

***In the Senate of the United States,***

*September 6, 2007.*

*Resolved*, That the bill from the House of Representatives (H.R. 2642) entitled “An Act making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2008, and for other purposes.”, do pass with the following

**AMENDMENT:**

Strike out all after the enacting clause and insert:

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

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*TITLE I*

*DEPARTMENT OF DEFENSE*

*MILITARY CONSTRUCTION, ARMY*

*For acquisition, construction, installation, and equipment of temporary or permanent public works, military installations, facilities, and real property for the Army as currently authorized by law, including personnel in the Army Corps of Engineers and other personal services necessary for the purposes of this appropriation, and for construction and operation of facilities in support of the functions of the Commander in Chief, \$3,928,149,000, to remain available until September 30, 2012: Provided, That of this amount, not to exceed \$317,149,000 shall be available for study, planning, design, architect and engineer services, and host nation support, as authorized by law, unless the Secretary of Defense determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.*

*MILITARY CONSTRUCTION, NAVY AND MARINE CORPS*

*For acquisition, construction, installation, and equipment of temporary or permanent public works, naval installations, facilities, and real property for the Navy and Marine Corps as currently authorized by law, including personnel in the Naval Facilities Engineering Command*

1 *and other personal services necessary for the purposes of this*  
2 *appropriation, \$2,168,315,000, to remain available until*  
3 *September 30, 2012: Provided, That of this amount, not to*  
4 *exceed \$115,258,000 shall be available for study, planning,*  
5 *design, and architect and engineer services, as authorized*  
6 *by law, unless the Secretary of Defense determines that ad-*  
7 *ditional obligations are necessary for such purposes and no-*  
8 *tifies the Committees on Appropriations of both Houses of*  
9 *Congress of the determination and the reasons therefor.*

10 *MILITARY CONSTRUCTION, AIR FORCE*

11 *For acquisition, construction, installation, and equip-*  
12 *ment of temporary or permanent public works, military in-*  
13 *stallations, facilities, and real property for the Air Force*  
14 *as currently authorized by law, \$1,048,518,000, to remain*  
15 *available until September 30, 2012: Provided, That of this*  
16 *amount, not to exceed \$64,958,000 shall be available for*  
17 *study, planning, design, and architect and engineer serv-*  
18 *ices, as authorized by law, unless the Secretary of Defense*  
19 *determines that additional obligations are necessary for*  
20 *such purposes and notifies the Committees on Appropria-*  
21 *tions of both Houses of Congress of the determination and*  
22 *the reasons therefor.*

1            *MILITARY CONSTRUCTION, DEFENSE-WIDE*2                            *(INCLUDING TRANSFER OF FUNDS)*

3            *For acquisition, construction, installation, and equip-*  
4 *ment of temporary or permanent public works, installa-*  
5 *tions, facilities, and real property for activities and agen-*  
6 *cies of the Department of Defense (other than the military*  
7 *departments), as currently authorized by law,*  
8 *\$1,758,755,000, to remain available until September 30,*  
9 *2012: Provided, That such amounts of this appropriation*  
10 *as may be determined by the Secretary of Defense may be*  
11 *transferred to such appropriations of the Department of De-*  
12 *fense available for military construction or family housing*  
13 *as the Secretary may designate, to be merged with and to*  
14 *be available for the same purposes, and for the same time*  
15 *period, as the appropriation or fund to which transferred:*  
16 *Provided further, That of the amount appropriated, not to*  
17 *exceed \$154,728,000 shall be available for study, planning,*  
18 *design, and architect and engineer services, as authorized*  
19 *by law, unless the Secretary of Defense determines that ad-*  
20 *ditional obligations are necessary for such purposes and no-*  
21 *tifies the Committees on Appropriations of both Houses of*  
22 *Congress of the determination and the reasons therefor.*

23            *MILITARY CONSTRUCTION, ARMY NATIONAL GUARD*

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

1 *ministration of the Army National Guard, and contribu-*  
2 *tions therefor, as authorized by chapter 1803 of title 10,*  
3 *United States Code, and Military Construction Authoriza-*  
4 *tion Acts, \$478,836,000, to remain available until Sep-*  
5 *tember 30, 2012.*

6 *MILITARY CONSTRUCTION, AIR NATIONAL GUARD*

7 *For construction, acquisition, expansion, rehabilita-*  
8 *tion, and conversion of facilities for the training and ad-*  
9 *ministration of the Air National Guard, and contributions*  
10 *therefor, as authorized by chapter 1803 of title 10, United*  
11 *States Code, and Military Construction Authorization Acts,*  
12 *\$228,995,000, to remain available until September 30,*  
13 *2012.*

14 *MILITARY CONSTRUCTION, ARMY RESERVE*

15 *For construction, acquisition, expansion, rehabilita-*  
16 *tion, and conversion of facilities for the training and ad-*  
17 *ministration of the Army Reserve as authorized by chapter*  
18 *1803 of title 10, United States Code, and Military Con-*  
19 *struction Authorization Acts, \$138,424,000, to remain*  
20 *available until September 30, 2012.*

21 *MILITARY CONSTRUCTION, NAVY RESERVE*

22 *For construction, acquisition, expansion, rehabilita-*  
23 *tion, and conversion of facilities for the training and ad-*  
24 *ministration of the reserve components of the Navy and Ma-*  
25 *rine Corps as authorized by chapter 1803 of title 10, United*

1 *States Code, and Military Construction Authorization Acts,*  
2 *\$59,150,000, to remain available until September 30, 2012.*

3 *MILITARY CONSTRUCTION, AIR FORCE RESERVE*

4 *(INCLUDING RESCISSION OF FUNDS)*

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

14 *NORTH ATLANTIC TREATY ORGANIZATION*

15 *SECURITY INVESTMENT PROGRAM*

16 *For the United States share of the cost of the North*  
17 *Atlantic Treaty Organization Security Investment Pro-*  
18 *gram for the acquisition and construction of military facili-*  
19 *ties and installations (including international military*  
20 *headquarters) and for related expenses for the collective de-*  
21 *fense of the North Atlantic Treaty Area as authorized by*  
22 *section 2806 of title 10, United States Code, and Military*  
23 *Construction Authorization Acts, \$201,400,000, to remain*  
24 *available until expended.*





1 *alternative means of acquiring and improving military*  
2 *family housing and supporting facilities.*

3 *CHEMICAL DEMILITARIZATION CONSTRUCTION, DEFENSE-*  
4 *WIDE*

5 *For expenses of construction, not otherwise provided*  
6 *for, necessary for the destruction of the United States stock-*  
7 *pile of lethal chemical agents and munitions in accordance*  
8 *with section 1412 of the Department of Defense Authoriza-*  
9 *tion Act, 1986 (50 U.S.C. 1521), and for the destruction*  
10 *of other chemical warfare materials that are not in the*  
11 *chemical weapon stockpile, as currently authorized by law,*  
12 *\$104,176,000, to remain available until September 30,*  
13 *2012, which shall be only for the Assembled Chemical Weap-*  
14 *ons Alternatives program.*

15 *DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT 1990*

16 *For deposit into the Department of Defense Base Clo-*  
17 *sure Account 1990, established by section 2906(a)(1) of the*  
18 *Defense Base Closure and Realignment Act of 1990 (10*  
19 *U.S.C. 2687 note), \$320,689,000, to remain available until*  
20 *expended.*

21 *DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT 2005*

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

1 *until expended: Provided, That funds made available under*  
2 *this heading for the construction of facilities are subject to*  
3 *the notification and reprogramming requirements applica-*  
4 *ble to military construction projects under section 2853 of*  
5 *title 10, United States Code, and section 0703 of the De-*  
6 *partment of Defense Financial Management Regulation of*  
7 *December 1996, including the requirement to obtain the ap-*  
8 *proval of the congressional defense committees prior to exe-*  
9 *cuting certain reprogramming actions.*

10 *ADMINISTRATIVE PROVISIONS*

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

17 *SEC. 102. Funds made available in this title for con-*  
18 *struction shall be available for hire of passenger motor vehi-*  
19 *cles.*

20 *SEC. 103. Funds made available in this title for con-*  
21 *struction may be used for advances to the Federal Highway*  
22 *Administration, Department of Transportation, for the con-*  
23 *struction of access roads as authorized by section 210 of*  
24 *title 23, United States Code, when projects authorized there-*

1 *in are certified as important to the national defense by the*  
2 *Secretary of Defense.*

3 *SEC. 104. None of the funds made available in this*  
4 *title may be used to begin construction of new bases in the*  
5 *United States for which specific appropriations have not*  
6 *been made.*

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

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

23 *SEC. 107. None of the funds made available in this*  
24 *title for minor construction may be used to transfer or relo-*  
25 *cate any activity from one base or installation to another,*

1 *without prior notification to the Committees on Appropria-*  
2 *tions of both Houses of Congress.*

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

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

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

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

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

15       *SEC. 113. The Secretary of Defense is to inform the*  
16 *appropriate committees of both Houses of Congress, includ-*  
17 *ing the Committees on Appropriations, of the plans and*  
18 *scope of any proposed military exercise involving United*  
19 *States personnel 30 days prior to its occurring, if amounts*  
20 *expended for construction, either temporary or permanent,*  
21 *are anticipated to exceed \$750,000.*

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

1 (INCLUDING TRANSFER OF FUNDS)

2 SEC. 115. Funds appropriated to the Department of  
3 Defense for construction in prior years shall be available  
4 for construction authorized for each such military depart-  
5 ment by the authorizations enacted into law during the cur-  
6 rent session of Congress.

7 SEC. 116. For military construction or family housing  
8 projects that are being completed with funds otherwise ex-  
9 pired or lapsed for obligation, expired or lapsed funds may  
10 be used to pay the cost of associated supervision, inspection,  
11 overhead, engineering and design on those projects and on  
12 subsequent claims, if any.

13 SEC. 117. Notwithstanding any other provision of law,  
14 any funds made available to a military department or de-  
15 fense agency for the construction of military projects may  
16 be obligated for a military construction project or contract,  
17 or for any portion of such a project or contract, at any  
18 time before the end of the fourth fiscal year after the fiscal  
19 year for which funds for such project were made available,  
20 if the funds obligated for such project: (1) are obligated from  
21 funds available for military construction projects; and (2)  
22 do not exceed the amount appropriated for such project,  
23 plus any amount by which the cost of such project is in-  
24 creased pursuant to law.

1        *SEC. 118. (a) The Secretary of Defense, in consultation*  
2 *with the Secretary of State, shall submit to the Committees*  
3 *on Appropriations of both Houses of Congress, by February*  
4 *15 of each year, an annual report on actions taken by the*  
5 *Department of Defense and the Department of State during*  
6 *the previous fiscal year to encourage host countries to as-*  
7 *sume a greater share of the common defense burden of such*  
8 *countries and the United States.*

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

11            *(1) attempts to secure cash and in-kind contribu-*  
12 *tions from host countries for military construction*  
13 *projects;*

14            *(2) attempts to achieve economic incentives of-*  
15 *fered by host countries to encourage private invest-*  
16 *ment for the benefit of the United States Armed*  
17 *Forces;*

18            *(3) attempts to recover funds due to be paid to*  
19 *the United States by host countries for assets deeded*  
20 *or otherwise imparted to host countries upon the ces-*  
21 *sation of United States operations at military instal-*  
22 *lations;*

23            *(4) the amount spent by host countries on de-*  
24 *fense, in dollars and in terms of the percent of gross*  
25 *domestic product (GDP) of the host country; and*

1           (5) *for host countries that are members of the*  
2           *North Atlantic Treaty Organization (NATO), the*  
3           *amount contributed to NATO by host countries, in*  
4           *dollars and in terms of the percent of the total NATO*  
5           *budget.*

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

9                                (INCLUDING TRANSFER OF FUNDS)

10          SEC. 119. *In addition to any other transfer authority*  
11          *available to the Department of Defense, proceeds deposited*  
12          *to the Department of Defense Base Closure Account estab-*  
13          *lished by section 207(a)(1) of the Defense Authorization*  
14          *Amendments and Base Closure and Realignment Act (10*  
15          *U.S.C. 2687 note) pursuant to section 207(a)(2)(C) of such*  
16          *Act, may be transferred to the account established by section*  
17          *2906(a)(1) of the Defense Base Closure and Realignment*  
18          *Act of 1990 (10 U.S.C. 2687 note), to be merged with, and*  
19          *to be available for the same purposes and the same time*  
20          *period as that account.*

21                                (INCLUDING TRANSFER OF FUNDS)

22          SEC. 120. *Subject to 30 days prior notification to the*  
23          *Committees on Appropriations of both Houses of Congress,*  
24          *such additional amounts as may be determined by the Sec-*  
25          *retary of Defense may be transferred to: (1) the Department*  
26          *of Defense Family Housing Improvement Fund from*

1 amounts appropriated for construction in “Family Hous-  
2 ing” accounts, to be merged with and to be available for  
3 the same purposes and for the same period of time as  
4 amounts appropriated directly to the Fund; or (2) the De-  
5 partment of Defense Military Unaccompanied Housing Im-  
6 provement Fund from amounts appropriated for construc-  
7 tion of military unaccompanied housing in “Military Con-  
8 struction” accounts, to be merged with and to be available  
9 for the same purposes and for the same period of time as  
10 amounts appropriated directly to the Fund: Provided, That  
11 appropriations made available to the Funds shall be avail-  
12 able to cover the costs, as defined in section 502(5) of the  
13 Congressional Budget Act of 1974, of direct loans or loan  
14 guarantees issued by the Department of Defense pursuant  
15 to the provisions of subchapter IV of chapter 169 of title  
16 10, United States Code, pertaining to alternative means of  
17 acquiring and improving military family housing, military  
18 unaccompanied housing, and supporting facilities.

19       SEC. 121. (a) Not later than 60 days before issuing  
20 any solicitation for a contract with the private sector for  
21 military family housing the Secretary of the military de-  
22 partment concerned shall submit to the Committees on Ap-  
23 propriations of both Houses of Congress the notice described  
24 in subsection (b).

1       **(b)(1)** *A notice referred to in subsection (a) is a notice*  
2 *of any guarantee (including the making of mortgage or*  
3 *rental payments) proposed to be made by the Secretary to*  
4 *the private party under the contract involved in the event*  
5 *of—*

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

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

10          **(C)** *the extended deployment overseas of units*  
11 *stationed at such installation.*

12       **(2)** *Each notice under this subsection shall specify the*  
13 *nature of the guarantee involved and assess the extent and*  
14 *likelihood, if any, of the liability of the Federal Government*  
15 *with respect to the guarantee.*

16                   **(INCLUDING TRANSFER OF FUNDS)**

17       **SEC. 122.** *In addition to any other transfer authority*  
18 *available to the Department of Defense, amounts may be*  
19 *transferred from the accounts established by sections*  
20 *2906(a)(1) and 2906A(a)(1) of the Defense Base Closure*  
21 *and Realignment Act of 1990 (10 U.S.C. 2687 note), to the*  
22 *fund established by section 1013(d) of the Demonstration*  
23 *Cities and Metropolitan Development Act of 1966 (42*  
24 *U.S.C. 3374) to pay for expenses associated with the Home-*  
25 *owners Assistance Program. Any amounts transferred shall*

1 *be merged with and be available for the same purposes and*  
2 *for the same time period as the fund to which transferred.*

3       *SEC. 123. Notwithstanding this or any other provision*  
4 *of law, funds made available in this title for operation and*  
5 *maintenance of family housing shall be the exclusive source*  
6 *of funds for repair and maintenance of all family housing*  
7 *units, including general or flag officer quarters: Provided,*  
8 *That not more than \$35,000 per unit may be spent annu-*  
9 *ally for the maintenance and repair of any general or flag*  
10 *officer quarters without 30 days prior notification to the*  
11 *Committees on Appropriations of both Houses of Congress,*  
12 *except that an after-the-fact notification shall be submitted*  
13 *if the limitation is exceeded solely due to costs associated*  
14 *with environmental remediation that could not be reason-*  
15 *ably anticipated at the time of the budget submission: Pro-*  
16 *vided further, That the Under Secretary of Defense (Comp-*  
17 *troller) is to report annually to the Committees on Appro-*  
18 *priations of both Houses of Congress all operation and*  
19 *maintenance expenditures for each individual general or*  
20 *flag officer quarters for the prior fiscal year: Provided fur-*  
21 *ther, That nothing in this section precludes the Secretary*  
22 *of a military department, after notifying the congressional*  
23 *defense committees and waiting 21 days, from using funds*  
24 *derived under section 2601, chapter 403, chapter 603, or*  
25 *chapter 903 of title 10, United States Code, for the mainte-*

1 nance or repair of general and flag officer quarters at the  
2 military service academy under the jurisdiction of that Sec-  
3 retary: Provided further, That each Secretary of a military  
4 department shall provide an annual report by February 15  
5 to the congressional defense committees on the amount of  
6 funds that were derived under section 2601, chapter 403,  
7 chapter 603, or chapter 903 of title 10, United States Code,  
8 in the previous year and were obligated for the construction,  
9 improvement, repair, or maintenance of any military facil-  
10 ity or infrastructure.

11       *SEC. 124. Amounts contained in the Ford Island Im-*  
12 *provement Account established by subsection (h) of section*  
13 *2814 of title 10, United States Code, are appropriated and*  
14 *shall be available until expended for the purposes specified*  
15 *in subsection (i)(1) of such section or until transferred pur-*  
16 *suant to subsection (i)(3) of such section.*

17                   *(INCLUDING TRANSFER OF FUNDS)*

18       *SEC. 125. None of the funds made available in this*  
19 *title, or in any Act making appropriations for military*  
20 *construction which remain available for obligation, may be*  
21 *obligated or expended to carry out a military construction,*  
22 *land acquisition, or family housing project at or for a mili-*  
23 *tary installation approved for closure, or at a military in-*  
24 *stallation for the purposes of supporting a function that has*  
25 *been approved for realignment to another installation, in*  
26 *2005 under the Defense Base Closure and Realignment Act*

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



1 *App. 540 et seq.) and for other benefits as authorized by*  
2 *law (38 U.S.C. 107, 1312, 1977, and 2106, chapters 23,*  
3 *51, 53, 55, and 61; 43 Stat. 122, 123; 45 Stat. 735; 76*  
4 *Stat. 1198), \$41,236,322,000, to remain available until ex-*  
5 *pended: Provided, That not to exceed \$28,583,000 of the*  
6 *amount appropriated under this heading shall be reim-*  
7 *bursed to “General operating expenses” and “Medical ad-*  
8 *ministration” for necessary expenses in implementing the*  
9 *provisions of chapters 51, 53, and 55 of title 38, United*  
10 *States Code, the funding source for which is specifically*  
11 *provided as the “Compensation and pensions” appropria-*  
12 *tion: Provided further, That such sums as may be earned*  
13 *on an actual qualifying patient basis, shall be reimbursed*  
14 *to “Medical care collections fund” to augment the funding*  
15 *of individual medical facilities for nursing home care pro-*  
16 *vided to pensioners as authorized.*

17 *READJUSTMENT BENEFITS*

18 *For the payment of readjustment and rehabilitation*  
19 *benefits to or on behalf of veterans as authorized by law*  
20 *(38 U.S.C. chapters 21, 30, 31, 34, 35, 36, 39, 51, 53, 55,*  
21 *and 61), \$3,300,289,000, to remain available until ex-*  
22 *pended: Provided, That expenses for rehabilitation program*  
23 *services and assistance which the Secretary is authorized*  
24 *to provide under section 3104(a) of title 38, United States*  
25 *Code, other than under subsection (a)(1), (2), (5), and (11)*  
26 *of that section, shall be charged to this account.*



1 *be as defined in section 502 of the Congressional Budget*  
2 *Act of 1974: Provided further, That funds made available*  
3 *under this heading are available to subsidize gross obliga-*  
4 *tions for the principal amount of direct loans not to exceed*  
5 *\$3,287,000.*

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

10 *NATIVE AMERICAN VETERAN HOUSING LOAN PROGRAM*

11 *ACCOUNT*

12 *(INCLUDING TRANSFER OF FUNDS)*

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

16 *GUARANTEED TRANSITIONAL HOUSING LOANS FOR*

17 *HOMELESS VETERANS PROGRAM ACCOUNT*

18 *For the administrative expenses to carry out the guar-*  
19 *anteed transitional housing loan program authorized by*  
20 *subchapter VI of chapter 37 of title 38, United States Code,*  
21 *not to exceed \$750,000 of the amounts appropriated by this*  
22 *Act for “General operating expenses” and “Medical serv-*  
23 *ices” may be expended.*

1 *VETERANS HEALTH ADMINISTRATION*2 *MEDICAL SERVICES*3 *(INCLUDING TRANSFER OF FUNDS)*

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

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

13 *MEDICAL ADMINISTRATION*

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

1 *MEDICAL FACILITIES*

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

21 *MEDICAL AND PROSTHETIC RESEARCH*

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

1            *NATIONAL CEMETERY ADMINISTRATION*

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

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

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

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

13 *OFFICE OF INSPECTOR GENERAL*

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

19 *CONSTRUCTION, MAJOR PROJECTS*

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

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

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

10 *CONSTRUCTION, MINOR PROJECTS*

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

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

9 *GRANTS FOR CONSTRUCTION OF STATE EXTENDED CARE*  
 10 *FACILITIES*

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

18 *GRANTS FOR CONSTRUCTION OF STATE VETERANS*  
 19 *CEMETERIES*

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

24 *INFORMATION TECHNOLOGY SYSTEMS*

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

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

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

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

*(INCLUDING TRANSFER OF FUNDS)*

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

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

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

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

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

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

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

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

5 *(INCLUDING TRANSFER OF FUNDS)*

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

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

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

8 *(INCLUDING TRANSFER OF FUNDS)*

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

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



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

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

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

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

13 *(INCLUDING TRANSFER OF FUNDS)*

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

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

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

9 (INCLUDING TRANSFER OF FUNDS)

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

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

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

1 (INCLUDING TRANSFER OF FUNDS)

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

11 (INCLUDING TRANSFER OF FUNDS)

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

23 (INCLUDING TRANSFER OF FUNDS)

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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*TITLE III*

*RELATED AGENCIES*

*AMERICAN BATTLE MONUMENTS COMMISSION*

*SALARIES AND EXPENSES*

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

*FOREIGN CURRENCY FLUCTUATIONS*

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

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

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

12                                *DEPARTMENT OF DEFENSE—CIVIL*  
13                                *CEMETERIAL EXPENSES, ARMY*  
14                                *SALARIES AND EXPENSES*

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

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

5               *ARMED FORCES RETIREMENT HOME*

6                       *TRUST FUND*

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

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

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

17               *ADMINISTRATIVE PROVISION*

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

## TITLE IV

## GENERAL PROVISIONS

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

24                     *and*

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Attest:

*Secretary.*

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

**H. R. 2642**

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**AMENDMENT**