

110TH CONGRESS  
1ST SESSION

# H. R. 2641

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## AN ACT

Making appropriations for energy and water development 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,*

1 That the following sums are appropriated, out of any  
2 money in the Treasury not otherwise appropriated, for en-  
3 ergy and water development and related agencies for the  
4 fiscal year ending September 30, 2008, and for other pur-  
5 poses, namely:

6 TITLE I—CORPS OF ENGINEERS—CIVIL

7 DEPARTMENT OF THE ARMY

8 CORPS OF ENGINEERS—CIVIL

9 The following appropriations shall be expended under  
10 the direction of the Secretary of the Army and the super-  
11 vision of the Chief of Engineers for authorized civil func-  
12 tions of the Department of the Army pertaining to rivers  
13 and harbors, flood and storm damage reduction, aquatic  
14 ecosystem restoration, and related purposes.

15 INVESTIGATIONS

16 (INCLUDING RESCISSION OF FUNDS)

17 For expenses necessary for the collection and study  
18 of basic information pertaining to river and harbor, flood  
19 and storm damage reduction, aquatic ecosystem restora-  
20 tion, and related projects; restudy of authorized projects,  
21 miscellaneous investigations; and, when authorized by law,  
22 surveys and detailed studies, and plans and specifications,  
23 of proposed projects, \$120,100,000, to remain available  
24 until expended: *Provided*, That of the funds provided  
25 under this heading of Public Law 106–554, \$100,000 are  
26 rescinded.

## CONSTRUCTION

(INCLUDING RESCISSIONS OF FUNDS)

1 For expenses necessary for the construction of river  
2 and harbor, flood and storm damage reduction, aquatic  
3 ecosystem restoration, and related projects authorized by  
4 law, including a portion of the expenses for the modifica-  
5 tions authorized by section 104 of the Everglades National  
6 Park Protection and Expansion Act of 1989; for con-  
7 ducting detailed studies, and plans and specifications, of  
8 such projects authorized or made eligible for selection by  
9 law (but such detailed studies, and plans and specifica-  
10 tions, shall not constitute a Federal commitment to con-  
11 struction); \$2,008,874,000, to remain available until ex-  
12 pended, of which such sums as are necessary to cover one-  
13 half of the costs of construction, replacement, and expan-  
14 sion of inland waterways projects shall be derived from  
15 the Inland Waterways Trust Fund; and of which  
16 \$8,000,000 shall be exclusively for projects and activities  
17 authorized under section 107 of the River and Harbor Act  
18 of 1960; and of which \$45,000,000 shall be exclusively  
19 available for projects and activities authorized under sec-  
20 tion 205 of the Flood Control Act of 1948; and of which  
21 \$10,000,000 shall be exclusively for projects and activities  
22 authorized under section 14 of the Flood Control Act of  
23 1946; and of which \$25,000,000 shall be exclusively for  
24 projects and activities authorized under section 1135 of

1 the Water Resources Development Act of 1986; and of  
2 which \$25,000,000 shall be exclusively for projects and ac-  
3 tivities authorized under section 206 of the Water Re-  
4 sources Development Act of 1996: *Provided*, That of the  
5 funds provided under this heading the following amounts  
6 are rescinded: from Public Law 101–101, \$435,000; from  
7 Public Law 102–377, \$1,740,000; from Public Law 103–  
8 126, \$797,000; from Public Law 105–245, \$1,716,000.

#### 9 MISSISSIPPI RIVER AND TRIBUTARIES

10 For expenses necessary for flood damage reduction  
11 projects and related efforts in the Mississippi River allu-  
12 vial valley below Cape Girardeau, Missouri, as authorized  
13 by law, \$278,000,000, to remain available until expended,  
14 of which such sums as are necessary to cover the Federal  
15 share of operation and maintenance costs for inland har-  
16 bors shall be derived from the Harbor Maintenance Trust  
17 Fund.

#### 18 OPERATION AND MAINTENANCE

19 For expenses necessary for the operation, mainte-  
20 nance, and care of existing river and harbor, flood and  
21 storm damage reduction, aquatic ecosystem restoration,  
22 and related projects authorized by law, including the con-  
23 struction of facilities, projects, or features (including is-  
24 lands and wetlands) to use materials dredged during Fed-  
25 eral navigation maintenance activities; the mitigation of  
26 impacts on shorelines resulting from Federal navigation

1 operation and maintenance activities; to address the ef-  
2 fects of civil works projects owned or operated by the  
3 Corps on federally listed species; to provide security for  
4 infrastructure operated by the Corps, or operated on its  
5 behalf, including administrative buildings and facilities,  
6 and laboratories; to maintain harbor channels provided by  
7 a State, municipality, or other public agency that serve  
8 essential navigation needs of general commerce where au-  
9 thorized by law; and to conduct surveys and chart north-  
10 ern and northwestern lakes and connecting waters, clear  
11 channels, and remove obstructions to commercial naviga-  
12 tion, \$2,655,241,000, to remain available until expended,  
13 of which \$53,585,000 shall be for projects and activities  
14 in Region 1 New England; of which \$179,814,000 shall  
15 be for projects and activities in Region 2 Mid Atlantic;  
16 of which \$367,101,000 shall be for projects and activities  
17 in Region 3 South Atlantic Gulf; of which \$126,907,000  
18 shall be for projects and activities in Region 4 Great  
19 Lakes; of which \$342,354,000 shall be for projects and  
20 activities in Region 5 Ohio; of which \$25,721,000 shall  
21 be for projects and activities in Region 6 Tennessee; of  
22 which \$251,630,000 shall be for projects and activities in  
23 Region 7 Upper Mississippi; of which \$166,946,000 shall  
24 be for projects and activities in Region 8 Lower Mis-  
25 sissippi; of which \$3,159,000 shall be for projects and ac-

1 tivities in Region 9 Souris-Red-Rainy; of which  
2 \$162,352,000 shall be for projects and activities in Region  
3 10 Missouri; of which \$213,500,000 shall be for projects  
4 and activities in Region 11 Arkansas-White-Red; of which  
5 \$185,668,000 shall be for projects and activities in Region  
6 12 Texas-Gulf; of which \$30,812,000 shall be for projects  
7 and activities in Region 13 Rio Grande; of which \$57,000  
8 shall be for projects and activities in Region 14 Upper Col-  
9 orado; of which \$3,967,000 shall be for projects and ac-  
10 tivities in Region 15 Lower Colorado; of which \$819,000  
11 shall be for projects and activities in Region 16 Great  
12 Basin; of which \$286,031,000 shall be for projects and  
13 activities in Region 17 Pacific Northwest; of which  
14 \$125,998,000 shall be for projects and activities in Region  
15 18 California; of which \$26,811,000 shall be for projects  
16 and activities in Region 19 Alaska; of which \$872,000  
17 shall be for projects and activities in Region 20 Hawaii;  
18 of which such sums as are necessary to cover the Federal  
19 share of eligible operations and maintenance shall be de-  
20 rived from the Harbor Maintenance Trust Fund; of which  
21 such sums as become available in the special account for  
22 the Corps established by the Land and Water Conserva-  
23 tion Fund Act of 1965 (16 U.S.C. 460l-6a(i)), shall be  
24 used for resource protection, research, interpretation, and  
25 maintenance activities under this heading related to re-

1 source projection in areas operated by the Corps at which  
2 outdoor recreation is available; and of which such sums  
3 as become available pursuant to section 217 of the Water  
4 Resources Development Act of 1996, shall be used to cover  
5 the cost of operation and maintenance of the dredged ma-  
6 terial disposal facilities for which such fees have been col-  
7 lected.

8 REGULATORY PROGRAM

9 For expenses necessary for the administration of laws  
10 pertaining to the regulation of navigable waters and wet-  
11 lands, \$180,000,000, to remain available until expended.

12 FORMERLY UTILIZED SITES REMEDIAL ACTION PROGRAM

13 For expenses necessary to clean up contamination  
14 from sites resulting from work performed as part of the  
15 Nation's early atomic energy program, \$130,000,000, to  
16 remain available until expended.

17 FLOOD CONTROL AND COASTAL EMERGENCIES

18 For expenses necessary to prepare for flood, hurri-  
19 cane, and other natural disasters and support emergency  
20 operations, repairs, and other activities in response to  
21 such natural disasters, as authorized by law, \$40,000,000,  
22 to remain available until expended.

23 EXPENSES

24 For expenses necessary for general administration  
25 and related functions of the civil works program in the  
26 headquarters of the Corps, the offices of the Division En-

1 gineers, the Humphreys Engineer Center Support Activ-  
 2 ity, the Institute for Water Resources, the Engineering  
 3 Research and Development Center, and the Finance Cen-  
 4 ter, \$171,000,000, to remain available until expended:  
 5 *Provided*, That no part of any other appropriation pro-  
 6 vided in this title shall be available to fund the civil works  
 7 activities of the Office of the Chief of Engineers or the  
 8 civil works executive direction and management activities  
 9 of the offices of the Division Engineers.

10 OFFICE OF ASSISTANT SECRETARY OF THE ARMY (CIVIL  
 11 WORKS)

12 For expenses necessary for the Office of Assistant  
 13 Secretary of the Army (Civil Works), as authorized by 10  
 14 U.S.C. 3016(b)(3), \$6,000,000.

15 ADMINISTRATIVE PROVISION

16 Appropriations in this title shall be available for offi-  
 17 cial reception and representation expenses (not to exceed  
 18 \$5,000); and during the current fiscal year the Revolving  
 19 Fund, Corps of Engineers, shall be available for purchase  
 20 (not to exceed 100 for replacement only) and hire of pas-  
 21 senger motor vehicles.

22 GENERAL PROVISIONS, CORPS OF ENGINEERS—CIVIL

23 SEC. 101. (a) Except as provided under subsection  
 24 (b), none of the funds provided under this title shall be  
 25 available for obligation or expenditure through a re-  
 26 programming of funds that—

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

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

4           (3) increases funds for any program, project, or  
5           activity for which funds have been denied or re-  
6           stricted by this Act;

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

10          (5) increases or reduces funds for any program,  
11          project, or activity by more than \$2,000,000 or 25  
12          percent, whichever is less.

13          (b) Subsection (a)(1) shall not apply to any project  
14          or activity authorized under section 205 of the Flood Con-  
15          trol Act of 1948; section 14 of the Flood Control Act of  
16          1946; section 208 of the Flood Control Act of 1954; sec-  
17          tion 107 of the River and Harbor Act of 1960; section  
18          103 of the River and Harbor Act of 1962; section 111  
19          of the River and Harbor Act of 1968; section 1135 of the  
20          Water Resources Development Act of 1986; section 206  
21          of the Water Resources Development Act of 1996; sections  
22          204 and 207 of the Water Resources Development Act of  
23          1992; or section 933 of the Water Resources Development  
24          Act of 1986.

1       SEC. 102. None of the funds made available in this  
2 title may be used to award any continuing contract or  
3 make modifications to any existing continuing contract  
4 that commits an amount for a project in excess of the  
5 amounts appropriated for that project that remain unobli-  
6 gated, except that such amounts may include any funds  
7 that have been made available through reprogramming to  
8 that project pursuant to section 101 of this Act.

9       SEC. 103. (a) None of the funds provided in this Act  
10 shall be available for operation and maritime maintenance  
11 of the hopper dredge McFarland.

12       (b) Subsection (a) shall not apply to funds required  
13 for the decommissioning of the vessel.

14       SEC. 104. The Secretary of the Army, acting through  
15 the Chief of Engineers, is directed to reduce by 35 percent  
16 the full-time employees at the Sacramento District Regu-  
17 latory Division office of the Corps of Engineers.

18       SEC. 105. None of the funds appropriated in this Act  
19 or any other Act may be used to conduct a public-private  
20 competition or direct conversion under the OMB Circular  
21 A-76 or any other administrative regulation, directive, or  
22 policy for any Corps of Engineers program, project or ac-  
23 tivity.

## 1 TITLE II—DEPARTMENT OF THE INTERIOR

## 2 CENTRAL UTAH PROJECT

## 3 CENTRAL UTAH PROJECT COMPLETION ACCOUNT

4 For carrying out activities authorized by the Central  
5 Utah Project Completion Act (titles II through VI of Pub-  
6 lic Law 102–575), \$41,380,000, to remain available until  
7 expended, of which \$976,000 shall be deposited into the  
8 Utah Reclamation Mitigation and Conservation Account  
9 for use by the Utah Reclamation Mitigation and Conserva-  
10 tion Commission.

11 In addition, for necessary expenses incurred in car-  
12 rying out related responsibilities of the Secretary of the  
13 Interior, \$1,620,000, to remain available until expended.

## 14 BUREAU OF RECLAMATION

15 The following appropriations shall be expended to  
16 execute authorized functions of the Bureau of Reclama-  
17 tion:

## 18 WATER AND RELATED RESOURCES

## 19 (INCLUDING TRANSFERS OF FUNDS)

20 For management, development, and restoration of  
21 water and related natural resources and for related activi-  
22 ties, including the operation, maintenance, and rehabilita-  
23 tion of reclamation and other facilities, participation in  
24 fulfilling related Federal responsibilities to Native Ameri-  
25 cans, and related grants to, and cooperative and other  
26 agreements with, State and local governments, federally

1 recognized Indian tribes, and others, \$871,197,000, to re-  
2 main available until expended, of which \$57,615,000 shall  
3 be available for transfer to the Upper Colorado River  
4 Basin Fund and \$26,825,000 shall be available for trans-  
5 fer to the Lower Colorado River Basin Development Fund;  
6 of which such amounts as may be necessary may be ad-  
7 vanced to the Colorado River Dam Fund; of which not  
8 more than \$500,000 is for high priority projects which  
9 shall be carried out by the Youth Conservation Corps, as  
10 authorized by section 106 of Public Law 91-378 (16  
11 U.S.C. 1706): *Provided*, That such transfers may be in-  
12 creased or decreased within the overall appropriation  
13 under this heading: *Provided further*, That of the total ap-  
14 propriated, the amount for program activities that can be  
15 financed by the Reclamation Fund or the Bureau of Rec-  
16 lamation special fee account established by section 4(i) of  
17 the Land and Water Conservation Fund Act of 1965 (16  
18 U.S.C. 4601-6a(i)) shall be derived from that Fund or ac-  
19 count: *Provided further*, That funds contributed under the  
20 Act of March 4, 1921 (43 U.S.C. 395) are available until  
21 expended for the purposes for which contributed: *Provided*  
22 *further*, That funds advanced under the Act of January  
23 12, 1927 (43 U.S.C. 397a) shall be credited to this ac-  
24 count and are available until expended for the same pur-  
25 poses as the sums appropriated under this heading.

## 1           CENTRAL VALLEY PROJECT RESTORATION FUND

2           For carrying out the programs, projects, plans, and  
3 habitat restoration, improvement, and acquisition provi-  
4 sions of the Central Valley Project Improvement Act (title  
5 XXXIV of Public Law 102–575), \$59,122,000, to be de-  
6 rived from such sums as may be collected in the Central  
7 Valley Project Restoration Fund pursuant to sections  
8 3404(c)(3), 3405(f), and 3407(d) of the Central Valley  
9 Project Improvement Act (Public Law 102–575), to re-  
10 main available until expended: *Provided*, That the Bureau  
11 of Reclamation is directed to assess and collect the full  
12 amount of the additional mitigation and restoration pay-  
13 ments authorized by section 3407(d) of the Central Valley  
14 Project Improvement Act: *Provided further*, That none of  
15 the funds made available under this heading may be used  
16 for the acquisition or leasing of water for in-stream pur-  
17 poses if the water is already committed to in-stream pur-  
18 poses by a court adopted decree or order.

## 19                           CALIFORNIA BAY-DELTA RESTORATION

## 20                                   (INCLUDING TRANSFER OF FUNDS)

21           For carrying out activities authorized by the Water  
22 Supply, Reliability, and Environmental Improvement Act  
23 (Public Law 108–361), consistent with plans to be ap-  
24 proved by the Secretary of the Interior, \$40,750,000, to  
25 remain available until expended, of which such amounts  
26 as may be necessary to carry out such activities may be

1 transferred to appropriate accounts of other participating  
2 Federal agencies to carry out authorized purposes: *Pro-*  
3 *vided*, That funds appropriated herein may be used for  
4 the Federal share of the costs of CALFED Program man-  
5 agement: *Provided further*, That the use of any funds pro-  
6 vided to the California Bay-Delta Authority for program-  
7 wide management and oversight activities shall be subject  
8 to the approval of the Secretary of the Interior: *Provided*  
9 *further*, That CALFED implementation shall be carried  
10 out in a balanced manner with clear performance meas-  
11 ures demonstrating concurrent progress in achieving the  
12 goals and objectives of the Program: *Provided further*,  
13 That \$5,000,000 shall be transferred to the Army Corps  
14 of Engineers to carry out further study and implementa-  
15 tion of projects that contribute to the stability of the levee  
16 projects authorized under section 103(f)(3) of the Water  
17 Supply, Reliability, Environmental Improvement Act  
18 (Public Law 108–361).

19 POLICY AND ADMINISTRATION

20 (INCLUDING TRANSFER OF FUNDS)

21 For necessary expenses of policy, administration, and  
22 related functions in the office of the Commissioner, the  
23 Denver office, and offices in the five regions of the Bureau  
24 of Reclamation, to remain available until expended,  
25 \$58,811,000, to be derived from the Reclamation Fund  
26 and be nonreimbursable as provided in 43 U.S.C. 377:

1 *Provided*, That no part of any other appropriation in this  
2 Act shall be available for activities or functions budgeted  
3 as policy and administration expenses: *Provided further*,  
4 That, of the funds provided under this heading,  
5 \$10,000,000 shall be transferred to “Water and Related  
6 Resources” upon the expiration of the 60-day period fol-  
7 lowing the date of enactment of this Act if, during such  
8 period, the Secretary of the Interior has not submitted to  
9 the Committees on Appropriations of the House of Rep-  
10 resentatives and the Senate the Bureau of Reclamation’s  
11 five-year budget plan.

12 ADMINISTRATIVE PROVISIONS

13 Appropriations for the Bureau of Reclamation shall  
14 be available for purchase of not to exceed 14 passenger  
15 motor vehicles, which are for replacement only.

16 GENERAL PROVISIONS, DEPARTMENT OF THE INTERIOR

17 SEC. 201. (a) None of the funds appropriated or oth-  
18 erwise made available by this Act may be used to deter-  
19 mine the final point of discharge for the interceptor drain  
20 for the San Luis Unit until development by the Secretary  
21 of the Interior and the State of California of a plan, which  
22 shall conform to the water quality standards of the State  
23 of California as approved by the Administrator of the En-  
24 vironmental Protection Agency, to minimize any detri-  
25 mental effect of the San Luis drainage waters.

1 (b) The costs of the Kesterson Reservoir Cleanup  
2 Program and the costs of the San Joaquin Valley Drain-  
3 age Program shall be classified by the Secretary of the  
4 Interior as reimbursable or nonreimbursable and collected  
5 until fully repaid pursuant to the “Cleanup Program-Alt-  
6 ernative Repayment Plan” and the “SJVDP-Alternative  
7 Repayment Plan” described in the report entitled “Repay-  
8 ment Report, Kesterson Reservoir Cleanup Program and  
9 San Joaquin Valley Drainage Program, February 1995”,  
10 prepared by the Department of the Interior, Bureau of  
11 Reclamation. Any future obligations of funds by the  
12 United States relating to, or providing for, drainage serv-  
13 ice or drainage studies for the San Luis Unit shall be fully  
14 reimbursable by San Luis Unit beneficiaries of such serv-  
15 ice or studies pursuant to Federal reclamation law.

16 TITLE III—DEPARTMENT OF ENERGY

17 ENERGY PROGRAMS

18 ENERGY EFFICIENCY AND RENEWABLE ENERGY

19 For Department of Energy expenses including the  
20 purchase, construction, and acquisition of plant and cap-  
21 ital equipment, and other expenses necessary for energy  
22 efficiency and renewable energy activities in carrying out  
23 the purposes of the Department of Energy Organization  
24 Act (42 U.S.C. 7101 et seq.), including the acquisition or  
25 condemnation of any real property or any facility or for

1 plant or facility acquisition, construction, or expansion,  
2 \$1,873,844,000, to remain available until expended.

3 ELECTRICITY DELIVERY AND ENERGY RELIABILITY

4 For Department of Energy expenses including the  
5 purchase, construction, and acquisition of plant and cap-  
6 ital equipment, and other expenses necessary for elec-  
7 tricity delivery and energy reliability activities in carrying  
8 out the purposes of the Department of Energy Organiza-  
9 tion Act (42 U.S.C. 7101 et seq.), including the acquisi-  
10 tion or condemnation of any real property or any facility  
11 or for plant or facility acquisition, construction, or expan-  
12 sion, \$134,161,000, to remain available until expended.

13 NUCLEAR ENERGY

14 For Department of Energy expenses including the  
15 purchase, construction, and acquisition of plant and cap-  
16 ital equipment, and other expenses necessary for nuclear  
17 energy activities in carrying out the purposes of the De-  
18 partment of Energy Organization Act (42 U.S.C. 7101 et  
19 seq.), including the acquisition or condemnation of any  
20 real property or any facility or for plant or facility acquisi-  
21 tion, construction, or expansion, and the purchase of not  
22 to exceed 20 passenger motor vehicles for replacement  
23 only, including one ambulance, \$759,227,000, to remain  
24 available until expended.

1                                    CLEAN COAL TECHNOLOGY  
2                                    (INCLUDING RESCISSION OF FUNDS)

3            Of the funds made available under this heading for  
4 obligation in prior years, \$149,000,000 are rescinded.

5                                    FOSSIL ENERGY RESEARCH AND DEVELOPMENT  
6                                    (INCLUDING TRANSFER OF FUNDS)

7            For necessary expenses in carrying out fossil energy  
8 research and development activities, under the authority  
9 of the Department of Energy Organization Act (Public  
10 Law 95–91), including the acquisition of interest, includ-  
11 ing defeasible and equitable interests in any real property  
12 or any facility or for plant or facility acquisition or expan-  
13 sion, and for the hire of passenger motor vehicles, the hire,  
14 maintenance, and operation of aircraft, the purchase, re-  
15 pair, and cleaning of uniforms, the reimbursement to the  
16 General Services Administration for security guard serv-  
17 ices, and for conducting inquiries, technological investiga-  
18 tions and research concerning the extraction, processing,  
19 use, and disposal of mineral substances without objection-  
20 able social and environmental costs (30 U.S.C. 3, 1602,  
21 and 1603), \$708,801,000 to remain available until ex-  
22 pended of which \$166,000,000 shall be derived by transfer  
23 from “Clean Coal Technology”, and of which transferred  
24 amounts \$108,000,000 is available to continue a multi-  
25 year project coordinated with the private sector for  
26 FutureGen, without regard to the terms and conditions

1 applicable to clean coal technological projects, and of  
2 which the remaining \$58,000,000 is available for carbon  
3 sequestration research and development: *Provided further,*  
4 That no part of the sums herein made available shall be  
5 used for the field testing of nuclear explosives in the recov-  
6 ery of oil and gas: *Provided further,* That the Secretary  
7 of Energy is authorized to accept fees and contributions  
8 from public and private sources, to be deposited in a con-  
9 tributed funds account, and prosecute projects using such  
10 fees and contributions in cooperation with other Federal,  
11 State, or private agencies or concerns: *Provided further,*  
12 That revenues and other moneys received by or for the  
13 account of the Department of Energy or otherwise gen-  
14 erated by sale of products in connection with projects of  
15 the Department appropriated under the Fossil Energy Re-  
16 search and Development account may be retained by the  
17 the Secretary of Energy, to be available until expended,  
18 and used only for plant construction, operation, costs, and  
19 payments to cost-sharing entities as provided in appro-  
20 priate cost-sharing contracts or agreements.

21           NAVAL PETROLEUM AND OIL SHALE RESERVES

22           For expenses necessary to carry out naval petroleum  
23 and oil shale reserve activities, including the hire of pas-  
24 senger motor vehicles, \$17,301,000, to remain available  
25 until expended: *Provided,* That, notwithstanding any other  
26 provision of law, unobligated funds remaining from prior

1 years shall be available for all naval petroleum and oil  
2 shale reserve activities.

3 STRATEGIC PETROLEUM RESERVE

4 For necessary expenses for Strategic Petroleum Re-  
5 serve facility development and operations and program  
6 management activities pursuant to the Energy Policy and  
7 Conservation Act (42 U.S.C. 6201 et seq.), including the  
8 hire of passenger motor vehicles, the hire, maintenance,  
9 and operation of aircraft, the purchase, repair, and clean-  
10 ing of uniforms, the reimbursement to the General Serv-  
11 ices Administration for security guard services,  
12 \$163,472,000, to remain available until expended.

13 NORTHEAST HOME HEATING OIL RESERVE

14 For necessary expenses for Northeast Home Heating  
15 Oil Reserve storage, operation, and management activities  
16 pursuant to the Energy Policy and Conservation Act,  
17 \$5,325,000, to remain available until expended.

18 ENERGY INFORMATION ADMINISTRATION

19 For necessary expenses in carrying out the activities  
20 of the Energy Information Administration, \$105,095,000,  
21 to remain available until expended.

22 NON-DEFENSE ENVIRONMENTAL CLEANUP

23 For Department of Energy expenses, including the  
24 purchase, construction, and acquisition of plant and cap-  
25 ital equipment and other expenses necessary for non-de-  
26 fense environmental cleanup activities in carrying out the

1 purposes of the Department of Energy Organization Act  
2 (42 U.S.C. 7101 et seq.), including the acquisition or con-  
3 demnation of any real property or any facility or for plant  
4 or facility acquisition, construction, or expansion, and the  
5 purchase of not to exceed three passenger motor vehicles  
6 for replacement only, \$286,041,000, to remain available  
7 until expended, of which \$250,937,000 is for non-defense  
8 environmental cleanup and \$35,104,000 is for non-defense  
9 legacy management.

10 URANIUM ENRICHMENT DECONTAMINATION AND  
11 DECOMMISSIONING FUND

12 For necessary expenses in carrying out uranium en-  
13 richment facility decontamination and decommissioning,  
14 remedial actions, and other activities of title II of the  
15 Atomic Energy Act of 1954 and title X, subtitle A, of the  
16 Energy Policy Act of 1992, \$618,759,000, to be derived  
17 from the Fund, to remain available until expended, of  
18 which \$20,000,000 shall be available in accordance with  
19 title X, subtitle A, of the Energy Policy Act of 1992.

20 SCIENCE

21 For Department of Energy expenses including the  
22 purchase, construction and acquisition of plant and capital  
23 equipment, and other expenses necessary for science ac-  
24 tivities in carrying out the purposes of the Department  
25 of Energy Organization Act (42 U.S.C. 7101 et seq.), in-  
26 cluding the acquisition or condemnation of any real prop-

1 erty or facility or for plant or facility acquisition, construc-  
2 tion, or expansion, and purchase of not to exceed 30 pas-  
3 senger motor vehicles for replacement only,  
4 \$4,514,082,000, to remain available until expended.

5 NUCLEAR WASTE DISPOSAL

6 For nuclear waste disposal activities to carry out the  
7 purposes of the Nuclear Waste Policy Act of 1982, Public  
8 Law 97–425, as amended (the “Act”), including the ac-  
9 quisition of real property or facility construction or expan-  
10 sion, \$202,454,000, to remain available until expended,  
11 and to be derived from the Nuclear Waste Fund: *Provided*,  
12 That of the funds made available in this Act for Nuclear  
13 Waste Disposal, \$2,500,000 shall be provided to the State  
14 of Nevada solely for expenditures, other than salaries and  
15 expenses of State employees, to conduct scientific over-  
16 sight responsibilities and participate in licensing activities  
17 pursuant to the Act: *Provided further*, That notwith-  
18 standing the lack of a written agreement with the State  
19 of Nevada under section 117(c) of the Nuclear Waste Pol-  
20 icy Act of 1982, Public Law 97–425, as amended, not less  
21 than \$1,200,000 shall be provided to Nye County, Nevada,  
22 for on-site oversight activities under section 117(d) of that  
23 Act: *Provided further*, That \$4,000,000 shall be provided  
24 to affected units of local government, as defined in the  
25 Act, to conduct appropriate activities and participate in  
26 licensing activities: *Provided further*, That 7.5 percent of

1 the funds provided shall be made available to affected  
2 units of local government in California with the balance  
3 made available to affected units of local government in Ne-  
4 vada for distribution as determined by the Nevada units  
5 of local government: *Provided further*, That notwith-  
6 standing the provisions of chapters 65 and 75 of title 31,  
7 United States Code, the Department of Energy shall have  
8 no monitoring, auditing or other oversight rights or re-  
9 sponsibilities over amounts provided to affected units of  
10 local government under this heading: *Provided further*,  
11 That the funds for the State of Nevada shall be made  
12 available solely to the Nevada Division of Emergency Man-  
13 agement by direct payment and units of local government  
14 by direct payment: *Provided further*, That within 90 days  
15 of the completion of each Federal fiscal year, the Nevada  
16 Division of Emergency Management and the Governor of  
17 the State of Nevada shall provide certification to the De-  
18 partment of Energy that all funds expended from such  
19 payments have been expended for activities authorized by  
20 the Act and this Act: *Provided further*, That failure to pro-  
21 vide such certification shall cause such entity to be prohib-  
22 ited from any further funding provided for similar activi-  
23 ties: *Provided further*, That none of the funds herein ap-  
24 propriated may be: (1) used directly or indirectly to influ-  
25 ence legislative action, except for normal and recognized

1 executive-legislative communications, on any matter pend-  
2 ing before Congress or a State legislature or for lobbying  
3 activity as provided in 18 U.S.C. 1913; (2) used for litiga-  
4 tion expenses; or (3) used to support multi-State efforts  
5 or other coalition building activities inconsistent with the  
6 restrictions contained in this Act: *Provided further*, That  
7 all proceeds and recoveries realized by the Secretary of  
8 Energy in carrying out activities authorized by the Act,  
9 including but not limited to, any proceeds from the sale  
10 of assets, shall be available without further appropriation  
11 and shall remain available until expended: *Provided fur-*  
12 *ther*, That no funds provided in this Act may be used to  
13 pursue repayment or collection of funds provided in any  
14 fiscal year to affected units of local government for over-  
15 sight activities that had been previously approved by the  
16 Department of Energy, or to withhold payment of any  
17 such funds.

18 ENVIRONMENT, SAFETY AND HEALTH

19 For Department of Energy expenses for Environ-  
20 ment, Safety, and Health activities, \$31,625,000, to re-  
21 main available until expended.

22 TITLE 17 INNOVATIVE TECHNOLOGY LOAN GUARANTEE

23 LOAN PROGRAM

24 Subject to the Federal Credit Reform Act of 1990,  
25 as amended, during fiscal year 2008 commitments to  
26 guarantee loans under title XVII of the Energy Policy Act

1 of 2005 shall not exceed a total principal amount, any part  
2 of which is to be guaranteed, of \$7,000,000,000: *Provided*,  
3 That of that amount, \$2,000,000,000 shall be available  
4 for carbon sequestration optimized coal power plants,  
5 \$4,000,000,000 shall be available for projects that pro-  
6 mote biofuels and clean transportation fuels, and  
7 \$1,000,000,000 shall be available for electric transmission  
8 facilities or renewable power generation systems: *Provided*  
9 *further*, That pursuant to section 1702(b)(2) of the Act,  
10 no appropriations are available to pay the subsidy cost of  
11 such guarantees: *Provided further*, That the source of pay-  
12 ments received from borrowers for the subsidy cost shall  
13 not be a loan or other debt obligation that is made or  
14 guaranteed by the Federal Government.

15 DEPARTMENTAL ADMINISTRATION

16 (INCLUDING TRANSFER OF FUNDS)

17 For salaries and expenses of the Department of En-  
18 ergy necessary for departmental administration in car-  
19 rying out the purposes of the Department of Energy Orga-  
20 nization Act (42 U.S.C. 7101 et seq.), including the hire  
21 of passenger motor vehicles and official reception and rep-  
22 resentation expenses not to exceed \$5,000, \$304,782,000,  
23 to remain available until expended, of which \$2,390,000  
24 shall be available for necessary administrative expenses to  
25 carry out the loan guarantee program under title XVII  
26 of Public Law 109–58, plus such additional amounts as

1 necessary to cover increases in the estimated amount of  
2 cost of work for others notwithstanding the provisions of  
3 the Anti-Deficiency Act (31 U.S.C. 1511 et seq.): *Pro-*  
4 *vided*, That such increases in cost of work are offset by  
5 revenue increases of the same or greater amount, to re-  
6 main available until expended: *Provided further*, That  
7 moneys received by the Department for miscellaneous rev-  
8 enues estimated to total \$161,818,000 in fiscal year 2008  
9 may be retained and used for operating expenses within  
10 this account, and may remain available until expended, as  
11 authorized by section 201 of Public Law 95–238, notwith-  
12 standing the provisions of 31 U.S.C. 3302: *Provided fur-*  
13 *ther*, That fees collected pursuant to section 1702(h) of  
14 Public Law 109–58 shall be credited as offsetting collec-  
15 tions to this account: *Provided further*, That the sum here-  
16 in appropriated shall be reduced by the amount of mis-  
17 cellaneous revenues received during 2008, and any related  
18 appropriated receipt account balances remaining from  
19 prior years’ miscellaneous revenues, so as to result in a  
20 final fiscal year 2008 appropriation from the general fund  
21 estimated at not more than \$142,964,000.

22 OFFICE OF INSPECTOR GENERAL

23 For necessary expenses of the Office of Inspector  
24 General in carrying out the provisions of the Inspector  
25 General Act of 1978, \$47,732,000 (reduced by

1 \$1,000,000) (increased by \$1,000,000), to remain avail-  
2 able until expended.

3           ATOMIC ENERGY DEFENSE ACTIVITIES

4           NATIONAL NUCLEAR SECURITY ADMINISTRATION

5                           WEAPONS ACTIVITIES

6           For Department of Energy expenses, including the  
7 purchase, construction, and acquisition of plant and cap-  
8 ital equipment and other incidental expenses necessary for  
9 atomic energy defense weapons activities in carrying out  
10 the purposes of the Department of Energy Organization  
11 Act (42 U.S.C. 7101 et seq.), including the acquisition or  
12 condemnation of any real property or any facility or for  
13 plant or facility acquisition, construction, or expansion,  
14 \$5,879,137,000 to remain available until expended: *Pro-*  
15 *vided*, That \$173,250,000 of the amounts provided are  
16 available for nuclear weapons dismantlement activities at  
17 Department of Energy facilities authorized for such activi-  
18 ties, of which \$91,000,000 is for the Pit Disassembly and  
19 Conversion Facility Project at the Savannah River Site,  
20 South Carolina.

21                           DEFENSE NUCLEAR NONPROLIFERATION

22           For Department of Energy expenses, including the  
23 purchase, construction, and acquisition of plant and cap-  
24 ital equipment and other incidental expenses necessary for  
25 atomic energy defense, defense nuclear nonproliferation  
26 activities, in carrying out the purposes of the Department



1 nization Act (42 U.S.C. 7101 et seq.), including the acqui-  
2 sition or condemnation of any real property or any facility  
3 or for plant or facility acquisition, construction, or expan-  
4 sion, and the purchase of not to exceed three passenger  
5 motor vehicles for replacement only, \$5,766,561,000, to  
6 remain available until expended, of which \$463,000,000  
7 shall be transferred to the “Uranium Enrichment Decon-  
8 tamination and Decommissioning Fund”.

9 OTHER DEFENSE ACTIVITIES

10 (INCLUDING TRANSFER OF FUNDS)

11 For Department of Energy expenses, including the  
12 purchase, construction, and acquisition of plant and cap-  
13 ital equipment and other expenses, necessary for atomic  
14 energy defense, other defense activities, and classified ac-  
15 tivities, in carrying out the purposes of the Department  
16 of Energy Organization Act (42 U.S.C. 7101 et seq.), in-  
17 cluding the acquisition or condemnation of any real prop-  
18 erty or any facility or for plant or facility acquisition, con-  
19 struction, or expansion, and the purchase of not to exceed  
20 twelve passenger motor vehicles for replacement only,  
21 \$604,313,000, to remain available until expended: *Pro-*  
22 *vided*, That of the funds provided under this heading in  
23 Public Law 109–103, \$4,900,000 are transferred to  
24 “Weapons Activities” for planning activities associated  
25 with special nuclear material consolidation.

## 1 DEFENSE NUCLEAR WASTE DISPOSAL

2 For nuclear waste disposal activities to carry out the  
3 purposes of Public Law 97–425, as amended, including  
4 the acquisition of real property or facility construction or  
5 expansion, \$292,046,000, to remain available until ex-  
6 pended.

## 7 POWER MARKETING ADMINISTRATIONS

## 8 BONNEVILLE POWER ADMINISTRATION FUND

9 Expenditures from the Bonneville Power Administra-  
10 tion Fund, established pursuant to Public Law 93–454,  
11 are approved for official reception and representation ex-  
12 penses in an amount not to exceed \$1,500. During fiscal  
13 year 2008, no new direct loan obligations may be made.

14 OPERATION AND MAINTENANCE, SOUTHEASTERN POWER  
15 ADMINISTRATION

16 For necessary expenses of operation and maintenance  
17 of power transmission facilities and of electric power and  
18 energy, including transmission wheeling and ancillary  
19 services pursuant to section 5 of the Flood Control Act  
20 of 1944 (16 U.S.C. 825s), as applied to the southeastern  
21 power area, \$6,463,000, to remain available until ex-  
22 pended: *Provided*, That notwithstanding 31 U.S.C. 3302,  
23 up to \$48,413,000 collected by the Southeastern Power  
24 Administration pursuant to the Flood Control Act of 1944  
25 to recover purchase power and wheeling expenses shall be  
26 credited to this account as offsetting collections, to remain

1 available until expended for the sole purpose of making  
2 purchase power and wheeling expenditures.

3 OPERATION AND MAINTENANCE, SOUTHWESTERN POWER  
4 ADMINISTRATION

5 For necessary expenses of operation and maintenance  
6 of power transmission facilities and of marketing electric  
7 power and energy, for construction and acquisition of  
8 transmission lines, substations and appurtenant facilities,  
9 and for administrative expenses, including official recep-  
10 tion and representation expenses in an amount not to ex-  
11 ceed \$1,500 in carrying out section 5 of the Flood Control  
12 Act of 1944 (16 U.S.C. 825s), as applied to the south-  
13 western power area, \$30,442,000, to remain available  
14 until expended: *Provided*, That, notwithstanding 31  
15 U.S.C. 3302, up to \$35,000,000 collected by the South-  
16 western Power Administration pursuant to the Flood Con-  
17 trol Act to recover purchase power and wheeling expenses  
18 shall be credited to this account as offsetting collections,  
19 to remain available until expended for the sole purpose  
20 of making purchase power and wheeling expenditures.

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

23 For carrying out the functions authorized by title III,  
24 section 302(a)(1)(E) of the Act of August 4, 1977 (42  
25 U.S.C. 7152), and other related activities including con-  
26 servation and renewable resources programs as author-

1 ized, including the operation, maintenance, and purchase  
2 through transfer, exchange, or sale of one helicopter for  
3 replacement only, and official reception and representation  
4 expenses in an amount not to exceed \$1,500;  
5 \$201,030,000, to remain available until expended, of  
6 which \$191,094,000 shall be derived from the Department  
7 of the Interior Reclamation Fund: *Provided*, That of the  
8 amount herein appropriated, \$7,167,000 is for deposit  
9 into the Utah Reclamation Mitigation and Conservation  
10 Account pursuant to title IV of the Reclamation Projects  
11 Authorization and Adjustment Act of 1992: *Provided fur-*  
12 *ther*, That notwithstanding the provision of 31 U.S.C.  
13 3302, up to \$258,702,000 collected by the Western Area  
14 Power Administration pursuant to the Flood Control Act  
15 of 1944 and the Reclamation Project Act of 1939 to re-  
16 cover purchase power and wheeling expenses shall be cred-  
17 ited to this account as offsetting collections, to remain  
18 available until expended for the sole purpose of making  
19 purchase power and wheeling expenditures.

20 FALCON AND AMISTAD OPERATING AND MAINTENANCE  
21 FUND

22 For operation, maintenance, and emergency costs for  
23 the hydroelectric facilities at the Falcon and Amistad  
24 Dams, \$2,500,000, to remain available until expended,  
25 and to be derived from the Falcon and Amistad Operating  
26 and Maintenance Fund of the Western Area Power Ad-

1 ministration, as provided in section 423 of the Foreign  
2 Relations Authorization Act, Fiscal Years 1994 and 1995.

3 FEDERAL ENERGY REGULATORY COMMISSION

4 SALARIES AND EXPENSES

5 For necessary expenses of the Federal Energy Regu-  
6 latory Commission to carry out the provisions of the De-  
7 partment of Energy Organization Act (42 U.S.C. 7101 et  
8 seq.), including services as authorized by 5 U.S.C. 3109,  
9 the hire of passenger motor vehicles, and official reception  
10 and representation expenses not to exceed \$3,000,  
11 \$255,425,000, to remain available until expended: *Pro-*  
12 *vided*, That notwithstanding any other provision of law,  
13 not to exceed \$255,425,000 of revenues from fees and an-  
14 nual charges, and other services and collections in fiscal  
15 year 2008 shall be retained and used for necessary ex-  
16 penses in this account, and shall remain available until  
17 expended: *Provided further*, That the sum herein appro-  
18 priated from the general fund shall be reduced as revenues  
19 are received during fiscal year 2008 so as to result in a  
20 final fiscal year 2008 appropriation from the general fund  
21 estimated at not more than \$0.

22 GENERAL PROVISIONS—DEPARTMENT OF ENERGY

23 SEC. 301. CONTRACT COMPETITION.—(a) None of  
24 the funds in this or any other appropriations Act for fiscal  
25 year 2008 or any previous fiscal year may be used to make

1 payments for a noncompetitive management and operating  
2 contract, or a contract for environmental remediation or  
3 waste management in excess of \$100,000,000 in annual  
4 funding at a current or former management and operating  
5 contract site or facility, or award a significant extension  
6 or expansion to an existing management and operating  
7 contract, or other contract covered by this section, unless  
8 such contract is awarded using competitive procedures or  
9 the Secretary of Energy grants, on a case-by-case basis,  
10 a waiver to allow for such a deviation. The Secretary may  
11 not delegate the authority to grant such a waiver.

12 (b) Within 30 days of formally notifying an incum-  
13 bent contractor that the Secretary intends to grant such  
14 a waiver, the Secretary shall submit to the Subcommittees  
15 on Energy and Water Development of the Committees on  
16 Appropriations of the House of Representatives and the  
17 Senate a report notifying the Subcommittees of the waiver  
18 and setting forth, in specificity, the substantive reasons  
19 why the Secretary believes the requirement for competition  
20 should be waived for this particular award.

21 SEC. 302. UNFUNDED REQUESTS FOR PRO-  
22 POSALS.—None of the funds appropriated by this Act may  
23 be used to prepare or initiate requests for proposals for  
24 a program if the program has not been funded by Con-  
25 gress.

1        SEC. 303. UNEXPENDED BALANCES.—The unex-  
2        pended balances of prior appropriations provided for ac-  
3        tivities in this Act may be available to the same appropria-  
4        tion accounts for such activities established pursuant to  
5        this title. Available balances may be merged with funds  
6        in the applicable established accounts and thereafter may  
7        be accounted for as one fund for the same time period  
8        as originally enacted.

9        SEC. 304. BONNEVILLE POWER ADMINISTRATION  
10       SERVICE TERRITORY.—None of the funds in this or any  
11       other Act for the Administrator of the Bonneville Power  
12       Administration may be used to enter into any agreement  
13       to perform energy efficiency services outside the legally de-  
14       fined Bonneville service territory, with the exception of  
15       services provided internationally, including services pro-  
16       vided on a reimbursable basis, unless the Administrator  
17       certifies in advance that such services are not available  
18       from private sector businesses.

19       SEC. 305. USER FACILITIES.—When the Department  
20       of Energy makes a user facility available to universities  
21       or other potential users, or seeks input from universities  
22       or other potential users regarding significant characteris-  
23       ties or equipment in a user facility or a proposed user fa-  
24       cility, the Department shall ensure broad public notice of  
25       such availability or such need for input to universities and

1 other potential users. When the Department of Energy  
2 considers the participation of a university or other poten-  
3 tial user as a formal partner in the establishment or oper-  
4 ation of a user facility, the Department shall employ full  
5 and open competition in selecting such a partner. For pur-  
6 poses of this section, the term “user facility” includes, but  
7 is not limited to: (1) a user facility as described in section  
8 2203(a)(2) of the Energy Policy Act of 1992 (42 U.S.C.  
9 13503(a)(2)); (2) a National Nuclear Security Adminis-  
10 tration Defense Programs Technology Deployment Cen-  
11 ter/User Facility; and (3) any other Departmental facility  
12 designated by the Department as a user facility.

13       SEC. 306. INTELLIGENCE ACTIVITIES.—Funds ap-  
14 propriated by this or any other Act, or made available by  
15 the transfer of funds in this Act, for intelligence activities  
16 are deemed to be specifically authorized by the Congress  
17 for purposes of section 504 of the National Security Act  
18 of 1947 (50 U.S.C. 414) during fiscal year 2008 until the  
19 enactment of the Intelligence Authorization Act for fiscal  
20 year 2008.

21       SEC. 307. LABORATORY DIRECTED RESEARCH AND  
22 DEVELOPMENT.—Of the funds made available by the De-  
23 partment of Energy for activities at government-owned,  
24 contractor-operator operated laboratories funded in this  
25 Act, the Secretary may authorize a specific amount, not

1 to exceed 8 percent of such funds, to be used by such lab-  
2 oratories for laboratory-directed research and develop-  
3 ment: *Provided*, That the Secretary may also authorize a  
4 specific amount not to exceed 3 percent of such funds,  
5 to be used by the plant manager of a covered nuclear  
6 weapons production plant or the manager of the Nevada  
7 Site office for plant or site-directed research and develop-  
8 ment funding.

9       SEC. 308. CONTRACTOR PENSION BENEFITS.—None  
10 of the funds made available in title III of this Act shall  
11 be used for implementation of the Department of Energy  
12 Order N 351.1 modifying contractor employee pension and  
13 medical benefits policy.

14       SEC. 309. INTERNATIONAL NUCLEAR FUEL BANK.—  
15 Of the funds made available in the first paragraph under  
16 the heading “Atomic Energy Defense Activities—Other  
17 Defense Activities” in chapter 2 of title I of division B  
18 of Public Law 105–277, \$100,000,000 shall be available  
19 until expended, subject to authorization, for the contribu-  
20 tion of the United States to create a low-enriched uranium  
21 stockpile for an International Nuclear Fuel Bank supply  
22 of nuclear fuel for peaceful means under the International  
23 Atomic Energy Agency.

## 1 TITLE IV—INDEPENDENT AGENCIES

## 2 APPALACHIAN REGIONAL COMMISSION

3 For expenses necessary to carry out the programs au-  
4 thorized by the Appalachian Regional Development Act of  
5 1965, notwithstanding section 14704 of title 40, United  
6 States Code, and, for necessary expenses for the Federal  
7 Co-Chairman and the alternate on the Appalachian Re-  
8 gional Commission, for payment of the Federal share of  
9 the administrative expenses of the Commission, including  
10 services as authorized by section 3109 of title 5, United  
11 States Code, and hire passenger motor vehicles,  
12 \$35,000,000, to remain available until expended.

## 13 DEFENSE NUCLEAR FACILITIES SAFETY BOARD

14 For necessary expenses of the Defense Nuclear Fa-  
15 cilities Safety Board in carrying out activities authorized  
16 by the Atomic Energy Act of 1954, \$22,499,000, to re-  
17 main available until expended.

## 18 DELTA REGIONAL AUTHORITY

19 For necessary expenses of the Delta Regional Author-  
20 ity and to carry out its activities, as authorized by the  
21 Delta Regional Authority Act of 2000, notwithstanding  
22 sections 382C(b)(2), 382F(d), and 382M(b) of said Act,  
23 \$6,000,000, to remain available until expended.

## 1 NUCLEAR REGULATORY COMMISSION

2 For necessary expenses of the Commission in car-  
3 rying out the purposes of the Energy Reorganization Act  
4 of 1974 and the Atomic Energy Act of 1954, including  
5 official representation expenses (not to exceed \$21,000),  
6 \$925,559,000, to remain available until expended: *Pro-*  
7 *vided*, That of the amount appropriated herein,  
8 \$37,250,000 shall be derived from the Nuclear Waste  
9 Fund: *Provided further*, That revenues from licensing fees,  
10 inspection services, and other services and collections esti-  
11 mated at \$757,720,000 in fiscal year 2008 shall be re-  
12 tained and used for necessary salaries and expenses in this  
13 account, notwithstanding 31 U.S.C. 3302, and shall re-  
14 main available until expended: *Provided further*, That the  
15 sum herein appropriated shall be reduced by the amount  
16 of revenues received during fiscal year 2008 so as to result  
17 in a final fiscal year 2008 appropriation estimated at not  
18 more than \$167,839,000.

## 19 OFFICE OF INSPECTOR GENERAL

20 For necessary expenses of the Office of Inspector  
21 General in carrying out the provisions of the Inspector  
22 General Act of 1978, \$8,144,000, to remain available until  
23 expended: *Provided*, That revenues from licensing fees, in-  
24 spection services, and other services and collections esti-  
25 mated at \$7,330,000 in fiscal year 2008 shall be retained  
26 and be available for necessary salaries and expenses in this

1 account, notwithstanding 31 U.S.C. 3302: *Provided fur-*  
2 *ther*, That the sum herein appropriated shall be reduced  
3 by the amount of revenues received during fiscal year  
4 2008 so as to result in a final fiscal year 2008 appropria-  
5 tion estimated at not more than \$814,000.

6           NUCLEAR WASTE TECHNICAL REVIEW BOARD

7           For necessary expenses of the Nuclear Waste Tech-  
8 nical Review Board, as authorized by Public Law 100-  
9 203, section 5051, \$3,621,000, to be derived from the Nu-  
10 clear Waste Fund, and to remain available until expended.

11       OFFICE OF THE FEDERAL COORDINATOR FOR ALASKA

12           NATURAL GAS TRANSPORTATION PROJECTS

13           For necessary expenses for the Office of the Federal  
14 Coordinator for Alaska Natural Gas Transportation  
15 Projects pursuant to the Alaska Natural Gas Pipeline Act  
16 of 2004, \$2,322,000.

17   TITLE V

18   GENERAL PROVISIONS

19           SEC. 501. None of the funds appropriated by this Act  
20 may be used in any way, directly or indirectly, to influence  
21 congressional action on any legislation or appropriation  
22 matters pending before Congress as described in 18  
23 U.S.C. 1913.

24           SEC. 502. 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 Act or any other appropriation Act.

4       SEC. 503. Of the amount made available for Energy  
5 Efficiency and Renewable Energy for the Department of  
6 Energy, \$213,000,000 shall be made available for hydro-  
7 gen technologies as authorized by section 974 of the En-  
8 ergy Policy Act of 2005 (42 U.S.C. 16314).

9       SEC. 504. None of the funds made available in this  
10 Act may be used to purchase light bulbs unless the light  
11 bulbs have the “ENERGY STAR” designation.

12       SEC. 505. None of the funds made available by this  
13 Act may be used to administer the “Yucca Mountain  
14 Youth Zone” website.

15       SEC. 506. None of the funds made available in this  
16 Act may be used to send or otherwise pay for the attend-  
17 ance of more than 50 employees from a Federal depart-  
18 ment or agency at any single conference occurring outside  
19 the United States.

20       SEC. 507. None of the funds made available in this  
21 Act may be used for the Green Maintenance Building in  
22 North Bergen, New Jersey.

1        This Act may be cited as the “Energy and Water De-  
2 velopment and Related Agencies Appropriations Act,  
3 2008”.

Passed the House of Representatives July 17, 2007.

Attest:

*Clerk.*

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

**H. R. 2641**

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**AN ACT**

Making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2008, and for other purposes.