funded at not less than  
24 \$1,324,957,000: *Provided further*, That of the funds made  
25 available under this heading, not to exceed \$75,000,000

1 shall be available for obligation until September 30, 2009:  
2 *Provided further*, That from the funds made available  
3 under this heading, the Veterans Benefits Administration  
4 may purchase (on a one-for-one replacement basis only)  
5 up to two passenger motor vehicles for use in operations  
6 of that Administration in Manila, Philippines.

7 INFORMATION TECHNOLOGY SYSTEMS

8 For necessary expenses for information technology  
9 systems and telecommunications support, including devel-  
10 opmental information systems and operational information  
11 systems and pay and associated cost for operations and  
12 maintenance associated staff; for the capital asset acquisi-  
13 tion of information technology systems, including manage-  
14 ment and related contractual costs of said acquisitions, in-  
15 cluding contractual costs associated with operations au-  
16 thorized by chapter 3109 of title 5, United States Code,  
17 \$1,859,217,000, to remain available until September 30,  
18 2009: *Provided*, That none of these funds may be obli-  
19 gated until the Secretary of Veterans Affairs submits to  
20 the Committees on Appropriations of both Houses of Con-  
21 gress, and such Committees approve, a plan for expendi-  
22 ture that: (1) meets the capital planning and investment  
23 control review requirements established by the Office of  
24 Management and Budget; (2) complies with the Depart-  
25 ment of Veterans Affairs enterprise architecture; (3) con-  
26 forms with an established enterprise life cycle method-

1 ology; and (4) complies with the acquisition rules, require-  
2 ments, guidelines, and systems acquisition management  
3 practices of the Federal Government: *Provided further*,  
4 That within 30 days of the date of the enactment of this  
5 Act, the Secretary of Veterans Affairs shall submit to the  
6 Committees on Appropriations of both Houses of Congress  
7 a reprogramming base letter which provides, by project,  
8 the costs included in this appropriation.

9 NATIONAL CEMETERY ADMINISTRATION

10 For necessary expenses of the National Cemetery Ad-  
11 ministration for operations and maintenance, not other-  
12 wise provided for, including uniforms or allowances there-  
13 for; cemeterial expenses as authorized by law; purchase  
14 of one passenger motor vehicle for use in cemeterial oper-  
15 ations; and hire of passenger motor vehicles,  
16 \$170,000,000, of which not to exceed \$7,800,000 shall be  
17 available until September 30, 2009.

18 OFFICE OF INSPECTOR GENERAL

19 For necessary expenses of the Office of Inspector  
20 General in carrying out the provisions of the Inspector  
21 General Act of 1978 (5 U.S.C. App.), \$76,500,000, of  
22 which \$3,630,000 shall remain available until September  
23 30, 2009.

24 CONSTRUCTION, MAJOR PROJECTS

25 For constructing, altering, extending, and improving  
26 any of the facilities, including parking projects, under the



1 jurisdiction or for the use of the Department of Veterans  
2 Affairs, or for any of the purposes set forth in sections  
3 316, 2404, 2406, 8102, 8103, 8106, 8108, 8109, 8110,  
4 and 8122 of title 38, United States Code, including plan-  
5 ning, architectural and engineering services, construction  
6 management services, maintenance or guarantee period  
7 services costs associated with equipment guarantees pro-  
8 vided under the project, services of claims analysts, offsite  
9 utility and storm drainage system construction costs, and  
10 site acquisition, where the estimated cost of a project is  
11 more than the amount set forth in section 8104(a)(3)(A)  
12 of title 38, United States Code, or where funds for a  
13 project were made available in a previous major project  
14 appropriation, \$1,410,800,000, to remain available until  
15 expended, of which \$2,000,000 shall be to make reim-  
16 bursements as provided in section 13 of the Contract Dis-  
17 putes Act of 1978 (41 U.S.C. 612) for claims paid for  
18 contract disputes: *Provided*, That except for advance plan-  
19 ning activities, including needs assessments which may or  
20 may not lead to capital investments, and other capital  
21 asset management related activities, including portfolio  
22 development and management activities, and investment  
23 strategy studies funded through the advance planning  
24 fund and the planning and design activities funded  
25 through the design fund, including needs assessments

1 which may or may not lead to capital investments, none  
2 of the funds appropriated under this heading shall be used  
3 for any project which has not been approved by the Con-  
4 gress in the budgetary process: *Provided further*, That  
5 funds provided in this appropriation for fiscal year 2008,  
6 for each approved project shall be obligated: (1) by the  
7 awarding of a construction documents contract by Sep-  
8 tember 30, 2008; and (2) by the awarding of a construc-  
9 tion contract by September 30, 2009: *Provided further*,  
10 That the Secretary of Veterans Affairs shall promptly sub-  
11 mit to the Committees on Appropriations of both Houses  
12 of Congress a written report on any approved major con-  
13 struction project for which obligations are not incurred  
14 within the time limitations established above: *Provided*  
15 *further*, That none of the funds appropriated in this or  
16 any other Act may be used to reduce the mission, services,  
17 or infrastructure, including land, of the 18 facilities on  
18 the Capital Asset Realignment for Enhanced Services  
19 (CARES) list requiring further study, as specified by the  
20 Secretary of Veterans Affairs, without prior approval of  
21 the Committees on Appropriations of both Houses of Con-  
22 gress.

23 CONSTRUCTION, MINOR PROJECTS

24 For constructing, altering, extending, and improving  
25 any of the facilities, including parking projects, under the  
26 jurisdiction or for the use of the Department of Veterans

1 Affairs, including planning and assessments of needs  
2 which may lead to capital investments, architectural and  
3 engineering services, maintenance or guarantee period  
4 services costs associated with equipment guarantees pro-  
5 vided under the project, services of claims analysts, offsite  
6 utility and storm drainage system construction costs, and  
7 site acquisition, or for any of the purposes set forth in  
8 sections 316, 2404, 2406, 8102, 8103, 8106, 8108, 8109,  
9 8110, 8122, and 8162 of title 38, United States Code,  
10 where the estimated cost of a project is equal to or less  
11 than the amount set forth in section 8104(a)(3)(A) of title  
12 38, United States Code, \$615,000,000, to remain avail-  
13 able until expended, along with unobligated balances of  
14 previous “Construction, minor projects” appropriations  
15 which are hereby made available for any project where the  
16 estimated cost is equal to or less than the amount set forth  
17 in such section: *Provided*, That funds in this account shall  
18 be available for: (1) repairs to any of the nonmedical facili-  
19 ties under the jurisdiction or for the use of the Depart-  
20 ment which are necessary because of loss or damage  
21 caused by any natural disaster or catastrophe; and (2)  
22 temporary measures necessary to prevent or to minimize  
23 further loss by such causes: *Provided further*, That within  
24 30 days of enactment of this Act, the Secretary of Vet-  
25 erans Affairs shall submit to the Committees on Appro-

1 priations of both Houses of Congress a reprogramming  
2 base letter which provides, by project, the costs included  
3 in this appropriation.

4 GRANTS FOR CONSTRUCTION OF STATE EXTENDED CARE  
5 FACILITIES

6 For grants to assist States to acquire or construct  
7 State nursing home and domiciliary facilities and to re-  
8 model, modify, or alter existing hospital, nursing home,  
9 and domiciliary facilities in State homes, for furnishing  
10 care to veterans as authorized by sections 8131 through  
11 8137 of title 38, United States Code, \$165,000,000, to  
12 remain available until expended.

13 GRANTS FOR THE CONSTRUCTION OF STATE VETERANS  
14 CEMETERIES

15 For grants to assist States in establishing, expand-  
16 ing, or improving State veterans cemeteries as authorized  
17 by section 2408 of title 38, United States Code,  
18 \$37,000,000, to remain available until expended.

19 ADMINISTRATIVE PROVISIONS  
20 (INCLUDING TRANSFER OF FUNDS)

21 SEC. 201. Any appropriation for fiscal year 2008 for  
22 “Compensation and pensions”, “Readjustment benefits”,  
23 and “Veterans insurance and indemnities” may be trans-  
24 ferred as necessary to any other of the mentioned appro-  
25 priations: *Provided*, That before a transfer may take place,  
26 the Secretary of Veterans Affairs shall request from the

1 Committees on Appropriations of both Houses of Congress  
2 the authority to make the transfer and such Committees  
3 issue an approval, or absent a response, a period of 30  
4 days has elapsed.

5       SEC. 202. Appropriations available in this title for  
6 salaries and expenses shall be available for services au-  
7 thorized by section 3109 of title 5, United States Code,  
8 hire of passenger motor vehicles; lease of a facility or land  
9 or both; and uniforms or allowances therefore, as author-  
10 ized by sections 5901 through 5902 of title 5, United  
11 States Code.

12       SEC. 203. No appropriations in this title (except the  
13 appropriations for “Construction, major projects”, and  
14 “Construction, minor projects”) shall be available for the  
15 purchase of any site for or toward the construction of any  
16 new hospital or home.

17       SEC. 204. No appropriations in this title shall be  
18 available for hospitalization or examination of any persons  
19 (except beneficiaries entitled to such hospitalization or ex-  
20 amination under the laws providing such benefits to vet-  
21 erans, and persons receiving such treatment under sec-  
22 tions 7901 through 7904 of title 5, United States Code,  
23 or the Robert T. Stafford Disaster Relief and Emergency  
24 Assistance Act (42 U.S.C. 5121 et seq.)), unless reim-  
25 bursement of the cost of such hospitalization or examina-

1 tion is made to the “Medical services” account at such  
2 rates as may be fixed by the Secretary of Veterans Affairs.

3 SEC. 205. Appropriations available in this title for  
4 “Compensation and pensions”, “Readjustment benefits”,  
5 and “Veterans insurance and indemnities” shall be avail-  
6 able for payment of prior year accrued obligations re-  
7 quired to be recorded by law against the corresponding  
8 prior year accounts within the last quarter of fiscal year  
9 2007.

10 SEC. 206. Appropriations available in this title shall  
11 be available to pay prior year obligations of corresponding  
12 prior year appropriations accounts resulting from sections  
13 3328(a), 3334, and 3712(a) of title 31, United States  
14 Code, except that if such obligations are from trust fund  
15 accounts they shall be payable only from “Compensation  
16 and pensions”.

17 (INCLUDING TRANSFER OF FUNDS)

18 SEC. 207. Notwithstanding any other provision of  
19 law, during fiscal year 2008, the Secretary of Veterans  
20 Affairs shall, from the National Service Life Insurance  
21 Fund (38 U.S.C. 1920), the Veterans’ Special Life Insur-  
22 ance Fund (38 U.S.C. 1923), and the United States Gov-  
23 ernment Life Insurance Fund (38 U.S.C. 1955), reim-  
24 burse the “General operating expenses” account for the  
25 cost of administration of the insurance programs financed  
26 through those accounts: *Provided*, That reimbursement

1 shall be made only from the surplus earnings accumulated  
2 in such an insurance program during fiscal year 2008 that  
3 are available for dividends in that program after claims  
4 have been paid and actuarially determined reserves have  
5 been set aside: *Provided further*, That if the cost of admin-  
6 istration of such an insurance program exceeds the  
7 amount of surplus earnings accumulated in that program,  
8 reimbursement shall be made only to the extent of such  
9 surplus earnings: *Provided further*, That the Secretary  
10 shall determine the cost of administration for fiscal year  
11 2008 which is properly allocable to the provision of each  
12 such insurance program and to the provision of any total  
13 disability income insurance included in that insurance pro-  
14 gram.

15 SEC. 208. Amounts deducted from enhanced-use  
16 lease proceeds to reimburse an account for expenses in-  
17 curred by that account during a prior fiscal year for pro-  
18 viding enhanced-use lease services, may be obligated dur-  
19 ing the fiscal year in which the proceeds are received.

20 (INCLUDING TRANSFER OF FUNDS)

21 SEC. 209. Funds available in this title or funds for  
22 salaries and other administrative expenses shall also be  
23 available to reimburse the Office of Resolution Manage-  
24 ment of the Department of Veterans Affairs and the Of-  
25 fice of Employment Discrimination Complaint Adjudica-  
26 tion under section 319 of title 38, United States Code,

1 for all services provided at rates which will recover actual  
2 costs but not exceed \$32,067,000 for the Office of Resolu-  
3 tion Management and \$3,148,000 for the Office of Em-  
4 ployment and Discrimination Complaint Adjudication:  
5 *Provided*, That payments may be made in advance for  
6 services to be furnished based on estimated costs: *Provided*  
7 *further*, That amounts received shall be credited to “Gen-  
8 eral operating expenses” for use by the office that pro-  
9 vided the service.

10 SEC. 210. No appropriations in this title shall be  
11 available to enter into any new lease of real property if  
12 the estimated annual rental is more than \$300,000 unless  
13 the Secretary submits a report which the Committees on  
14 Appropriations of both Houses of Congress approve within  
15 30 days following the date on which the report is received.

16 SEC. 211. No funds of the Department of Veterans  
17 Affairs shall be available for hospital care, nursing home  
18 care, or medical services provided to any person under  
19 chapter 17 of title 38, United States Code, for a non-serv-  
20 ice-connected disability described in section 1729(a)(2) of  
21 such title, unless that person has disclosed to the Sec-  
22 retary of Veterans Affairs, in such form as the Secretary  
23 may require, current, accurate third-party reimbursement  
24 information for purposes of section 1729 of such title: *Pro-*  
25 *vided*, That the Secretary may recover, in the same man-



1 ner as any other debt due the United States, the reason-  
2 able charges for such care or services from any person who  
3 does not make such disclosure as required: *Provided fur-*  
4 *ther*, That any amounts so recovered for care or services  
5 provided in a prior fiscal year may be obligated by the  
6 Secretary during the fiscal year in which amounts are re-  
7 ceived.

8 (INCLUDING TRANSFER OF FUNDS)

9 SEC. 212. Notwithstanding any other provision of  
10 law, at the discretion of the Secretary of Veterans Affairs,  
11 proceeds or revenues derived from enhanced-use leasing  
12 activities (including disposal) may be deposited into the  
13 “Construction, major projects” and “Construction, minor  
14 projects” accounts and be used for construction (including  
15 site acquisition and disposition), alterations, and improve-  
16 ments of any medical facility under the jurisdiction or for  
17 the use of the Department of Veterans Affairs. Such sums  
18 as realized are in addition to the amount provided for in  
19 “Construction, major projects” and “Construction, minor  
20 projects”.

21 SEC. 213. Amounts made available under “Medical  
22 services” are available—

23 (1) for furnishing recreational facilities, sup-  
24 plies, and equipment; and

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

4                           (INCLUDING TRANSFER OF FUNDS)

5           SEC. 214. Such sums as may be deposited to the  
6           Medical Care Collections Fund pursuant to section 1729A  
7           of title 38, United States Code, may be transferred to  
8           “Medical services”, to remain available until expended for  
9           the purposes of that account.

10          SEC. 215. Notwithstanding any other provision of  
11          law, the Secretary of Veterans Affairs shall allow veterans  
12          who are eligible under existing Department of Veterans  
13          Affairs medical care requirements and who reside in Alas-  
14          ka to obtain medical care services from medical facilities  
15          supported by the Indian Health Service or tribal organiza-  
16          tions. The Secretary shall: (1) limit the application of this  
17          provision to rural Alaskan veterans in areas where an ex-  
18          isting Department of Veterans Affairs facility or Veterans  
19          Affairs-contracted service is unavailable; (2) require par-  
20          ticipating veterans and facilities to comply with all appro-  
21          priate rules and regulations, as established by the Sec-  
22          retary; (3) require this provision to be consistent with  
23          Capital Asset Realignment for Enhanced Services activi-  
24          ties; and (4) result in no additional cost to the Department  
25          of Veterans Affairs or the Indian Health Service.

1 (INCLUDING TRANSFER OF FUNDS)

2 SEC. 216. Such sums as may be deposited to the De-  
3 partment of Veterans Affairs Capital Asset Fund pursu-  
4 ant to section 8118 of title 38, United States Code, may  
5 be transferred to the “Construction, major projects” and  
6 “Construction, minor projects” accounts, to remain avail-  
7 able until expended for the purposes of these accounts.

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

13 SEC. 218. None of the funds made available in this  
14 Act may be used to implement any policy prohibiting the  
15 Directors of the Veterans Integrated Service Networks  
16 from conducting outreach or marketing to enroll new vet-  
17 erans within their respective Networks.

18 SEC. 219. The Secretary of Veterans Affairs shall  
19 submit to the Committees on Appropriations of both  
20 Houses of Congress a quarterly report on the financial  
21 status of the Veterans Health Administration.

22 SEC. 220. Amounts made available for the “Informa-  
23 tion technology systems” account may be reprogrammed  
24 between projects: *Provided*, That no project may be in-  
25 creased or decreased by more than \$1,000,000 of cost be-

1 fore the Secretary submits to the Committees on Appro-  
2 priations of both Houses of Congress a reprogramming re-  
3 quest and the Committees issue an approval, or absent  
4 a response, a period of 30 days has elapsed.

5 (INCLUDING TRANSFER OF FUNDS)

6 SEC. 221. Any balances in prior year accounts estab-  
7 lished for the payment of benefits under the Reinstated  
8 Entitlement Program for Survivors shall be transferred to  
9 and merged with amounts available under the “Compensa-  
10 tion and pensions” account, and receipts that would other-  
11 wise be credited to the accounts established for the pay-  
12 ment of benefits under the Reinstated Entitlement Pro-  
13 gram for Survivors program shall be credited to amounts  
14 available under the “Compensation and pensions” account.

15 SEC. 222. Amounts made available for the “Con-  
16 struction, minor projects” account may be reprogrammed  
17 between projects: *Provided*, That no project may be in-  
18 creased or decreased by more than \$1,000,000 of cost be-  
19 fore the Secretary submits to the Committees on Appro-  
20 priations of both Houses of Congress a reprogramming re-  
21 quest and the Committees issue an approval, or absent  
22 a response, a period of 30 days has elapsed.

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

5 For necessary expenses, not otherwise provided for,  
6 of the American Battle Monuments Commission, including  
7 the acquisition of land or interest in land in foreign coun-  
8 tries; purchases and repair of uniforms for caretakers of  
9 national cemeteries and monuments outside of the United  
10 States and its territories and possessions; rent of office  
11 and garage space in foreign countries; purchase (one-for-  
12 one replacement basis only) and hire of passenger motor  
13 vehicles; not to exceed \$7,500 for official reception and  
14 representation expenses; and insurance of official motor  
15 vehicles in foreign countries, when required by law of such  
16 countries, \$43,470,000, to remain available until ex-  
17 pended.

18 FOREIGN CURRENCY FLUCTUATIONS ACCOUNT

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

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

4 For necessary expenses for the operation of the  
5 United States Court of Appeals for Veterans Claims as  
6 authorized by sections 7251 through 7298 of title 38,  
7 United States Code, \$21,397,000, of which \$1,300,000  
8 shall be available for the purpose of providing financial  
9 assistance as described, and in accordance with the proc-  
10 ess and reporting procedures set forth, under this heading  
11 in Public Law 102–229.

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  
17 National 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 \$30,592,000, 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 De-  
25 fense Agencies account.

1                   ARMED FORCES RETIREMENT HOME  
2                                   TRUST FUND

3           For expenses necessary for the Armed Forces Retire-  
4 ment Home to operate and maintain the Armed Forces  
5 Retirement Home—Washington, District of Columbia and  
6 the Armed Forces Retirement Home—Gulfport, Mis-  
7 sissippi, to be paid from funds available in the Armed  
8 Forces Retirement Home Trust Fund, \$55,724,000.

9                   ARMED FORCES RETIREMENT HOME  
10                                   FEDERAL FUND PAYMENT

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

13                                   TITLE IV

14                                   GENERAL PROVISIONS

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

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

21          SEC. 403. None of the funds made available in this  
22 Act may be used for any program, project, or activity,  
23 when it is made known to the Federal entity or official  
24 to which the funds are made available that the program,  
25 project, or activity is not in compliance with any Federal

1 law relating to risk assessment, the protection of private  
2 property rights, or unfunded mandates.

3       SEC. 404. No part of any funds appropriated in this  
4 Act shall be used by an agency of the executive branch,  
5 other than for normal and recognized executive-legislative  
6 relationships, for publicity or propaganda purposes, and  
7 for the preparation, distribution or use of any kit, pam-  
8 phlet, booklet, publication, radio, television, or film presen-  
9 tation designed to support or defeat legislation pending  
10 before Congress, except in presentation to Congress itself.

11       SEC. 405. All departments and agencies funded under  
12 this Act are encouraged, within the limits of the existing  
13 statutory authorities and funding, to expand their use of  
14 “E-Commerce” technologies and procedures in the con-  
15 duct of their business practices and public service activi-  
16 ties.

17       SEC. 406. None of the funds made available in this  
18 Act may be transferred to any department, agency, or in-  
19 strumentality of the United States Government except  
20 pursuant to a transfer made by, or transfer authority pro-  
21 vided in, this or any other appropriations Act.

22       SEC. 407. Unless stated otherwise, all reports and no-  
23 tifications required by this Act shall be submitted to the  
24 Subcommittee on Military Construction, Veterans Affairs,  
25 and Related Agencies of the Committee on Appropriations



1 of the House of Representatives and the Subcommittee on  
2 Military Construction, Veterans Affairs, and Related  
3 Agencies of the Committee on Appropriations of the Sen-  
4 ate.

5       SEC. 408. The Director of the Congressional Budget  
6 Office shall, not later than February 1, 2008, submit to  
7 the Committees on Appropriations of the House of Rep-  
8 resentatives and the Senate a report projecting annual ap-  
9 propriations necessary for the Department of Veterans Af-  
10 fairs to continue providing necessary health care to vet-  
11 erans for fiscal years 2009 through 2012.

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

Union Calendar No. 110

110<sup>TH</sup> CONGRESS  
1<sup>ST</sup> Session

**H. R. 2642**

[Report No. 110-186]

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**A BILL**

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.

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JUNE 11, 2007

Committed to the Committee of the Whole House on the State of the Union and ordered to be printed