

# Union Calendar No. 109

110TH CONGRESS  
1ST SESSION

# H. R. 2641

[Report No. 110-185]

Making appropriations for energy and water development 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. VISCLOSKY, 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 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,*  
3 That the following sums are appropriated, out of any  
4 money in the Treasury not otherwise appropriated, for en-  
5 ergy and water development and related agencies for the  
6 fiscal year ending September 30, 2008, and for other pur-  
7 poses, namely:

1 TITLE I—CORPS OF ENGINEERS—CIVIL  
2 DEPARTMENT OF THE ARMY  
3 CORPS OF ENGINEERS—CIVIL

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

10 INVESTIGATIONS  
11 (INCLUDING RESCISSION OF FUNDS)

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21 rescinded.

22 CONSTRUCTION  
23 (INCLUDING RESCISSIONS OF FUNDS)

24 For expenses necessary for the construction of river  
25 and harbor, flood and storm damage reduction, aquatic  
26 ecosystem restoration, and related projects authorized by

1 law, including a portion of the expenses for the modifica-  
2 tions authorized by section 104 of the Everglades National  
3 Park Protection and Expansion Act of 1989; for con-  
4 ducting detailed studies, and plans and specifications, of  
5 such projects authorized or made eligible for selection by  
6 law (but such detailed studies, and plans and specifica-  
7 tions, shall not constitute a Federal commitment to con-  
8 struction); \$2,008,874,000, to remain available until ex-  
9 pended, of which such sums as are necessary to cover one-  
10 half of the costs of construction, replacement, and expan-  
11 sion of inland waterways projects shall be derived from  
12 the Inland Waterways Trust Fund; and of which  
13 \$8,000,000 shall be exclusively for projects and activities  
14 authorized under section 107 of the River and Harbor Act  
15 of 1960; and of which \$45,000,000 shall be exclusively  
16 available for projects and activities authorized under sec-  
17 tion 205 of the Flood Control Act of 1948; and of which  
18 \$10,000,000 shall be exclusively for projects and activities  
19 authorized under section 14 of the Flood Control Act of  
20 1946; and of which \$25,000,000 shall be exclusively for  
21 projects and activities authorized under section 1135 of  
22 the Water Resources Development Act of 1986; and of  
23 which \$25,000,000 shall be exclusively for projects and ac-  
24 tivities authorized under section 206 of the Water Re-  
25 sources Development Act of 1996: *Provided*, That of the

1 funds provided under this heading the following amounts  
2 are rescinded: from Public Law 101–101, \$435,000; from  
3 Public Law 102–377, \$1,740,000; from Public Law 103–  
4 126, \$797,000; from Public Law 105–245, \$1,716,000.

5                   MISSISSIPPI RIVER AND TRIBUTARIES

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

14                   OPERATION AND MAINTENANCE

15           For expenses necessary for the operation, mainte-  
16 nance, and care of existing river and harbor, flood and  
17 storm damage reduction, aquatic ecosystem restoration,  
18 and related projects authorized by law, including the con-  
19 struction of facilities, projects, or features (including is-  
20 lands and wetlands) to use materials dredged during Fed-  
21 eral navigation maintenance activities; the mitigation of  
22 impacts on shorelines resulting from Federal navigation  
23 operation and maintenance activities; to address the ef-  
24 fects of civil works projects owned or operated by the  
25 Corps on federally listed species; to provide security for  
26 infrastructure operated by the Corps, or operated on its

1 behalf, including administrative buildings and facilities,  
2 and laboratories; to maintain harbor channels provided by  
3 a State, municipality, or other public agency that serve  
4 essential navigation needs of general commerce where au-  
5 thorized by law; and to conduct surveys and chart north-  
6 ern and northwestern lakes and connecting waters, clear  
7 channels, and remove obstructions to commercial naviga-  
8 tion, \$2,655,241,000, to remain available until expended,  
9 of which \$53,585,000 shall be for projects and activities  
10 in Region 1 New England; of which \$179,814,000 shall  
11 be for projects and activities in Region 2 Mid Atlantic;  
12 of which \$367,101,000 shall be for projects and activities  
13 in Region 3 South Atlantic Gulf; of which \$126,907,000  
14 shall be for projects and activities in Region 4 Great  
15 Lakes; of which \$342,354,000 shall be for projects and  
16 activities in Region 5 Ohio; of which \$25,721,000 shall  
17 be for projects and activities in Region 6 Tennessee; of  
18 which \$251,630,000 shall be for projects and activities in  
19 Region 7 Upper Mississippi; of which \$166,946,000 shall  
20 be for projects and activities in Region 8 Lower Mis-  
21 sissippi; of which \$3,159,000 shall be for projects and ac-  
22 tivities in Region 9 Souris-Red-Rainy; of which  
23 \$162,352,000 shall be for projects and activities in Region  
24 10 Missouri; of which \$213,500,000 shall be for projects  
25 and activities in Region 11 Arkansas-White-Red; of which

1 \$185,668,000 shall be for projects and activities in Region  
2 12 Texas-Gulf; of which \$30,812,000 shall be for projects  
3 and activities in Region 13 Rio Grande; of which \$57,000  
4 shall be for projects and activities in Region 14 Upper Col-  
5 orado; of which \$3,967,000 shall be for projects and ac-  
6 tivities in Region 15 Lower Colorado; of which \$819,000  
7 shall be for projects and activities in Region 16 Great  
8 Basin; of which \$286,031,000 shall be for projects and  
9 activities in Region 17 Pacific Northwest; of which  
10 \$125,998,000 shall be for projects and activities in Region  
11 18 California; of which \$26,811,000 shall be for projects  
12 and activities in Region 19 Alaska; of which \$872,000  
13 shall be for projects and activities in Region 20 Hawaii;  
14 of which such sums as are necessary to cover the Federal  
15 share of eligible operations and maintenance shall be de-  
16 rived from the Harbor Maintenance Trust Fund; of which  
17 such sums as become available in the special account for  
18 the Corps established by the Land and Water Conserva-  
19 tion Fund Act of 1965 (16 U.S.C. 4601–6a(i)), shall be  
20 used for resource protection, research, interpretation, and  
21 maintenance activities under this heading related to re-  
22 source protection in areas operated by the Corps at which  
23 outdoor recreation is available; and of which such sums  
24 as become available pursuant to section 217 of the Water  
25 Resources Development Act of 1996, shall be used to cover

1 the cost of operation and maintenance of the dredged ma-  
2 terial disposal facilities for which such fees have been col-  
3 lected.

4 REGULATORY PROGRAM

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

8 FORMERLY UTILIZED SITES REMEDIAL ACTION PROGRAM

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

13 FLOOD CONTROL AND COASTAL EMERGENCIES

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

19 EXPENSES

20 For expenses necessary for general administration  
21 and related functions of the civil works program in the  
22 headquarters of the Corps, the offices of the Division En-  
23 gineers, the Humphreys Engineer Center Support Activ-  
24 ity, the Institute for Water Resources, the Engineering  
25 Research and Development Center, and the Finance Cen-  
26 ter, \$171,000,000, to remain available until expended:

1 *Provided*, That no part of any other appropriation pro-  
2 vided in this title shall be available to fund the civil works  
3 activities of the Office of the Chief of Engineers or the  
4 civil works executive direction and management activities  
5 of the offices of the Division Engineers.

6 OFFICE OF ASSISTANT SECRETARY OF THE ARMY (CIVIL  
7 WORKS)

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

11 ADMINISTRATIVE PROVISION

12 Appropriations in this title shall be available for offi-  
13 cial reception and representation expenses (not to exceed  
14 \$5,000); and during the current fiscal year the Revolving  
15 Fund, Corps of Engineers, shall be available for purchase  
16 (not to exceed 100 for replacement only) and hire of pas-  
17 senger motor vehicles.

18 GENERAL PROVISIONS, CORPS OF ENGINEERS—CIVIL

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

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

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

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

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

7           (5) increases or reduces funds for any program,  
8           project, or activity by more than \$2,000,000 or 25  
9           percent, whichever is less;

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

22          SEC. 102. None of the funds made available in this  
23          title may be used to award any continuing contract or  
24          make modifications to any existing continuing contract  
25          that commits an amount for a project in excess of the

1 amounts appropriated for that project that remain unobli-  
2 gated, except that such amounts may include any funds  
3 that have been made available through reprogramming to  
4 that project pursuant to section 101 of this Act.

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

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

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

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

## 20       TITLE II—DEPARTMENT OF THE INTERIOR

### 21                               CENTRAL UTAH PROJECT

#### 22                               CENTRAL UTAH PROJECT COMPLETION ACCOUNT

23       For carrying out activities authorized by the Central  
24 Utah Project Completion Act (titles II through VI of Pub-  
25 lic Law 102-575), \$41,380,000, to remain available until

1 expended, of which \$976,000 shall be deposited into the  
2 Utah Reclamation Mitigation and Conservation Account  
3 for use by the Utah Reclamation Mitigation and Conserva-  
4 tion Commission.

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

#### 8 BUREAU OF RECLAMATION

9 The following appropriations shall be expended to  
10 execute authorized functions of the Bureau of Reclama-  
11 tion:

#### 12 WATER AND RELATED RESOURCES

#### 13 (INCLUDING TRANSFERS OF FUNDS)

14 For management, development, and restoration of  
15 water and related natural resources and for related activi-  
16 ties, including the operation, maintenance, and rehabilita-  
17 tion of reclamation and other facilities, participation in  
18 fulfilling related Federal responsibilities to Native Ameri-  
19 cans, and related grants to, and cooperative and other  
20 agreements with, State and local governments, federally  
21 recognized Indian tribes, and others, \$871,197,000, to re-  
22 main available until expended, of which \$57,615,000 shall  
23 be available for transfer to the Upper Colorado River  
24 Basin Fund and \$26,825,000 shall be available for trans-  
25 fer to the Lower Colorado River Basin Development Fund;  
26 of which such amounts as may be necessary may be ad-

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

20 CENTRAL VALLEY PROJECT RESTORATION FUND

21 For carrying out the programs, projects, plans, and  
22 habitat restoration, improvement, and acquisition provi-  
23 sions of the Central Valley Project Improvement Act (title  
24 XXXIV of Public Law 102-575), \$59,122,000, to be de-  
25 rived from such sums as may be collected in the Central  
26 Valley Project Restoration Fund pursuant to sections

1 3404(c)(3), 3405(f), and 3407(d) of the Central Valley  
2 Project Improvement Act (Public Law 102–575), to re-  
3 main available until expended: *Provided*, That the Bureau  
4 of Reclamation is directed to assess and collect the full  
5 amount of the additional mitigation and restoration pay-  
6 ments authorized by section 3407(d) of the Central Valley  
7 Project Improvement Act: *Provided further*, That none of  
8 the funds made available under this heading may be used  
9 for the acquisition or leasing of water for in-stream pur-  
10 poses if the water is already committed to in-stream pur-  
11 poses by a court adopted decree or order.

12 CALIFORNIA BAY-DELTA RESTORATION

13 (INCLUDING TRANSFER OF FUNDS)

14 For carrying out activities authorized by the Water  
15 Supply, Reliability, and Environmental Improvement Act  
16 (Public Law 108–361), consistent with plans to be ap-  
17 proved by the Secretary of the Interior, \$40,750,000, to  
18 remain available until expended, of which such amounts  
19 as may be necessary to carry out such activities may be  
20 transferred to appropriate accounts of other participating  
21 Federal agencies to carry out authorized purposes: *Pro-*  
22 *vided*, That funds appropriated herein may be used for  
23 the Federal share of the costs of CALFED Program man-  
24 agement: *Provided further*, That the use of any funds pro-  
25 vided to the California Bay-Delta Authority for program-  
26 wide management and oversight activities shall be subject

1 to the approval of the Secretary of the Interior: *Provided*  
2 *further*, That CALFED implementation shall be carried  
3 out in a balanced manner with clear performance meas-  
4 ures demonstrating concurrent progress in achieving the  
5 goals and objectives of the Program: *Provided further*,  
6 That \$5,000,000 shall be transferred to the Army Corps  
7 of Engineers to carry out further study and implementa-  
8 tion of projects that contribute to the stability of the levee  
9 projects authorized under section 103(f)(3) of the Water  
10 Supply, Reliability, Environmental Improvement Act  
11 (Public Law 108–361).

12 POLICY AND ADMINISTRATION

13 (INCLUDING TRANSFER OF FUNDS)

14 For necessary expenses of policy, administration, and  
15 related functions in the office of the Commissioner, the  
16 Denver office, and offices in the five regions of the Bureau  
17 of Reclamation, to remain available until expended,  
18 \$58,811,000, to be derived from the Reclamation Fund  
19 and be nonreimbursable as provided in 43 U.S.C. 377:  
20 *Provided*, That no part of any other appropriation in this  
21 Act shall be available for activities or functions budgeted  
22 as policy and administration expenses: *Provided further*,  
23 That, of the funds provided under this heading,  
24 \$10,000,000 shall be transferred to “Water and Related  
25 Resources” upon the expiration of the 60-day period fol-  
26 lowing the date of enactment of this Act if, during such

1 period, the Secretary of the Interior has not submitted to  
2 the Committees on Appropriations of the House of Rep-  
3 resentatives and the Senate the Bureau of Reclamation's  
4 five-year budget plan.

5 ADMINISTRATIVE PROVISIONS

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

9 GENERAL PROVISIONS, DEPARTMENT OF THE INTERIOR

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

19 (b) The costs of the Kesterson Reservoir Cleanup  
20 Program and the costs of the San Joaquin Valley Drain-  
21 age Program shall be classified by the Secretary of the  
22 Interior as reimbursable or nonreimbursable and collected  
23 until fully repaid pursuant to the "Cleanup Program-Al-  
24 ternative Repayment Plan" and the "SJVDP-Alternative  
25 Repayment Plan" described in the report entitled "Repay-  
26 ment Report, Kesterson Reservoir Cleanup Program and

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

8 TITLE III—DEPARTMENT OF ENERGY

9 ENERGY PROGRAMS

10 ENERGY EFFICIENCY AND RENEWABLE ENERGY

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 energy  
14 efficiency and renewable energy activities in carrying out  
15 the purposes of the Department of Energy Organization  
16 Act (42 U.S.C. 7101 et seq.), including the acquisition or  
17 condemnation of any real property or any facility or for  
18 plant or facility acquisition, construction, or expansion,  
19 \$1,873,844,000, to remain available until expended.

20 ELECTRICITY DELIVERY AND ENERGY RELIABILITY

21 For Department of Energy expenses including the  
22 purchase, construction, and acquisition of plant and cap-  
23 ital equipment, and other expenses necessary for elec-  
24 tricity delivery and energy reliability activities in carrying  
25 out the purposes of the Department of Energy Organiza-  
26 tion Act (42 U.S.C. 7101 et seq.), including the acquisi-

1 tion or condemnation of any real property or any facility  
2 or for plant or facility acquisition, construction, or expansion,  
3 \$134,161,000, to remain available until expended.

4 NUCLEAR ENERGY

5 For Department of Energy expenses including the  
6 purchase, construction, and acquisition of plant and capital  
7 equipment, and other expenses necessary for nuclear  
8 energy activities in carrying out the purposes of the Department  
9 of Energy Organization Act (42 U.S.C. 7101 et  
10 seq.), including the acquisition or condemnation of any  
11 real property or any facility or for plant or facility acquisition,  
12 construction, or expansion, and the purchase of not  
13 to exceed 20 passenger motor vehicles for replacement  
14 only, including one ambulance, \$759,227,000, to remain  
15 available until expended.

16 CLEAN COAL TECHNOLOGY

17 (INCLUDING RESCISSION OF FUNDS)

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

20 FOSSIL ENERGY RESEARCH AND DEVELOPMENT

21 (INCLUDING TRANSFER OF FUNDS)

22 For necessary expenses in carrying out fossil energy  
23 research and development activities, under the authority  
24 of the Department of Energy Organization Act (Public  
25 Law 95–91), including the acquisition of interest, including  
26 defeasible and equitable interests in any real property

1 or any facility or for plant or facility acquisition or expansion,  
2 sion, and for the hire of passenger motor vehicles, the hire,  
3 maintenance, and operation of aircraft, the purchase, repair,  
4 pair, and cleaning of uniforms, the reimbursement to the  
5 General Services Administration for security guard services,  
6 ices, and for conducting inquiries, technological investigations  
7 tions and research concerning the extraction, processing, use,  
8 use, and disposal of mineral substances without objectionable  
9 able social and environmental costs (30 U.S.C. 3, 1602, 1603),  
10 \$708,801,000 to remain available until expended of which  
11 \$166,000,000 shall be derived by transfer from “Clean Coal  
12 Technology”, and of which transferred amounts \$108,000,000  
13 is available to continue a multi-year project coordinated with  
14 the private sector for FutureGen, without regard to the terms  
15 and conditions applicable to clean coal technological projects,  
16 and of which the remaining \$58,000,000 is available for carbon  
17 sequestration research and development: *Provided further,*  
18 That no part of the sums herein made available shall be used  
19 for the field testing of nuclear explosives in the recovery of  
20 oil and gas: *Provided further,* That the Secretary of Energy  
21 is authorized to accept fees and contributions from public and  
22 private sources, to be deposited in a contributed funds account,  
23 and prosecute projects using such fees and contributions in  
24 cooperation with other Federal,

1 State, or private agencies or concerns: *Provided further*,  
2 That revenues and other moneys received by or for the  
3 account of the Department of Energy or otherwise gen-  
4 erated by sale of products in connection with projects of  
5 the Department appropriated under the Fossil Energy Re-  
6 search and Development account may be retained by the  
7 the Secretary of Energy, to be available until expended,  
8 and used only for plant construction, operation, costs, and  
9 payments to cost-sharing entities as provided in appro-  
10 priate cost-sharing contracts or agreements.

11           NAVAL PETROLEUM AND OIL SHALE RESERVES

12           For expenses necessary to carry out naval petroleum  
13 and oil shale reserve activities, including the hire of pas-  
14 senger motor vehicles, \$17,301,000, to remain available  
15 until expended: *Provided*, That, notwithstanding any other  
16 provision of law, unobligated funds remaining from prior  
17 years shall be available for all naval petroleum and oil  
18 shale reserve activities.

19           STRATEGIC PETROLEUM RESERVE

20           For necessary expenses for Strategic Petroleum Re-  
21 serve facility development and operations and program  
22 management activities pursuant to the Energy Policy and  
23 Conservation Act (42 U.S.C. 6201 et seq.), including the  
24 hire of passenger motor vehicles, the hire, maintenance,  
25 and operation of aircraft, the purchase, repair, and clean-  
26 ing of uniforms, the reimbursement to the General Serv-

1 ices Administration for security guard services,  
2 \$163,472,000, to remain available until expended.

3           NORTHEAST HOME HEATING OIL RESERVE

4           For necessary expenses for Northeast Home Heating  
5 Oil Reserve storage, operation, and management activities  
6 pursuant to the Energy Policy and Conservation Act,  
7 \$5,325,000, to remain available until expended.

8           ENERGY INFORMATION ADMINISTRATION

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

12           NON-DEFENSE ENVIRONMENTAL CLEANUP

13           For Department of Energy expenses, including the  
14 purchase, construction, and acquisition of plant and cap-  
15 ital equipment and other expenses necessary for non-de-  
16 fense environmental cleanup activities in carrying out the  
17 purposes of the Department of Energy Organization Act  
18 (42 U.S.C. 7101 et seq.), including the acquisition or con-  
19 demnation of any real property or any facility or for plant  
20 or facility acquisition, construction, or expansion, and the  
21 purchase of not to exceed three passenger motor vehicles  
22 for replacement only, \$286,041,000, to remain available  
23 until expended, of which \$250,937,000 is for non-defense  
24 environmental cleanup and \$35,104,000 is for non-defense  
25 legacy management.



1 sion, \$202,454,000, to remain available until expended,  
2 and to be derived from the Nuclear Waste Fund: *Provided*,  
3 That of the funds made available in this Act for Nuclear  
4 Waste Disposal, \$2,500,000 shall be provided to the State  
5 of Nevada solely for expenditures, other than salaries and  
6 expenses of State employees, to conduct scientific over-  
7 sight responsibilities and participate in licensing activities  
8 pursuant to the Act: *Provided further*, That notwith-  
9 standing the lack of a written agreement with the State  
10 of Nevada under section 117(c) of the Nuclear Waste Pol-  
11 icy Act of 1982, Public Law 97-425, as amended, not less  
12 than \$1,200,000 shall be provided to Nye County, Nevada,  
13 for on-site oversight activities under section 117(d) of that  
14 Act: *Provided further*, That \$4,000,000 shall be provided  
15 to affected units of local government, as defined in the  
16 Act, to conduct appropriate activities and participate in  
17 licensing activities: *Provided further*, That 7.5 percent of  
18 the funds provided shall be made available to affected  
19 units of local government in California with the balance  
20 made available to affected units of local government in Ne-  
21 vada for distribution as determined by the Nevada units  
22 of local government: *Provided further*, That notwith-  
23 standing the provisions of chapters 65 and 75 of title 31,  
24 United States Code, the Department of Energy shall have  
25 no monitoring, auditing or other oversight rights or re-

1 sponsibilities over amounts provided to affected units of  
2 local government under this heading: *Provided further,*  
3 That the funds for the State of Nevada shall be made  
4 available solely to the Nevada Division of Emergency Man-  
5 agement by direct payment and units of local government  
6 by direct payment: *Provided further,* That within 90 days  
7 of the completion of each Federal fiscal year, the Nevada  
8 Division of Emergency Management and the Governor of  
9 the State of Nevada shall provide certification to the De-  
10 partment of Energy that all funds expended from such  
11 payments have been expended for activities authorized by  
12 the Act and this Act: *Provided further,* That failure to pro-  
13 vide such certification shall cause such entity to be prohib-  
14 ited from any further funding provided for similar activi-  
15 ties: *Provided further,* That none of the funds herein ap-  
16 propriated may be: (1) used directly or indirectly to influ-  
17 ence legislative action, except for normal and recognized  
18 executive-legislative communications, on any matter pend-  
19 ing before Congress or a State legislature or for lobbying  
20 activity as provided in 18 U.S.C. 1913; (2) used for litiga-  
21 tion expenses; or (3) used to support multi-State efforts  
22 or other coalition building activities inconsistent with the  
23 restrictions contained in this Act: *Provided further,* That  
24 all proceeds and recoveries realized by the Secretary of  
25 Energy in carrying out activities authorized by the Act,

1 including but not limited to, any proceeds from the sale  
2 of assets, shall be available without further appropriation  
3 and shall remain available until expended: *Provided fur-*  
4 *ther*, That no funds provided in this Act may be used to  
5 pursue repayment or collection of funds provided in any  
6 fiscal year to affected units of local government for over-  
7 sight activities that had been previously approved by the  
8 Department of Energy, or to withhold payment of any  
9 such funds.

10 ENVIRONMENT, SAFETY AND HEALTH

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

14 TITLE 17 INNOVATIVE TECHNOLOGY LOAN GUARANTEE

15 LOAN PROGRAM

16 Subject to the Federal Credit Reform Act of 1990,  
17 as amended, during fiscal year 2008 commitments to  
18 guarantee loans under title XVII of the Energy Policy Act  
19 of 2005 shall not exceed a total principal amount, any part  
20 of which is to be guaranteed, of \$7,000,000,000: *Provided*,  
21 That of that amount, \$2,000,000,000 shall be available  
22 for carbon sequestration optimized coal power plants,  
23 \$4,000,000,000 shall be available for projects that pro-  
24 mote biofuels and clean transportation fuels, and  
25 \$1,000,000,000 shall be available for electric transmission  
26 facilities or renewable power generation systems: *Provided*

1 *further*, That pursuant to section 1702(b)(2) of the Act,  
2 no appropriations are available to pay the subsidy cost of  
3 such guarantees: *Provided further*, That the source of pay-  
4 ments received from borrowers for the subsidy cost shall  
5 not be a loan or other debt obligation that is made or  
6 guaranteed by the Federal Government.

7 DEPARTMENTAL ADMINISTRATION

8 (INCLUDING TRANSFER OF FUNDS)

9 For salaries and expenses of the Department of En-  
10 ergy necessary for departmental administration in car-  
11 rying out the purposes of the Department of Energy Orga-  
12 nization Act (42 U.S.C. 7101 et seq.), including the hire  
13 of passenger motor vehicles and official reception and rep-  
14 resentation expenses not to exceed \$5,000, \$304,782,000,  
15 to remain available until expended, of which \$2,390,000  
16 shall be available for necessary administrative expenses to  
17 carry out the loan guarantee program under title XVII  
18 of Public Law 109–58, plus such additional amounts as  
19 necessary to cover increases in the estimated amount of  
20 cost of work for others notwithstanding the provisions of  
21 the Anti-Deficiency Act (31 U.S.C. 1511 et seq.): *Pro-*  
22 *vided*, That such increases in cost of work are offset by  
23 revenue increases of the same or greater amount, to re-  
24 main available until expended: *Provided further*, That  
25 moneys received by the Department for miscellaneous rev-  
26 enues estimated to total \$161,818,000 in fiscal year 2008

1 may be retained and used for operating expenses within  
2 this account, and may remain available until expended, as  
3 authorized by section 201 of Public Law 95–238, notwith-  
4 standing the provisions of 31 U.S.C. 3302: *Provided fur-*  
5 *ther*, That fees collected pursuant to section 1702(h) of  
6 Public Law 109–58 shall be credited as offsetting collec-  
7 tions to this account: *Provided further*, That the sum here-  
8 in appropriated shall be reduced by the amount of mis-  
9 cellaneous revenues received during 2008, and any related  
10 appropriated receipt account balances remaining from  
11 prior years’ miscellaneous revenues, so as to result in a  
12 final fiscal year 2008 appropriation from the general fund  
13 estimated at not more than \$142,964,000.

14 OFFICE OF INSPECTOR GENERAL

15 For necessary expenses of the Office of Inspector  
16 General in carrying out the provisions of the Inspector  
17 General Act of 1978, \$47,732,000, to remain available  
18 until expended.

19 ATOMIC ENERGY DEFENSE ACTIVITIES

20 NATIONAL NUCLEAR SECURITY ADMINISTRATION

21 WEAPONS ACTIVITIES

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 weapons activities in carrying out  
26 the purposes of the Department of Energy Organization

1 Act (42 U.S.C. 7101 et seq.), including the acquisition or  
2 condemnation of any real property or any facility or for  
3 plant or facility acquisition, construction, or expansion,  
4 \$5,879,137,000 to remain available until expended.

5 DEFENSE NUCLEAR NONPROLIFERATION

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, defense nuclear nonproliferation  
10 activities, in carrying out the purposes of the Department  
11 of Energy Organization Act (42 U.S.C. 7101 et seq.), in-  
12 cluding the acquisition or condemnation of any real prop-  
13 erty or any facility or for plant or facility acquisition, con-  
14 struction, or expansion, \$1,683,646,000, to remain avail-  
15 able until expended.

16 NAVAL REACTORS

17 For Department of Energy expenses necessary for  
18 naval reactors activities to carry out the Department of  
19 Energy Organization Act (42 U.S.C. 7101 et seq.), includ-  
20 ing the acquisition (by purchase, condemnation, construc-  
21 tion, or otherwise) of real property, plant, and capital  
22 equipment, facilities, and facility expansion,  
23 \$808,219,000, to remain available until expended.

24 OFFICE OF THE ADMINISTRATOR

25 For necessary expenses of the Office of the Adminis-  
26 trator in the National Nuclear Security Administration,

1 including official reception and representation expenses  
2 not to exceed \$12,000, \$415,879,000, to remain available  
3 until expended.

4 DEFENSE ENVIRONMENTAL CLEANUP

5 (INCLUDING TRANSFER OF FUNDS)

6 For Department of Energy expenses, including the  
7 purchase, construction, and acquisition of plant and cap-  
8 ital equipment and other expenses necessary for atomic  
9 energy defense environmental cleanup activities in car-  
10 rying out the purposes of the Department of Energy Orga-  
11 nization Act (42 U.S.C. 7101 et seq.), including the acqui-  
12 sition or condemnation of any real property or any facility  
13 or for plant or facility acquisition, construction, or expan-  
14 sion, and the purchase of not to exceed three passenger  
15 motor vehicles for replacement only, \$5,766,561,000, to  
16 remain available until expended, of which \$463,000,000  
17 shall be transferred to the “Uranium Enrichment Decon-  
18 tamination and Decommissioning Fund”.

19 OTHER DEFENSE ACTIVITIES

20 (INCLUDING TRANSFER OF FUNDS)

21 For Department of Energy expenses, including the  
22 purchase, construction, and acquisition of plant and cap-  
23 ital equipment and other expenses, necessary for atomic  
24 energy defense, other defense activities, and classified ac-  
25 tivities, in carrying out the purposes of the Department  
26 of Energy Organization Act (42 U.S.C. 7101 et seq.), in-

1 cluding the acquisition or condemnation of any real prop-  
2 erty or any facility or for plant or facility acquisition, con-  
3 struction, or expansion, and the purchase of not to exceed  
4 twelve passenger motor vehicles for replacement only,  
5 \$604,313,000, to remain available until expended: *Pro-*  
6 *vided*, That of the funds provided under this heading in  
7 Public Law 109–103, \$4,900,000 are transferred to  
8 “Weapons Activities” for planning activities associated  
9 with special nuclear material consolidation.

10 DEFENSE NUCLEAR WASTE DISPOSAL

11 For nuclear waste disposal activities to carry out the  
12 purposes of Public Law 97–425, as amended, including  
13 the acquisition of real property or facility construction or  
14 expansion, \$292,046,000, to remain available until ex-  
15 pended.

16 POWER MARKETING ADMINISTRATIONS

17 BONNEVILLE POWER ADMINISTRATION FUND

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

23 OPERATION AND MAINTENANCE, SOUTHEASTERN POWER  
24 ADMINISTRATION

25 For necessary expenses of operation and maintenance  
26 of power transmission facilities and of electric power and

1 energy, including transmission wheeling and ancillary  
2 services pursuant to section 5 of the Flood Control Act  
3 of 1944 (16 U.S.C. 825s), as applied to the southeastern  
4 power area, \$6,463,000, to remain available until ex-  
5 pended: *Provided*, That notwithstanding 31 U.S.C. 3302,  
6 up to \$48,413,000 collected by the Southeastern Power  
7 Administration pursuant to the Flood Control Act of 1944  
8 to recover purchase power and wheeling expenses shall be  
9 credited to this account as offsetting collections, to remain  
10 available until expended for the sole purpose of making  
11 purchase power and wheeling expenditures.

12 OPERATION AND MAINTENANCE, SOUTHWESTERN POWER  
13 ADMINISTRATION

14 For necessary expenses of operation and maintenance  
15 of power transmission facilities and of marketing electric  
16 power and energy, for construction and acquisition of  
17 transmission lines, substations and appurtenant facilities,  
18 and for administrative expenses, including official recep-  
19 tion and representation expenses in an amount not to ex-  
20 ceed \$1,500 in carrying out section 5 of the Flood Control  
21 Act of 1944 (16 U.S.C. 825s), as applied to the south-  
22 western power area, \$30,442,000, to remain available  
23 until expended: *Provided*, That, notwithstanding 31  
24 U.S.C. 3302, up to \$35,000,000 collected by the South-  
25 western Power Administration pursuant to the Flood Con-  
26 trol Act to recover purchase power and wheeling expenses

1 shall be credited to this account as offsetting collections,  
2 to remain available until expended for the sole purpose  
3 of making purchase power and wheeling expenditures.

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

6 For carrying out the functions authorized by title III,  
7 section 302(a)(1)(E) of the Act of August 4, 1977 (42  
8 U.S.C. 7152), and other related activities including con-  
9 servation and renewable resources programs as author-  
10 ized, including the operation, maintenance, and purchase  
11 through transfer, exchange, or sale of one helicopter for  
12 replacement only, and official reception and representation  
13 expenses in an amount not to exceed \$1,500;  
14 \$201,030,000, to remain available until expended, of  
15 which \$191,094,000 shall be derived from the Department  
16 of the Interior Reclamation Fund: *Provided*, That of the  
17 amount herein appropriated, \$7,167,000 is for deposit  
18 into the Utah Reclamation Mitigation and Conservation  
19 Account pursuant to title IV of the Reclamation Projects  
20 Authorization and Adjustment Act of 1992: *Provided fur-*  
21 *ther*, That notwithstanding the provision of 31 U.S.C.  
22 3302, up to \$258,702,000 collected by the Western Area  
23 Power Administration pursuant to the Flood Control Act  
24 of 1944 and the Reclamation Project Act of 1939 to re-  
25 cover purchase power and wheeling expenses shall be cred-  
26 ited 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 FALCON AND AMISTAD OPERATING AND MAINTENANCE  
4 FUND

5 For operation, maintenance, and emergency costs for  
6 the hydroelectric facilities at the Falcon and Amistad  
7 Dams, \$2,500,000, to remain available until expended,  
8 and to be derived from the Falcon and Amistad Operating  
9 and Maintenance Fund of the Western Area Power Ad-  
10 ministration, as provided in section 423 of the Foreign  
11 Relations Authorization Act, Fiscal Years 1994 and 1995.

12 FEDERAL ENERGY REGULATORY COMMISSION  
13 SALARIES AND EXPENSES

14 For necessary expenses of the Federal Energy Regu-  
15 latory Commission to carry out the provisions of the De-  
16 partment of Energy Organization Act (42 U.S.C. 7101 et  
17 seq.), including services as authorized by 5 U.S.C. 3109,  
18 the hire of passenger motor vehicles, and official reception  
19 and representation expenses not to exceed \$3,000,  
20 \$255,425,000, to remain available until expended: *Pro-*  
21 *vided*, That notwithstanding any other provision of law,  
22 not to exceed \$255,425,000 of revenues from fees and an-  
23 nual charges, and other services and collections in fiscal  
24 year 2008 shall be retained and used for necessary ex-  
25 penses in this account, and shall remain available until  
26 expended: *Provided further*, That the sum herein appro-

1 priated from the general fund shall be reduced as revenues  
2 are received during fiscal year 2008 so as to result in a  
3 final fiscal year 2008 appropriation from the general fund  
4 estimated at not more than \$0.

5 GENERAL PROVISIONS—DEPARTMENT OF ENERGY

6 SEC. 301. CONTRACT COMPETITION.—(a) None of  
7 the funds in this or any other appropriations Act for fiscal  
8 year 2008 or any previous fiscal year may be used to make  
9 payments for a noncompetitive management and operating  
10 contract, or a contract for environmental remediation or  
11 waste management in excess of \$100,000,000 in annual  
12 funding at a current or former management and operating  
13 contract site or facility, or award a significant extension  
14 or expansion to an existing management and operating  
15 contract, or other contract covered by this section, unless  
16 such contract is awarded using competitive procedures or  
17 the Secretary of Energy grants, on a case-by-case basis,  
18 a waiver to allow for such a deviation. The Secretary may  
19 not delegate the authority to grant such a waiver.

20 (b) Within 30 days of formally notifying an incum-  
21 bent contractor that the Secretary intends to grant such  
22 a waiver, the Secretary shall submit to the Subcommittees  
23 on Energy and Water Development of the Committees on  
24 Appropriations of the House of Representatives and the  
25 Senate a report notifying the Subcommittees of the waiver

1 and setting forth, in specificity, the substantive reasons  
2 why the Secretary believes the requirement for competition  
3 should be waived for this particular award.

4       SEC. 302. UNFUNDED REQUESTS FOR PRO-  
5 POSALS.—None of the funds appropriated by this Act may  
6 be used to prepare or initiate requests for proposals for  
7 a program if the program has not been funded by Con-  
8 gress.

9       SEC. 303. UNEXPENDED BALANCES.—The unex-  
10 pended balances of prior appropriations provided for ac-  
11 tivities in this Act may be available to the same appropria-  
12 tion accounts for such activities established pursuant to  
13 this title. Available balances may be merged with funds  
14 in the applicable established accounts and thereafter may  
15 be accounted for as one fund for the same time period  
16 as originally enacted.

17       SEC. 304. BONNEVILLE POWER ADMINISTRATION  
18 SERVICE TERRITORY.—None of the funds in this or any  
19 other Act for the Administrator of the Bonneville Power  
20 Administration may be used to enter into any agreement  
21 to perform energy efficiency services outside the legally de-  
22 fined Bonneville service territory, with the exception of  
23 services provided internationally, including services pro-  
24 vided on a reimbursable basis, unless the Administrator

1 certifies in advance that such services are not available  
2 from private sector businesses.

3       SEC. 305. USER FACILITIES.—When the Department  
4 of Energy makes a user facility available to universities  
5 or other potential users, or seeks input from universities  
6 or other potential users regarding significant characteris-  
7 ties or equipment in a user facility or a proposed user fa-  
8 cility, the Department shall ensure broad public notice of  
9 such availability or such need for input to universities and  
10 other potential users. When the Department of Energy  
11 considers the participation of a university or other poten-  
12 tial user as a formal partner in the establishment or oper-  
13 ation of a user facility, the Department shall employ full  
14 and open competition in selecting such a partner. For pur-  
15 poses of this section, the term “user facility” includes, but  
16 is not limited to: (1) a user facility as described in section  
17 2203(a)(2) of the Energy Policy Act of 1992 (42 U.S.C.  
18 13503(a)(2)); (2) a National Nuclear Security Adminis-  
19 tration Defense Programs Technology Deployment Cen-  
20 ter/User Facility; and (3) any other Departmental facility  
21 designated by the Department as a user facility.

22       SEC. 306. INTELLIGENCE ACTIVITIES.—Funds ap-  
23 propriated by this or any other Act, or made available by  
24 the transfer of funds in this Act, for intelligence activities  
25 are deemed to be specifically authorized by the Congress

1 for purposes of section 504 of the National Security Act  
2 of 1947 (50 U.S.C. 414) during fiscal year 2008 until the  
3 enactment of the Intelligence Authorization Act for fiscal  
4 year 2008.

5       SEC. 307. LABORATORY DIRECTED RESEARCH AND  
6 DEVELOPMENT.—Of the funds made available by the De-  
7 partment of Energy for activities at government-owned,  
8 contractor-operator operated laboratories funded in this  
9 Act, the Secretary may authorize a specific amount, not  
10 to exceed 8 percent of such funds, to be used by such lab-  
11 oratories for laboratory-directed research and develop-  
12 ment: *Provided*, That the Secretary may also authorize a  
13 specific amount not to exceed 3 percent of such funds,  
14 to be used by the plant manager of a covered nuclear  
15 weapons production plant or the manager of the Nevada  
16 Site office for plant or site-directed research and develop-  
17 ment funding.

18       SEC. 308. CONTRACTOR PENSION BENEFITS.—None  
19 of the funds made available in title III of this Act shall  
20 be used for implementation of the Department of Energy  
21 Order N 351.1 modifying contractor employee pension and  
22 medical benefits policy.

23       SEC. 309. INTERNATIONAL NUCLEAR FUEL BANK.—  
24 Of the funds made available in the first paragraph under  
25 the heading “Atomic Energy Defense Activities—Other

1 Defense Activities” in chapter 2 of title I of division B  
2 of Public Law 105–277, \$100,000,000 shall be available  
3 until expended, subject to authorization, for the contribu-  
4 tion of the United States to create a low-enriched uranium  
5 stockpile for an International Nuclear Fuel Bank supply  
6 of nuclear fuel for peaceful means under the International  
7 Atomic Energy Agency.

#### 8 TITLE IV—INDEPENDENT AGENCIES

##### 9 APPALACHIAN REGIONAL COMMISSION

10 For expenses necessary to carry out the programs au-  
11 thorized by the Appalachian Regional Development Act of  
12 1965, notwithstanding section 14704 of title 40, United  
13 States Code, and, for necessary expenses for the Federal  
14 Co-Chairman and the alternate on the Appalachian Re-  
15 gional Commission, for payment of the Federal share of  
16 the administrative expenses of the Commission, including  
17 services as authorized by section 3109 of title 5, United  
18 States Code, and hire passenger motor vehicles,  
19 \$35,000,000, to remain available until expended.

##### 20 DEFENSE NUCLEAR FACILITIES SAFETY BOARD

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

## 1 DELTA REGIONAL AUTHORITY

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

## 7 DENALI COMMISSION

8 For expenses of the Denali Commission including the  
9 purchase, construction and acquisition of plant and capital  
10 equipment as necessary and other expenses, \$1,800,000,  
11 to remain available until expended, notwithstanding the  
12 limitations contained in section 306(g) of the Denali Com-  
13 mission Act of 1998.

## 14 NUCLEAR REGULATORY COMMISSION

15 For necessary expenses of the Commission in car-  
16 rying out the purposes of the Energy Reorganization Act  
17 of 1974 and the Atomic Energy Act of 1954, including  
18 official representation expenses (not to exceed \$21,000),  
19 \$925,559,000, to remain available until expended: *Pro-*  
20 *vided*, That of the amount appropriated herein,  
21 \$37,250,000 shall be derived from the Nuclear Waste  
22 Fund: *Provided further*, That revenues from licensing fees,  
23 inspection services, and other services and collections esti-  
24 mated at \$757,720,000 in fiscal year 2008 shall be re-  
25 tained and used for necessary salaries and expenses in this

1 account, notwithstanding 31 U.S.C. 3302, and shall re-  
2 main available until expended: *Provided further*, That the  
3 sum herein appropriated shall be reduced by the amount  
4 of revenues received during fiscal year 2008 so as to result  
5 in a final fiscal year 2008 appropriation estimated at not  
6 more than \$167,839,000.

7 OFFICE OF INSPECTOR GENERAL

8 For necessary expenses of the Office of Inspector  
9 General in carrying out the provisions of the Inspector  
10 General Act of 1978, \$8,144,000, to remain available until  
11 expended: *Provided*, That revenues from licensing fees, in-  
12 spection services, and other services and collections esti-  
13 mated at \$7,330,000 in fiscal year 2008 shall be retained  
14 and be available for necessary salaries and expenses in this  
15 account, notwithstanding 31 U.S.C. 3302: *Provided fur-*  
16 *ther*, That the sum herein appropriated shall be reduced  
17 by the amount of revenues received during fiscal year  
18 2008 so as to result in a final fiscal year 2008 appropria-  
19 tion estimated at not more than \$814,000.

20 NUCLEAR WASTE TECHNICAL REVIEW BOARD

21 For necessary expenses of the Nuclear Waste Tech-  
22 nical Review Board, as authorized by Public Law 100-  
23 203, section 5051, \$3,621,000, to be derived from the Nu-  
24 clear Waste Fund, and to remain available until expended.

1 OFFICE OF THE FEDERAL COORDINATOR FOR ALASKA  
2 NATURAL GAS TRANSPORTATION PROJECTS

3 For necessary expenses for the Office of the Federal  
4 Coordinator for Alaska Natural Gas Transportation  
5 Projects pursuant to the Alaska Natural Gas Pipeline Act  
6 of 2004, \$2,322,000.

7 TITLE V  
8 GENERAL PROVISIONS

9 SEC. 501. None of the funds appropriated by this Act  
10 may be used in any way, directly or indirectly, to influence  
11 congressional action on any legislation or appropriation  
12 matters pending before Congress as described in 18  
13 U.S.C. 1913.

14 SEC. 502. None of the funds made available in this  
15 Act may be transferred to any department, agency, or in-  
16 strumentality of the United States Government, except  
17 pursuant to a transfer made by, or transfer authority pro-  
18 vided in this Act or any other appropriation Act.

19 This Act may be cited as the “Energy and Water De-  
20 velopment and Related Agencies Appropriations Act,  
21 2008”.



Union Calendar No. 109

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

**H. R. 2641**

[Report No. 110-185]

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## **A BILL**

Making appropriations for energy and water development 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