

109TH CONGRESS
2D SESSION

H. R. 5385

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 14, 2006

Ordered to be printed with the amendment of the Senate

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

AN ACT

Making appropriations for the military quality of life functions of the Department of Defense, military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2007, 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 the
5 military quality of life functions of the Department of De-
6 fense, military construction, the Department of Veterans
7 Affairs, and related agencies for the fiscal year ending
8 September 30, 2007, and for other purposes, namely:

1 TITLE I
2 DEPARTMENT OF DEFENSE
3 MILITARY CONSTRUCTION, ARMY
4 (INCLUDING RESCISSION OF FUNDS)

5 For acquisition, construction, installation, and equip-
6 ment of temporary or permanent public works, military
7 installations, facilities, and real property for the Army as
8 currently authorized by law, including personnel in the
9 Army Corps of Engineers and other personal services nec-
10 essary for the purposes of this appropriation, and for con-
11 struction and operation of facilities in support of the func-
12 tions of the Commander in Chief, \$1,756,298,000, to re-
13 main available until September 30, 2011: *Provided*, That
14 of this amount, not to exceed \$220,830,000 shall be avail-
15 able for study, planning, design, architect and engineer
16 services, and host nation support, as authorized by law,
17 unless the Secretary of Defense determines that additional
18 obligations are necessary for such purposes and notifies
19 the Committees on Appropriations of both Houses of Con-
20 gress of the determination and the reasons therefor: *Pro-*
21 *vided further*, That of the funds appropriated for “Military
22 Construction, Army” under Public Law 109–114,
23 \$43,348,000 are hereby rescinded.

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1 MILITARY CONSTRUCTION, AIR FORCE

2 (INCLUDING RESCISSION OF FUNDS)

3 For acquisition, construction, installation, and equip-
4 ment of temporary or permanent public works, military
5 installations, facilities, and real property for the Air Force
6 as currently authorized by law, \$1,187,550,000, to remain
7 available until September 30, 2011: *Provided*, That of this
8 amount, not to exceed \$97,504,000 shall be available for
9 study, planning, design, and architect and engineer serv-
10 ices, as authorized by law, unless the Secretary of Defense
11 determines that additional obligations are necessary for
12 such purposes and notifies the Committees on Appropria-
13 tions of both Houses of Congress of the determination and
14 the reasons therefor: *Provided further*, That of the funds
15 appropriated for “Military Construction, Air Force” under
16 Public Law 108–324, \$2,694,000 are hereby rescinded.

17 MILITARY CONSTRUCTION, DEFENSE-WIDE

18 (INCLUDING TRANSFER AND RESCISSIONS OF FUNDS)

19 For acquisition, construction, installation, and equip-
20 ment of temporary or permanent public works, installa-
21 tions, facilities, and real property for activities and agen-
22 cies of the Department of Defense (other than the military
23 departments), as currently authorized by law,
24 \$1,107,606,000, to remain available until September 30,
25 2011: *Provided*, That such amounts of this appropriation

1 as may be determined by the Secretary of Defense may
 2 be transferred to such appropriations of the Department
 3 of Defense available for military construction or family
 4 housing as the Secretary may designate, to be merged with
 5 and to be available for the same purposes, and for the
 6 same time period, as the appropriation or fund to which
 7 transferred: *Provided further*, That of the amount appro-
 8 priated, not to exceed \$172,950,000 shall be available for
 9 study, planning, design, and architect and engineer serv-
 10 ices, as authorized by law, unless the Secretary of Defense
 11 determines that additional obligations are necessary for
 12 such purposes and notifies the Committees on Appropria-
 13 tions of both Houses of Congress of the determination and
 14 the reasons therefor: *Provided further*, That of the funds
 15 appropriated for “Military Construction, Defense-Wide”
 16 under Public Law 108-132, \$9,000,000 are hereby re-
 17 scinded: *Provided further*, That of the funds appropriated
 18 for “Military Construction, Defense-Wide” under Public
 19 Law 108-324, \$43,000,000 are hereby rescinded: *Pro-*
 20 *vided further*, That of the funds appropriated for “Military
 21 Construction, Defense-Wide” under Public Law 109-114,
 22 \$58,229,000 are hereby rescinded.

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, \$512,873,000, to remain available until Sep-
5 tember 30, 2011.

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
12 Acts, \$207,088,000, to remain available until September
13 30, 2011.

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, \$167,774,000, to remain
20 available until September 30, 2011.

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
25 Marine Corps as authorized by chapter 1803 of title 10,

1 United States Code, and Military Construction Authoriza-
2 tion Acts, \$55,158,000, to remain available until Sep-
3 tember 30, 2011.

4 ~~MILITARY CONSTRUCTION, AIR FORCE RESERVE~~

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, \$56,836,000, to remain~~
10 ~~available until September 30, 2011.~~

11 ~~NORTH ATLANTIC TREATY ORGANIZATION~~

12 ~~SECURITY INVESTMENT PROGRAM~~

13 ~~For the United States share of the cost of the North~~
14 ~~Atlantic Treaty Organization Security Investment Pro-~~
15 ~~gram for the acquisition and construction of military fa-~~
16 ~~cilities and installations (including international military~~
17 ~~headquarters) and for related expenses for the collective~~
18 ~~defense of the North Atlantic Treaty Area as authorized~~
19 ~~by section 2806 of title 10, United States Code, and Mili-~~
20 ~~tary Construction Authorization Acts, \$200,985,000, to~~
21 ~~remain available until expended.~~

22 ~~FAMILY HOUSING CONSTRUCTION, ARMY~~

23 ~~For expenses of family housing for the Army for con-~~
24 ~~struction, including acquisition, replacement, addition, ex-~~
25 ~~pansion, extension, and alteration, as authorized by law,~~

1 ~~\$578,791,000, to remain available until September 30,~~
2 ~~2011.~~

3 ~~FAMILY HOUSING OPERATION AND MAINTENANCE,~~

4 ~~ARMY~~

5 ~~For expenses of family housing for the Army for op-~~
6 ~~eration and maintenance, including debt payment, leasing,~~
7 ~~minor construction, principal and interest charges, and in-~~
8 ~~surance premiums, as authorized by law, \$674,657,000.~~

9 ~~FAMILY HOUSING CONSTRUCTION, NAVY AND MARINE~~

10 ~~CORPS~~

11 ~~For expenses of family housing for the Navy and Ma-~~
12 ~~rine Corps for construction, including acquisition, replace-~~
13 ~~ment, addition, expansion, extension, and alteration, as~~
14 ~~authorized by law, \$308,956,000, to remain available until~~
15 ~~September 30, 2011.~~

16 ~~FAMILY HOUSING OPERATION AND MAINTENANCE,~~

17 ~~NAVY AND MARINE CORPS~~

18 ~~For expenses of family housing for the Navy and Ma-~~
19 ~~rine Corps for operation and maintenance, including debt~~
20 ~~payment, leasing, minor construction, principal and inter-~~
21 ~~est charges, and insurance premiums, as authorized by~~
22 ~~law, \$509,126,000.~~

3 For expenses of family housing for the Air Force for
4 construction, including acquisition, replacement, addition,
5 expansion, extension, and alteration, as authorized by law,
6 \$1,169,138,000, to remain available until September 30,
7 2011: *Provided*, That of the funds appropriated for “Fam-
8 ily Housing Construction, Air Force” under Public Law
9 108–324, \$23,400,000 are hereby rescinded: *Provided fur-*
10 *ther*, That of the funds appropriated for “Family Housing
11 Construction, Air Force” under Public Law 109–114,
12 \$42,800,000 are hereby rescinded.

15 For expenses of family housing for the Air Force for
16 operation and maintenance, including debt payment, leas-
17 ing, minor construction, principal and interest charges,
18 and insurance premiums, as authorized by law,
19 ~~\$755,071,000.~~

For expenses of family housing for the activities and agencies of the Department of Defense (other than the military departments) for construction, including acquisition, replacement, addition, expansion, extension, and al-

1 teration, as authorized by law, \$8,808,000, to remain
 2 available until September 30, 2011.

3 ~~FAMILY HOUSING OPERATION AND MAINTENANCE,~~
 4 ~~DEFENSE-WIDE~~

5 For expenses of family housing for the activities and
 6 agencies of the Department of Defense (other than the
 7 military departments) for operation and maintenance,
 8 leasing, and minor construction, as authorized by law,
 9 \$48,506,000.

10 ~~DEPARTMENT OF DEFENSE FAMILY HOUSING~~
 11 ~~IMPROVEMENT FUND~~

12 For the Department of Defense Family Housing Im-
 13 provement Fund, \$2,500,000, to remain available until ex-
 14 pended, for family housing initiatives undertaken pursu-
 15 ant to section 2883 of title 10, United States Code, pro-
 16 viding alternative means of acquiring and improving mili-
 17 tary family housing and supporting facilities.

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

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

1 1521), and for the destruction of other chemical warfare
 2 materials that are not in the chemical weapon stockpile,
 3 as currently authorized by law, ~~\$90,993,000~~, to remain
 4 available until September 30, 2011: *Provided*, That such
 5 amounts of this appropriation as may be determined by
 6 the Secretary of Defense may be transferred to such ap-
 7 propriations of the Department of Defense available for
 8 military construction as the Secretary may designate, to
 9 be merged with and to be available for the same purposes,
 10 and for the same time period, as the appropriation to
 11 which transferred.

12 DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT

13 1990

14 For deposit into the Department of Defense Base
 15 Closure Account 1990, established by section 2906(a)(1)
 16 of the Defense Base Closure and Realignment Act of 1990
 17 (10 U.S.C. 2687 note), ~~\$216,220,000~~, to remain available
 18 until expended.

19 DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT

20 2005

21 For deposit into the Department of Defense Base
 22 Closure Account 2005, established by section 2906A(a)(1)
 23 of the Defense Base Closure and Realignment Act of 1990
 24 (10 U.S.C. 2687 note), ~~\$5,309,876,000~~, to remain avail-
 25 able until expended.

1 BASIC ALLOWANCE FOR HOUSING, ARMY

2 For basic allowance for housing, for members of the
3 Army on active duty, \$3,687,905,000.

4 BASIC ALLOWANCE FOR HOUSING, NAVY

5 For basic allowance for housing, for members of the
6 Navy on active duty, \$4,135,061,000.

7 BASIC ALLOWANCE FOR HOUSING, MARINE CORPS

8 For basic allowance for housing, for members of the
9 Marine Corps on active duty, \$1,350,921,000.

10 ~~BASIC ALLOWANCE FOR HOUSING, AIR FORCE~~

11 For basic allowance for housing, for members of the
12 Air Force on active duty, \$2,934,327,000.

13 ~~BASIC ALLOWANCE FOR HOUSING, ARMY NATIONAL~~

14 GUARD

15 For basic allowance for housing, for members of the
16 Army National Guard on active duty, \$469,109,000.

17 ~~BASIC ALLOWANCE FOR HOUSING, AIR NATIONAL~~

18 ~~GUARD~~

19 For basic allowance for housing, for members of the
20 Air National Guard on active duty, \$277,533,000.

21 ~~BASIC ALLOWANCE FOR HOUSING, ARMY RESERVE~~

22 For basic allowance for housing, for members of the
23 Army Reserve on active duty, \$347,607,000.

1 ~~BASIC ALLOWANCE FOR HOUSING, NAVY RESERVE~~

2 ~~For basic allowance for housing, for members of the~~

3 ~~Naval Reserve on active duty, \$208,838,000.~~

4 ~~BASIC ALLOWANCE FOR HOUSING, MARINE CORPS~~

5 ~~RESERVE~~

6 ~~For basic allowance for housing, for members of the~~

7 ~~Marine Corps Reserve on active duty, \$43,082,000.~~

8 ~~BASIC ALLOWANCE FOR HOUSING, AIR FORCE RESERVE~~

9 ~~For basic allowance for housing, for members of the~~

10 ~~Air Force Reserve on active duty, \$76,218,000.~~

11 ~~FACILITIES SUSTAINMENT, RESTORATION AND~~

12 ~~MODERNIZATION, ARMY~~

13 ~~For expenses for facilities sustainment, restoration~~

14 ~~and modernization of the Army, \$1,810,774,000.~~

15 ~~FACILITIES SUSTAINMENT, RESTORATION AND~~

16 ~~MODERNIZATION, NAVY~~

17 ~~For expenses for facilities sustainment, restoration~~

18 ~~and modernization of the Navy, \$1,201,313,000.~~

19 ~~FACILITIES SUSTAINMENT, RESTORATION AND~~

20 ~~MODERNIZATION, MARINE CORPS~~

21 ~~For expenses for facilities sustainment, restoration~~

22 ~~and modernization of the Marine Corps, \$473,141,000.~~

1 FACILITIES SUSTAINMENT, RESTORATION AND
2 MODERNIZATION, AIR FORCE

3 For expenses for facilities sustainment, restoration
4 and modernization of the Air Force, \$1,684,019,000.

5 FACILITIES SUSTAINMENT, RESTORATION AND
6 MODERNIZATION, DEFENSE-WIDE

7 For expenses for facilities sustainment, restoration
8 and modernization of the Department of Defense,
9 \$86,386,000.

10 FACILITIES SUSTAINMENT, RESTORATION AND
11 MODERNIZATION, ARMY NATIONAL GUARD

12 For expenses for facilities sustainment, restoration
13 and modernization of the Army National Guard,
14 \$387,882,000.

15 FACILITIES SUSTAINMENT, RESTORATION AND
16 MODERNIZATION, AIR NATIONAL GUARD

17 For expenses for facilities sustainment, restoration
18 and modernization of the Air National Guard,
19 \$255,322,000.

20 FACILITIES SUSTAINMENT, RESTORATION AND
21 MODERNIZATION, ARMY RESERVE

22 For expenses for facilities sustainment, restoration
23 and modernization of the Army Reserve, \$215,890,000.

1 FACILITIES SUSTAINMENT, RESTORATION AND
2 MODERNIZATION, NAVY RESERVE

3 For expenses for facilities sustainment, restoration
4 and modernization of the Navy Reserve, \$52,136,000.

5 FACILITIES SUSTAINMENT, RESTORATION AND
6 MODERNIZATION, MARINE CORPS RESERVE

7 For expenses for facilities sustainment, restoration
8 and modernization of the Marine Corps Reserve,
9 \$9,579,000.

10 FACILITIES SUSTAINMENT, RESTORATION AND
11 MODERNIZATION, AIR FORCE RESERVE

12 For expenses for facilities sustainment, restoration
13 and modernization of the Air Force Reserve, \$59,849,000.

14 THE DEPARTMENT OF DEFENSE ENVIRONMENTAL
15 RESTORATION ACCOUNTS

16 ENVIRONMENTAL RESTORATION, ARMY
17 (INCLUDING TRANSFER OF FUNDS)

18 For the Department of the Army, \$413,794,000, to
19 remain available until transferred: *Provided*, That the Sec-
20 retary of the Army shall, upon determining that such
21 funds are required for environmental restoration, reduc-
22 tion and recycling of hazardous waste, removal of unsafe
23 buildings and debris of the Department of the Army, or
24 for similar purposes, transfer the funds made available by
25 this appropriation to other appropriations made available

1 to the Department of the Army, to be merged with and
2 to be available for the same purposes and for the same
3 time period as the appropriations to which transferred:
4 *Provided further*, That upon a determination that all or
5 part of the funds transferred from this appropriation are
6 not necessary for the purposes provided herein, such
7 amounts may be transferred back to this appropriation.

8 ENVIRONMENTAL RESTORATION, NAVY

9 (INCLUDING TRANSFER OF FUNDS)

10 For the Department of the Navy, \$304,409,000, to
11 remain available until transferred: *Provided*, That the Sec-
12 retary of the Navy shall, upon determining that such
13 funds are required for environmental restoration, reduc-
14 tion and recycling of hazardous waste, removal of unsafe
15 buildings and debris of the Department of the Navy, or
16 for similar purposes, transfer the funds made available by
17 this appropriation to other appropriations made available
18 to the Department of the Navy, to be merged with and
19 to be available for the same purposes and for the same
20 time period as the appropriations to which transferred:
21 *Provided further*, That upon a determination that all or
22 part of the funds transferred from this appropriation are
23 not necessary for the purposes provided herein, such
24 amounts may be transferred back to this appropriation.

1 ENVIRONMENTAL RESTORATION, AIR FORCE

2 (INCLUDING TRANSFER OF FUNDS)

3 For the Department of the Air Force, \$423,871,000,
4 to remain available until transferred: *Provided*, That the
5 Secretary of the Air Force shall, upon determining that
6 such funds are required for environmental restoration, re-
7 duction and recycling of hazardous waste, removal of un-
8 safe buildings and debris of the Department of the Air
9 Force, or for similar purposes, transfer the funds made
10 available by this appropriation to other appropriations
11 made available to the Department of the Air Force, to be
12 merged with and to be available for the same purposes
13 and for the same time period as the appropriations to
14 which transferred: *Provided further*, That upon a deter-
15 mination that all or part of the funds transferred from
16 this appropriation are not necessary for the purposes pro-
17 vided herein, such amounts may be transferred back to
18 this appropriation.

19 ENVIRONMENTAL RESTORATION, DEFENSE-WIDE

20 (INCLUDING TRANSFER OF FUNDS)

21 For the Department of Defense, \$18,431,000, to re-
22 main available until transferred: *Provided*, That the Sec-
23 retary of Defense shall, upon determining that such funds
24 are required for environmental restoration, reduction and
25 recycling of hazardous waste, removal of unsafe buildings

1 and debris of the Department of Defense, or for similar
 2 purposes, transfer the funds made available by this appro-
 3 priation to other appropriations made available to the De-
 4 partment of Defense, to be merged with and to be avail-
 5 able for the same purposes and for the same time period
 6 as the appropriations to which transferred: *Provided fur-*
 7 *ther*, That upon a determination that all or part of the
 8 funds transferred from this appropriation are not nec-
 9 essary for the purposes provided herein, such amounts
 10 may be transferred back to this appropriation.

11 ENVIRONMENTAL RESTORATION, FORMERLY USED

12 DEFENSE SITES

13 (INCLUDING TRANSFER OF FUNDS)

14 For the Department of the Army, \$257,790,000, to
 15 remain available until transferred: *Provided*, That the Sec-
 16 retary of the Army shall, upon determining that such
 17 funds are required for environmental restoration, reduc-
 18 tion and recycling of hazardous waste, removal of unsafe
 19 buildings and debris at sites formerly used by the Depart-
 20 ment of Defense, transfer the funds made available by this
 21 appropriation to other appropriations made available to
 22 the Department of the Army, to be merged with and to
 23 be available for the same purposes and for the same time
 24 period as the appropriations to which transferred: *Pro-*
 25 *vided further*, That upon a determination that all or part

1 of the funds transferred from this appropriation are not
2 necessary for the purposes provided herein, such amounts
3 may be transferred back to this appropriation.

4 DEFENSE HEALTH PROGRAM

5 (INCLUDING RESCISSION OF FUNDS)

6 For expenses, not otherwise provided for, for medical
7 and health care programs of the Department of Defense,
8 as authorized by law, \$21,065,163,000, of which
9 \$20,218,205,000 shall be for operation and maintenance,
10 of which not to exceed one percent shall remain available
11 until September 30, 2008, and of which up to
12 \$10,638,784,000 may be available for contracts entered
13 into under the TRICARE program, of which
14 \$402,855,000, to remain available for obligation until Sep-
15 tember 30, 2009, shall be for procurement; and of which
16 \$444,103,000, to remain available for obligation until Sep-
17 tember 30, 2008, shall be for research, development, test
18 and evaluation: *Provided*, That notwithstanding any other
19 provision of law, of the amount made available under this
20 heading for research, development, test and evaluation,
21 not less than \$7,000,000 shall be available for HIV pre-
22 vention educational activities undertaken in connection
23 with U.S. military training, exercises, and humanitarian
24 assistance activities conducted primarily in African na-
25 tions: *Provided further*, That of the funds provided for

1 “Defense Health Program”, operations and maintenance
2 under title VI of Public Law 109–148, \$40,042,000 are
3 hereby rescinded.

4 ADMINISTRATIVE PROVISIONS

5 (INCLUDING TRANSFER OF FUNDS)

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

13 SEC. 102. Funds made available in this title for con-
14 struction shall be available for hire of passenger motor ve-
15 hicles.

16 SEC. 103. Funds made available in this title for con-
17 struction may be used for advances to the Federal High-
18 way Administration, Department of Transportation, for
19 the construction of access roads as authorized by section
20 210 of title 23, United States Code, when projects author-
21 ized therein are certified as important to the national de-
22 fense by the Secretary of Defense.

23 SEC. 104. None of the funds made available in this
24 title may be used to begin construction of new bases in

1 the United States for which specific appropriations have
2 not been made.

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

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

19 ~~SEC. 107.~~ None of the funds made available in this
20 title for minor construction may be used to transfer or
21 relocate any activity from one base or installation to an-
22 other, without prior notification to the Committees on Ap-
23 propriations of both Houses of Congress.

24 ~~SEC. 108.~~ None of the funds made available in this
25 title may be used for the procurement of steel for any con-

1 struction project or activity for which American steel pro-
2 ducers, fabricators, and manufacturers have been denied
3 the opportunity to compete for such steel procurement.

4 ~~SEC. 109.~~ None of the funds available to the Depart-
5 ment of Defense for military construction or family hous-
6 ing during the current fiscal year may be used to pay real
7 property taxes in any foreign nation.

8 ~~SEC. 110.~~ None of the funds made available in this
9 title may be used to initiate a new installation overseas
10 without prior notification to the Committees on Appro-
11 priations of both Houses of Congress.

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

20 ~~SEC. 112.~~ None of the funds made available in this
21 title for military construction in the United States terri-
22 tories and possessions in the Pacific and on Kwajalein
23 Atoll, or in countries bordering the Arabian Sea, may be
24 used to award any contract estimated by the Government
25 to exceed \$1,000,000 to a foreign contractor. *Provided,*

1 That this section shall not be applicable to contract
2 awards for which the lowest responsive and responsible bid
3 of a United States contractor exceeds the lowest respon-
4 sive and responsible bid of a foreign contractor by greater
5 than 20 percent: *Provided further*, That this section shall
6 not apply to contract awards for military construction on
7 Kwajalein Atoll for which the lowest responsive and re-
8 sponsible bid is submitted by a Marshallese contractor.

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

16 SEC. 114. Not more than 20 percent of the funds
17 made available in this title which are limited for obligation
18 during the current fiscal year shall be obligated during
19 the last two months of the fiscal year.

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

1 SEC. 116. For military construction or family housing
2 projects that are being completed with funds otherwise ex-
3 pired or lapsed for obligation, expired or lapsed funds may
4 be used to pay the cost of associated supervision, inspec-
5 tion, overhead, engineering and design on those projects
6 and on subsequent claims, if any.

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

19 SEC. 118. The Secretary of Defense is to provide the
20 Committees on Appropriations of both Houses of Congress
21 with an annual report by February 15, containing details
22 of the specific actions proposed to be taken by the Depart-
23 ment of Defense during the current fiscal year to encour-
24 age other member nations of the North Atlantic Treaty
25 Organization, Japan, Korea, and United States allies bor-

1 dering the Arabian Sea to assume a greater share of the
2 common defense burden of such nations and the United
3 States.

4 ~~SEC. 119.~~ In addition to any other transfer authority
5 available to the Department of Defense, proceeds depos-
6 ited to the Department of Defense Base Closure Account
7 established by section 207(a)(1) of the Defense Authoriza-
8 tion Amendments and Base Closure and Realignment Act
9 ~~(10 U.S.C. 2687 note)~~ pursuant to section 207(a)(2)(C)
10 of such Act, may be transferred to the account established
11 by section 2906(a)(1) of the Defense Base Closure and
12 Realignment Act of 1990 ~~(10 U.S.C. 2687 note)~~, to be
13 merged with, and to be available for the same purposes
14 and the same time period as that account.

15 ~~SEC. 120.~~ Subject to 30 days prior notification to the
16 Committees on Appropriations of both Houses of Con-
17 gress, such additional amounts as may be determined by
18 the Secretary of Defense may be transferred to: (1) the
19 Department of Defense Family Housing Improvement
20 Fund from amounts appropriated for construction in
21 “Family Housing” accounts, to be merged with and to be
22 available for the same purposes and for the same period
23 of time as amounts appropriated directly to the Fund; or
24 (2) the Department of Defense Military Unaccompanied
25 Housing Improvement Fund from amounts appropriated

1 for construction of military unaccompanied housing in
2 “Military Construction” accounts, to be merged with and
3 to be available for the same purposes and for the same
4 period of time as amounts appropriated directly to the
5 Fund: *Provided*, That appropriations made available to
6 the Funds shall be available to cover the costs, as defined
7 in section 502(5) of the Congressional Budget Act of
8 1974, of direct loans or loan guarantees issued by the De-
9 partment of Defense pursuant to the provisions of sub-
10 chapter IV of chapter 169 of title 10, United States Code,
11 pertaining to alternative means of acquiring and improv-
12 ing military family housing, military unaccompanied hous-
13 ing, and supporting facilities.

14 SEC. 121. None of the funds made available in this
15 title may be obligated for Partnership for Peace Programs
16 in the New Independent States of the former Soviet
17 Union.

18 SEC. 122. (a) Not later than 60 days before issuing
19 any solicitation for a contract with the private sector for
20 military family housing the Secretary of the military de-
21 partment concerned shall submit to the Committees on
22 Appropriations of both Houses of Congress the notice de-
23 scribed in subsection (b).

24 (b)(1) A notice referred to in subsection (a) is a no-
25 tice of any guarantee (including the making of mortgage

1 or rental payments) proposed to be made by the Secretary
2 to the private party under the contract involved in the
3 event of—

4 (A) the closure or realignment of the installa-
5 tion for which housing is provided under the con-
6 tract;

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

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

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

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

1 purposes and for the same time period as the fund to
2 which transferred.

3 SEC. 124. Notwithstanding this or any other provi-
4 sion of law, funds made available in this title for operation
5 and maintenance of family housing shall be the exclusive
6 source of funds for repair and maintenance of all family
7 housing units, including general or flag officer quarters:
8 *Provided*, That not more than \$35,000 per unit may be
9 spent annually for the maintenance and repair of any gen-
10 eral or flag officer quarters without 30 days prior notifica-
11 tion to the Committees on Appropriations of both Houses
12 of Congress, except that an after-the-fact notification shall
13 be submitted if the limitation is exceeded solely due to
14 costs associated with environmental remediation that
15 could not be reasonably anticipated at the time of the
16 budget submission: *Provided further*, That the Under Sec-
17 retary of Defense (Comptroller) is to report annually to
18 the Committees on Appropriations of both Houses of Con-
19 gress all operation and maintenance expenditures for each
20 individual general or flag officer quarters for the prior fis-
21 cal year: *Provided further*, That nothing in this section
22 precludes the Secretary of a military department, after no-
23 tifying the congressional defense committees and waiting
24 21 days, from using funds derived under section 2601,
25 chapter 403, chapter 603, or chapter 903 of title 10,

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

12 SEC. 125. None of the funds made available in this
13 title under the heading “North Atlantic Treaty Organiza-
14 tion Security Investment Program”, and no funds appro-
15 priated for any fiscal year before fiscal year 2007 for that
16 program that remain available for obligation, may be obli-
17 gated or expended for the conduct of studies of missile
18 defense.

19 SEC. 126. Whenever the Secretary of Defense or any
20 other official of the Department of Defense is requested
21 by the subcommittee on Military Quality of Life and Vet-
22 erans Affairs, and Related Agencies of the Committee on
23 Appropriations of the House of Representatives or the
24 subcommittee on Military Construction and Veterans Af-
25 fairs, and Related Agencies of the Committee on Appro-

1 priations of the Senate to respond to a question or inquiry
 2 submitted by the chairman or another member of that
 3 subcommittee pursuant to a subcommittee hearing or
 4 other activity, the Secretary (or other official) shall re-
 5 spond to the request, in writing, within 21 days of the
 6 date on which the request is transmitted to the Secretary
 7 (or other official).

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

14 SEC. 128. None of the funds made available in this
 15 title, or in any Act making appropriations for military con-
 16 struction which remain available for obligation, may be ob-
 17 ligated or expended to carry out a military construction,
 18 land acquisition, or family housing project at or for a mili-
 19 tary installation approved for closure, or at a military in-
 20 stallation for the purposes of supporting a function that
 21 has been approved for realignment to another installation,
 22 in 2005 under the Defense Base Closure and Realignment
 23 Act of 1990 (part A of title XXIX of Public Law 101–
 24 510; 10 U.S.C. 2687 note); unless such a project at a mili-
 25 tary installation approved for realignment will support a

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

24 SEC. 129. During the 5-year period after appropria-
25 tions available in this Act to the Department of Defense

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

13 SEC. 130. None of the funds appropriated in this title
 14 available for the Civilian Health and Medical Program of
 15 the Uniformed Services (CHAMPUS) or TRICARE shall
 16 be available for the reimbursement of any health care pro-
 17 vider for inpatient mental health service for care received
 18 when a patient is referred to a provider of inpatient men-
 19 tal health care or residential treatment care by a medical
 20 or health care professional having an economic interest in
 21 the facility to which the patient is referred: *Provided*, That
 22 this limitation does not apply in the case of inpatient men-
 23 tal health services provided under the program for persons
 24 with disabilities under subsection (d) of section 1079 of
 25 title 10, United States Code, provided as partial hospital

1 care, or provided pursuant to a waiver authorized by the
2 Secretary of Defense because of medical or psychological
3 circumstances of the patient that are confirmed by a
4 health professional who is not a Federal employee after
5 a review, pursuant to rules prescribed by the Secretary,
6 which takes into account the appropriate level of care for
7 the patient, the intensity of services required by the pa-
8 tient, and the availability of that care.

9 SEC. 131. (a) The Secretary of Defense, in coordina-
10 tion with the Secretary of Health and Human Services,
11 may carry out a program to distribute surplus dental and
12 medical equipment of the Department of Defense, at no
13 cost to the Department of Defense, to Indian Health Serv-
14 ice facilities and to federally-qualified health centers (with-
15 in the meaning of section 1905(1)(2)(B) of the Social Se-
16 curity Act (42 U.S.C. 1396d(1)(2)(B))).

17 (b) In carrying out this provision, the Secretary of
18 Defense shall give the Indian Health Service a property
19 disposal priority equal to the priority given to the Depart-
20 ment of Defense and its twelve special screening programs
21 in distribution of surplus dental and medical supplies and
22 equipment.

23 SEC. 132. Notwithstanding any other provision of law
24 or regulation, the Secretary of Defense may adjust wage
25 rates for civilian employees hired for certain health care

1 occupations as authorized for the Secretary of Veterans
2 Affairs by section 7455 of title 38, United States Code.

3 ~~SEC. 133.~~ Notwithstanding any other provision of
4 law, that not more than 35 percent of funds provided in
5 this title for environmental remediation may be obligated
6 under indefinite delivery/indefinite quantity contracts with
7 a total contract value of \$130,000,000 or higher.

8 ~~SEC. 134.~~ Notwithstanding any other provision of
9 law, funds available to the Department of Defense in this
10 title shall be made available to provide transportation of
11 medical supplies and equipment, on a nonreimbursable
12 basis, to American Samoa, and funds available to the De-
13 partment of Defense in this title shall be made available
14 to provide transportation of medical supplies and equip-
15 ment, on a nonreimbursable basis, to the Indian Health
16 Service when it is in conjunction with a civil-military
17 project.

18 ~~SEC. 135. (1)~~ Notwithstanding any other provision
19 of law or regulation, the Secretary of Defense may exercise
20 the provisions of section 7403(g) of title 38, United States
21 Code, for occupations listed in section 7403(a)(2) of title
22 38, United States Code, as well as the following: Phar-
23 macists, Audiologists, and Dental Hygienists.

24 ~~(2)~~ The requirements of section 7403(g)(1)(A) of
25 title 38, United States Code, shall apply.

~~DEPARTMENT OF VETERANS AFFAIRS~~

~~COMPENSATION AND PENSIONS~~

8 For the payment of compensation benefits to or on
9 behalf of veterans and a pilot program for disability ex-
10 aminations as authorized by law (38 U.S.C. 107, chapters
11 11, 13, 18, 51, 53, 55, and 61); pension benefits to or
12 on behalf of veterans as authorized by law (38 U.S.C.
13 chapters 15, 51, 53, 55, and 61; 92 Stat. 2508); and bur-
14 ial benefits; the Reinstated Entitlement Program for Sur-
15 vivors; emergency and other officers' retirement pay; ad-
16 justed-service credits and certificates; payment of pre-
17 miums due on commercial life insurance policies guaran-
18 teed under the provisions of title IV of the Servicemembers
19 Civil Relief Act (50 U.S.C. App. 540 et seq.) and for other
20 benefits as authorized by law (38 U.S.C. 107, 1312, 1977,
21 and 2106, chapters 23, 51, 53, 55, and 61; 43 Stat. 122,
22 123; 45 Stat. 735; 76 Stat. 1198), \$38,007,095,000, to
23 remain available until expended: *Provided*, That not to ex-
24 ceed \$28,112,000 of the amount appropriated under this
25 heading shall be reimbursed to "General operating ex-
26 penses" and "Medical administration" for necessary ex-

1 penses in implementing the provisions of chapters 51, 53,
 2 and 55 of title 38, United States Code, the funding source
 3 for which is specifically provided as the “Compensation
 4 and pensions” appropriation: *Provided further*, That such
 5 sums as may be earned on an actual qualifying patient
 6 basis, shall be reimbursed to “Medical care collections
 7 fund” to augment the funding of individual medical facili-
 8 ties for nursing home care provided to pensioners as au-
 9 thorized.

10 READJUSTMENT BENEFITS

11 (INCLUDING TRANSFER OF FUNDS)

12 For the payment of readjustment and rehabilitation
 13 benefits to or on behalf of veterans as authorized by law
 14 (38 U.S.C. chapters 21, 30, 31, 34, 35, 36, 39, 51, 53,
 15 55, and 61), \$3,262,006,000, to remain available until ex-
 16 pended: *Provided*, That expenses for rehabilitation pro-
 17 gram services and assistance which the Secretary is au-
 18 thorized to provide under section 3104(a) of title 38,
 19 United States Code, other than under subsection (a)(1),
 20 (2), (5), and (11) of that section, shall be charged to this
 21 account.

22 VETERANS INSURANCE AND INDEMNITIES

23 (INCLUDING TRANSFER OF FUNDS)

24 For military and naval insurance, national service life
 25 insurance, servicemen’s indemnities, service-disabled vet-

1 erans insurance, and veterans mortgage life insurance as
 2 authorized by title 38, United States Code, chapter 19;
 3 70 Stat. 887; 72 Stat. 487, \$49,850,000, to remain avail-
 4 able until expended.

5 VETERANS HOUSING BENEFIT PROGRAM FUND

6 PROGRAM ACCOUNT

7 (INCLUDING TRANSFER OF FUNDS)

8 For the cost of direct and guaranteed loans, such
 9 sums as may be necessary to carry out the program, as
 10 authorized by subchapters I through III of chapter 37 of
 11 title 38, United States Code: *Provided*, That such costs,
 12 including the cost of modifying such loans, shall be as de-
 13 fined in section 502 of the Congressional Budget Act of
 14 1974: *Provided further*, That during fiscal year 2007,
 15 within the resources available, not to exceed \$500,000 in
 16 gross obligations for direct loans are authorized for spe-
 17 cially adapted housing loans.

18 In addition, for administrative expenses to carry out
 19 the direct and guaranteed loan programs, \$153,185,000,
 20 which may be transferred to and merged with the appro-
 21 priation for “General operating expenses”.

1 VOCATIONAL REHABILITATION LOANS PROGRAM

2 ACCOUNT

3 (INCLUDING TRANSFER OF FUNDS)

4 For the cost of direct loans, \$67,000, as authorized
 5 by chapter 31 of title 38, United States Code: *Provided*,
 6 That such costs, including the cost of modifying such
 7 loans, shall be as defined in section 502 of the Congres-
 8 sional Budget Act of 1974: *Provided further*, That funds
 9 made available under this heading are available to sub-
 10 sidize gross obligations for the principal amount of direct
 11 loans not to exceed \$3,369,000.

12 In addition, for administrative expenses necessary to
 13 carry out the direct loan program, \$305,000, which may
 14 be transferred to and merged with the appropriation for
 15 “General operating expenses”.

16 NATIVE AMERICAN VETERAN HOUSING LOAN PROGRAM

17 ACCOUNT

18 (INCLUDING TRANSFER OF FUNDS)

19 For administrative expenses to carry out the direct
 20 loan program authorized by subchapter V of chapter 37
 21 of title 38, United States Code, \$615,000, which may be
 22 transferred to and merged with the appropriation for
 23 “General operating expenses”: *Provided*, That no new
 24 loans in excess of \$30,000,000 may be made in fiscal year
 25 2007.

1 ~~GUARANTEED TRANSITIONAL HOUSING LOANS FOR~~
2 ~~HOMELESS VETERANS PROGRAM ACCOUNT~~

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

9 ~~VETERANS HEALTH ADMINISTRATION~~
10 ~~MEDICAL SERVICES~~
11 ~~(INCLUDING TRANSFER OF FUNDS)~~

12 ~~For necessary expenses for furnishing, as authorized~~
13 ~~by law, inpatient and outpatient care and treatment to~~
14 ~~beneficiaries of the Department of Veterans Affairs and~~
15 ~~veterans described in section 1705(a) of title 38, United~~
16 ~~States Code, including care and treatment in facilities not~~
17 ~~under the jurisdiction of the Department, and including~~
18 ~~medical supplies and equipment and salaries and expenses~~
19 ~~of health-care employees hired under title 38, United~~
20 ~~States Code, and aid to State homes as authorized by sec-~~
21 ~~tion 1741 of title 38, United States Code;~~
22 ~~\$25,412,000,000, plus reimbursements, of which not less~~
23 ~~than \$2,800,000,000 shall be expended for specialty men-~~
24 ~~tal health care: *Provided*, That of the funds made available~~
25 ~~under this heading, not to exceed \$1,100,000,000 shall be~~
26 ~~available until September 30, 2008: *Provided further*,~~

1 That, notwithstanding any other provision of law, the Sec-
 2 retary of Veterans Affairs shall establish a priority for
 3 treatment for veterans who are service-connected disabled,
 4 lower income, or have special needs: *Provided further,*

5 That, notwithstanding any other provision of law, the Sec-
 6 retary of Veterans Affairs shall give priority funding for
 7 the provision of basic medical benefits to veterans in en-
 8 rollment priority groups 1 through 6: *Provided further,*

9 That, notwithstanding any other provision of law, the Sec-
 10 retary of Veterans Affairs may authorize the dispensing
 11 of prescription drugs from Veterans Health Administra-
 12 tion facilities to enrolled veterans with privately written
 13 prescriptions based on requirements established by the
 14 Secretary: *Provided further,* That the implementation of
 15 the program described in the previous proviso shall incur
 16 no additional cost to the Department of Veterans Affairs.

17 MEDICAL ADMINISTRATION

18 (INCLUDING TRANSFER OF FUNDS)

19 For necessary expenses in the administration of the
 20 medical, hospital, nursing home, domiciliary, construction,
 21 supply, and research activities, as authorized by law; ad-
 22 ministrative expenses in support of capital policy activi-
 23 ties; and administrative and legal expenses of the Depart-
 24 ment for collecting and recovering amounts owed the De-
 25 partment as authorized under chapter 17 of title 38,
 26 United States Code, and the Federal Medical Care Recov-

1 ery Act (42 U.S.C. 2651 et seq.); \$3,277,000,000, plus
 2 reimbursements, of which \$250,000,000 shall be available
 3 until September 30, 2008.

4 MEDICAL FACILITIES

5 (INCLUDING TRANSFER OF FUNDS)

6 For necessary expenses for the maintenance and op-
 7 eration of hospitals, nursing homes, and domiciliary facili-
 8 ties and other necessary facilities for the Veterans Health
 9 Administration; for administrative expenses in support of
 10 planning, design, project management, real property ac-
 11 quisition and disposition, construction and renovation of
 12 any facility under the jurisdiction or for the use of the
 13 Department; for oversight, engineering and architectural
 14 activities not charged to project costs; for repairing, alter-
 15 ing, improving or providing facilities in the several hos-
 16 pitals and homes under the jurisdiction of the Depart-
 17 ment, not otherwise provided for, either by contract or by
 18 the hire of temporary employees and purchase of mate-
 19 rials; for leases of facilities; and for laundry and food serv-
 20 ices; \$3,594,000,000, plus reimbursements, of which
 21 \$250,000,000 shall be available until September 30, 2008.

22 MEDICAL AND PROSTHETIC RESEARCH

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

1 to remain available until September 30, 2008,
2 \$412,000,000, plus reimbursements.

3 DEPARTMENTAL ADMINISTRATION

4 GENERAL OPERATING EXPENSES

5 For necessary operating expenses of the Department
6 of Veterans Affairs, not otherwise provided for, including
7 administrative expenses in support of Department-Wide
8 capital planning, management and policy activities, uni-
9 forms or allowances therefor, not to exceed \$25,000 for
10 official reception and representation expenses; hire of pas-
11 senger motor vehicles; and reimbursement of the General
12 Services Administration for security guard services, and
13 the Department of Defense for the cost of overseas em-
14 ployee mail, \$1,480,764,000: *Provided*, That expenses for
15 services and assistance authorized under paragraphs (1),
16 (2), (5), and (11) of section 3104(a) of title 38, United
17 States Code, that the Secretary of Veterans Affairs deter-
18 mines are necessary to enable entitled veterans: (1) to the
19 maximum extent feasible, to become employable and to ob-
20 tain and maintain suitable employment; or (2) to achieve
21 maximum independence in daily living, shall be charged
22 to this account: *Provided further*, That the Veterans Bene-
23 fits Administration shall be funded at not less than
24 \$1,167,859,000: *Provided further*, That of the funds made
25 available under this heading, not to exceed \$75,000,000

1 shall be available for obligation until September 30, 2008:
2 *Provided further,* That from the funds made available
3 under this heading, the Veterans Benefits Administration
4 may purchase (one-for-one replacement basis only) up to
5 two passenger motor vehicles for use in operations of that
6 Administration in Manila, Philippines.

7 INFORMATION TECHNOLOGY SYSTEMS

8 For necessary expenses for information technology
9 systems and telecommunications support, including devel-
10 opmental information systems and operational information
11 systems; for the capital asset acquisition of information
12 technology systems, including management and related
13 contractual costs of said acquisitions, including contrac-
14 tual costs associated with operations authorized by chap-
15 ter 3109 of title 5, United States Code, \$1,302,330,000,
16 plus reimbursements, to remain available until September
17 30, 2008: *Provided,* That none of these funds may be obli-
18 gated until the Department of Veterans Affairs submits
19 to the Committees on Appropriations of both Houses of
20 Congress, and such Committees approve, a plan for ex-
21 penditure that: (1) meets the capital planning and invest-
22 ment control review requirements established by the Office
23 of Management and Budget; (2) complies with the Depart-
24 ment of Veterans Affairs enterprise architecture; (3) con-
25 forms with an established enterprise life cycle method-

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

9 NATIONAL CEMETERY ADMINISTRATION

10 For necessary expenses of the National Cemetery Ad-
 11 ministration for operations and maintenance, not other-
 12 wise provided for, including uniforms or allowances there-
 13 for; cemetery expenses as authorized by law; purchase
 14 of one passenger motor vehicle for use in cemetery oper-
 15 ations; and hire of passenger motor vehicles,
 16 \$160,733,000, of which not to exceed \$8,037,000 shall be
 17 available until September 30, 2008.

18 OFFICE OF INSPECTOR GENERAL

19 For necessary expenses of the Office of Inspector
 20 General in carrying out the provisions of the Inspector
 21 General Act of 1978, \$69,499,000, to remain available
 22 until September 30, 2008.

23 CONSTRUCTION, MAJOR PROJECTS

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

1 Affairs, or for any of the purposes set forth in sections
2 316, 2404, 2406, 8102, 8103, 8106, 8108, 8109, 8110,
3 and 8122 of title 38, United States Code, including plan-
4 ning, architectural and engineering services, construction
5 management services, maintenance or guarantee period
6 services costs associated with equipment guarantees pro-
7 vided under the project, services of claims analysts, offsite
8 utility and storm drainage system construction costs, and
9 site acquisition, where the estimated cost of a project is
10 more than the amount set forth in section 8104(a)(3)(A)
11 of title 38, United States Code, or where funds for a
12 project were made available in a previous major project
13 appropriation, \$282,670,000, to remain available until ex-
14 pended, of which \$2,000,000 shall be to make reimburse-
15 ments as provided in section 13 of the Contract Disputes
16 Act of 1978 (41 U.S.C. 612) for claims paid for contract
17 disputes: *Provided*, That except for advance planning ac-
18 tivities, including needs assessments which may or may
19 not lead to capital investments, and other capital asset
20 management related activities, such as portfolio develop-
21 ment and management activities, and investment strategy
22 studies funded through the advance planning fund and the
23 planning and design activities funded through the design
24 fund, including needs assessments which may or may not
25 lead to capital investments, none of the funds appropriated

1 under this heading shall be used for any project which has
 2 not been approved by the Congress in the budgetary proe-
 3 cess: *Provided further*, That funds provided in this appro-
 4 priation for fiscal year 2007, for each approved project
 5 shall be obligated: (1) by the awarding of a construction
 6 documents contract by September 30, 2007; and (2) by
 7 the awarding of a construction contract by September 30,
 8 2008: *Provided further*, That the Secretary of Veterans Af-
 9 fairs shall promptly report in writing to the Committees
 10 on Appropriations of both Houses of Congress any ap-
 11 proved major construction project in which obligations are
 12 not incurred within the time limitations established above:
 13 *Provided further*, That none of the funds in this or any
 14 other Act may be used to reduce the mission, services or
 15 infrastructure, including land, of the 18 facilities on the
 16 Capital Asset Realignment for Enhanced Services
 17 (CARES) list requiring further study as specified by the
 18 Secretary of Veterans Affairs without prior approval of the
 19 Committees on Appropriations of both Houses of Con-
 20 gress:

21 CONSTRUCTION, MINOR PROJECTS

22 For constructing, altering, extending, and improving
 23 any of the facilities including parking projects under the
 24 jurisdiction or for the use of the Department of Veterans
 25 Affairs, including planning and assessments of needs

1 which may lead to capital investments, architectural and
 2 engineering services, maintenance or guarantee period
 3 services costs associated with equipment guarantees pro-
 4 vided under the project, services of claims analysts, offsite
 5 utility and storm drainage system construction costs, and
 6 site acquisition, or for any of the purposes set forth in
 7 sections 316, 2404, 2406, 8102, 8103, 8106, 8108, 8109,
 8 8110, 8122, and 8162 of title 38, United States Code,
 9 where the estimated cost of a project is equal to or less
 10 than the amount set forth in section 8104(a)(3)(A) of title
 11 38, United States Code, \$210,000,000, to remain avail-
 12 able until expended, along with unobligated balances of
 13 previous "Construction, minor projects" appropriations
 14 which are hereby made available for any project where the
 15 estimated cost is equal to or less than the amount set forth
 16 in such section, for: (1) repairs to any of the nonmedical
 17 facilities under the jurisdiction or for the use of the De-
 18 partment which are necessary because of loss or damage
 19 caused by any natural disaster or catastrophe; and (2)
 20 temporary measures necessary to prevent or to minimize
 21 further loss by such causes.

22 GRANTS FOR CONSTRUCTION OF STATE EXTENDED
 23 CARE FACILITIES

24 For grants to assist States to acquire or construct
 25 State nursing home and domiciliary facilities and to re-

1 model, modify or alter existing hospital, nursing home and
 2 domiciliary facilities in State homes, for furnishing care
 3 to veterans as authorized by sections ~~8131–8137~~ of title
 4 ~~38~~, United States Code, \$105,000,000, to remain avail-
 5 able until expended: *Provided*, That not less than
 6 \$20,000,000 shall be available only to correct life and pa-
 7 tient safety deficiencies and minor modifications at exist-
 8 ing facilities.

9 GRANTS FOR CONSTRUCTION OF STATE VETERANS
 10 CEMETERIES

11 For grants to aid States in establishing, expanding,
 12 or improving State veterans cemeteries as authorized by
 13 section 2408 of title ~~38~~, United States Code, \$32,000,000,
 14 to remain available until expended.

15 ADMINISTRATIVE PROVISIONS
 16 (INCLUDING TRANSFER OF FUNDS)

17 SEC. 201. Any appropriation for fiscal year 2007 for
 18 “Compensation and pensions”, “Readjustment benefits”,
 19 and “Veterans insurance and indemnities” may be trans-
 20 ferred as necessary to any other of the mentioned appro-
 21 priations: *Provided*, That before a transfer may take place,
 22 the Secretary of Veterans Affairs shall request from the
 23 Committees on Appropriations of both Houses of Congress
 24 the authority to make the transfer and an approval is

1 issued, or absent a response, a period of 30 days has
2 elapsed.

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

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

14 ~~SEC. 204.~~ No appropriations in this title shall be
15 available for hospitalization or examination of any persons
16 (except beneficiaries entitled under the laws bestowing
17 such benefits to veterans; and persons receiving such
18 treatment under sections 7901–7904 of title 5, United
19 States Code or the Robert T. Stafford Disaster Relief and
20 Emergency Assistance Act (42 U.S.C. 5121 et seq.)), un-
21 less reimbursement of cost is made to the “Medical serv-
22 ices” account at such rates as may be fixed by the Sec-
23 retary of Veterans Affairs.

24 ~~SEC. 205.~~ Appropriations available in this title for
25 “Compensation and pensions”, “Readjustment benefits”,

1 and “Veterans insurance and indemnities” shall be avail-
2 able for payment of prior year accrued obligations re-
3 quired to be recorded by law against the corresponding
4 prior year accounts within the last quarter of fiscal year
5 2006.

6 ~~SEC. 206.~~ Appropriations available in this title shall
7 be available to pay prior year obligations of corresponding
8 prior year appropriations accounts resulting from sections
9 ~~3328(a), 3334, and 3712(a)~~ of title ~~31~~, United States
10 Code, except that if such obligations are from trust fund
11 accounts they shall be payable from “Compensation and
12 pensions”.

13 ~~SEC. 207.~~ Notwithstanding any other provision of
14 law, during fiscal year 2007, the Secretary of Veterans
15 Affairs shall, from the National Service Life Insurance
16 Fund (38 U.S.C. 1920), the Veterans’ Special Life Insur-
17 ance Fund (38 U.S.C. 1923), and the United States Gov-
18 ernment Life Insurance Fund (38 U.S.C. 1955), reim-
19 burse the “General operating expenses” account for the
20 cost of administration of the insurance programs financed
21 through those accounts: *Provided*, That reimbursement
22 shall be made only from the surplus earnings accumulated
23 in an insurance program in fiscal year 2007 that are avail-
24 able for dividends in that program after claims have been
25 paid and actuarially determined reserves have been set

1 aside: *Provided further*, That if the cost of administration
2 of an insurance program exceeds the amount of surplus
3 earnings accumulated in that program, reimbursement
4 shall be made only to the extent of such surplus earnings:
5 *Provided further*, That the Secretary shall determine the
6 cost of administration for fiscal year 2007 which is prop-
7 erly allocable to the provision of each insurance program
8 and to the provision of any total disability income insur-
9 ance included in such insurance program.

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

15 SEC. 209. Funds available in this title or funds for
16 salaries and other administrative expenses shall also be
17 available to reimburse the Office of Resolution Manage-
18 ment and the Office of Employment Discrimination Com-
19 plaint Adjudication for all services provided at rates which
20 will recover actual costs but not exceed \$31,246,000 for
21 the Office of Resolution Management and \$3,059,000 for
22 the Office of Employment and Discrimination Complaint
23 Adjudication: *Provided*, That payments may be made in
24 advance for services to be furnished based on estimated
25 costs: *Provided further*, That amounts received shall be

1 credited to “General operating expenses” for use by the
2 office that provided the service.

3 ~~SEC. 210.~~ No appropriations in this title shall be
4 available to enter into any new lease of real property if
5 the estimated annual rental is more than \$300,000 unless
6 the Secretary submits a report which the Committees on
7 Appropriations of both Houses of Congress approve within
8 30 days following the date on which the report is received.

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

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

13 ~~SEC. 213.~~ Amounts made available under “Medical
14 services” are available—

15 (1) for furnishing recreational facilities, sup-
16 plies, and equipment; and

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

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

1 SEC. 215. Amounts made available for fiscal year
2 2007 under the “Medical services”, “Medical administra-
3 tion”, and “Medical facilities” accounts may be trans-
4 ferred among the accounts to the extent necessary to im-
5 plement the restructuring of the Veterans Health Admin-
6 istration accounts: *Provided*, That before a transfer may
7 take place, the Secretary of Veterans Affairs shall request
8 from the Committees on Appropriations of both Houses
9 of Congress the authority to make the transfer and an
10 approval is issued.

11 SEC. 216. Notwithstanding any other provision of
12 law, the Secretary of Veterans Affairs shall allow veterans
13 eligible under existing Department of Veterans Affairs
14 medical care requirements and who reside in Alaska to ob-
15 tain medical care services from medical facilities supported
16 by the Indian Health Service or tribal organizations. The
17 Secretary shall: (1) limit the application of this provision
18 to rural Alaskan veterans in areas where an existing De-
19 partment of Veterans Affairs facility or Veterans Affairs-
20 contracted service is unavailable; (2) require participating
21 veterans and facilities to comply with all appropriate rules
22 and regulations, as established by the Secretary; (3) re-
23 quire this provision to be consistent with Capital Asset Re-
24 alignment for Enhanced Services activities; and (4) result

1 in no additional cost to the Department of Veterans Af-
2 fairs or the Indian Health Service.

3 ~~SEC. 217.~~ Such sums as may be deposited to the De-
4 partment of Veterans Affairs Capital Asset Fund pursu-
5 ant to section 8118 of title 38, United States Code, may
6 be transferred to the “Construction, major projects” and
7 “Construction, minor projects” accounts, to remain avail-
8 able until expended for the purposes of these accounts.

9 ~~SEC. 218.~~ None of the funds available to the Depart-
10 ment of Veterans Affairs, in this Act or any other Act,
11 may be used to replace the current system by which the
12 Veterans Integrated Service Networks select and contract
13 for diabetes monitoring supplies and equipment.

14 ~~SEC. 219.~~ None of the funds made available in this
15 Act may be used to implement any policy prohibiting the
16 Directors of the Veterans Integrated Service Networks
17 from conducting outreach or marketing to enroll new vet-
18 erans within their respective Networks.

19 ~~SEC. 220.~~ The Secretary of Veterans Affairs shall
20 submit to the Committees on Appropriations of both
21 Houses of Congress a quarterly report on the financial
22 status of the Veterans Health Administration.

23 ~~SEC. 221.~~ Amounts made available for the “Informa-
24 tion technology systems” account may be transferred be-
25 tween projects: *Provided*, That no project may be in-

1 creased or decreased by more than \$1,000,000 of cost
 2 prior to submitting a request to the Committees on Appro-
 3 priations of both Houses of Congress to make the transfer
 4 and an approval is issued, or absent a response, a period
 5 of 30 days has elapsed.

6 ~~SEC. 222.~~ The authority provided by section 2011 of
 7 title 38, United States Code, shall continue in effect
 8 through September 30, 2007.

9 TITLE III

10 RELATED AGENCIES

11 AMERICAN BATTLE MONUMENTS COMMISSION

12 SALARIES AND EXPENSES

13 For necessary expenses, not otherwise provided for,
 14 of the American Battle Monuments Commission, including
 15 the acquisition of land or interest in land in foreign coun-
 16 tries; purchases and repair of uniforms for caretakers of
 17 national cemeteries and monuments outside of the United
 18 States and its territories and possessions; rent of office
 19 and garage space in foreign countries; purchase (one-for-
 20 one replacement basis only) and hire of passenger motor
 21 vehicles; not to exceed \$7,500 for official reception and
 22 representation expenses; and insurance of official motor
 23 vehicles in foreign countries, when required by law of such
 24 countries, ~~\$37,088,000,~~ to remain available until ex-
 25 pended.

1 FOREIGN CURRENCY FLUCTUATIONS ACCOUNT

2 For necessary expenses, not otherwise provided for,
3 of the American Battle Monuments Commission,
4 \$4,900,000, to remain available until expended, for pur-
5 poses authorized by section 2109 of title 36, United States
6 Code.

7 UNITED STATES COURT OF APPEALS FOR VETERANS

8 CLAIMS

9 SALARIES AND EXPENSES

10 For necessary expenses for the operation of the
11 United States Court of Appeals for Veterans Claims as
12 authorized by sections 7251–7298 of title 38, United
13 States Code, \$19,790,000, of which \$1,260,000 shall be
14 available for the purpose of providing financial assistance
15 as described, and in accordance with the process and re-
16 porting procedures set forth, under this heading in Public
17 Law 102–229.

18 DEPARTMENT OF DEFENSE—CIVIL

19 CEMETERIAL EXPENSES, ARMY

20 SALARIES AND EXPENSES

21 For necessary expenses, as authorized by law, for
22 maintenance, operation, and improvement of Arlington
23 National Cemetery and Soldiers' and Airmen's Home Na-
24 tional Cemetery, including the purchase of two passenger
25 motor vehicles for replacement only, and not to exceed

1 \$1,000 for official reception and representation expenses;
2 \$26,550,000, to remain available until expended. In addi-
3 tion, such sums as may be necessary for parking mainte-
4 nance, repairs and replacement, to be derived from the
5 Lease of Department of Defense Real Property for De-
6 fense Agencies account.

7 **ARMED FORCES RETIREMENT HOME**

8 For expenses necessary for the Armed Forces Retire-
9 ment Home to operate and maintain the Armed Forces
10 Retirement Home—Washington, District of Columbia and
11 the Armed Forces Retirement Home—Gulfport, Mis-
12 sissippi, to be paid from funds available in the Armed
13 Forces Retirement Home Trust Fund, \$54,846,000.

14 **TITLE IV**

15 **GENERAL PROVISIONS**

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

19 **SEC. 402.** Such sums as may be necessary for fiscal
20 year 2007 pay raises for programs funded by this Act shall
21 be absorbed within the levels appropriated in this Act.

22 **SEC. 403.** None of the funds made available in this
23 Act may be used for any program, project, or activity,
24 when it is made known to the Federal entity or official
25 to which the funds are made available that the program,

1 project, or activity is not in compliance with any Federal
2 law relating to risk assessment, the protection of private
3 property rights, or unfunded mandates.

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

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

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

23 ~~SEC. 407.~~ Unless stated otherwise, all reports and no-
24 tifications required by this Act shall be submitted to the
25 Subcommittee on Military Quality of Life and Veterans

1 Affairs, and Related Agencies of the Committee on Appro-
 2 priations of the House of Representatives and the Sub-
 3 committee on Military Construction and Veterans Affairs,
 4 and Related Agencies of the Committee on Appropriations
 5 of the Senate.

6 SEC. 408. The amounts appropriated in division B,
 7 title I, chapter 7 of Public Law 109–148 under the head-
 8 ings “Military Construction, Defense-Wide” and “Con-
 9 struction, Major Projects” may be used only for construc-
 10 tion, or modification of joint-use and/or co-located facili-
 11 ties.

12 This Act may be cited as the “Military Construction,
 13 Military Quality of Life and Veterans Affairs Appropria-
 14 tions Act, 2007”.

15 *That the following sums are appropriated, out of any*
 16 *money in the Treasury not otherwise appropriated, for*
 17 *military construction, the Department of Veterans Affairs,*
 18 *and related agencies for the fiscal year ending September*
 19 *30, 2007, and for other purposes, namely:*

20 TITLE I

21 DEPARTMENT OF DEFENSE

22 MILITARY CONSTRUCTION, ARMY

23 (INCLUDING RESCISSIONS OF FUNDS)

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

1 stallations, facilities, and real property for the Army as
2 currently authorized by law, including personnel in the
3 Army Corps of Engineers and other personal services nec-
4 essary for the purposes of this appropriation, and for con-
5 struction and operation of facilities in support of the func-
6 tions of the Commander in Chief, \$2,172,622,000, to remain
7 available until September 30, 2011: Provided, That of this
8 amount, not to exceed \$199,540,000 shall be available for
9 study, planning, design, architect and engineer services,
10 and host nation support, as authorized by law, unless the
11 Secretary of Defense determines that additional obligations
12 are necessary for such purposes and notifies the Committees
13 on Appropriations of both Houses of Congress of the deter-
14 mination and the reasons therefor: Provided further, That
15 of the funds appropriated for “Military Construction,
16 Army” under Public Law 109–114, \$43,348,000 are hereby
17 rescinded: Provided further, That of the funds appropriated
18 for “Military Construction, Army” under Public Law 109–
19 13, \$125,800,000 are hereby rescinded: Provided further,
20 That of the amount provided under this heading,
21 \$34,800,000 is designated as an emergency requirement
22 pursuant to section 402 of S. Con. Res. 83 (109th Congress),
23 the concurrent resolution on the budget for fiscal year 2007,
24 as made applicable in the Senate by section 7035 of Public
25 Law 109–234.

1 *MILITARY CONSTRUCTION, NAVY AND MARINE CORPS*2 *(INCLUDING RESCISSIONS OF FUNDS)*

3 *For acquisition, construction, installation, and equip-*
4 *ment of temporary or permanent public works, naval in-*
5 *stallations, facilities, and real property for the Navy and*
6 *Marine Corps as currently authorized by law, including*
7 *personnel in the Naval Facilities Engineering Command*
8 *and other personal services necessary for the purposes of this*
9 *appropriation, \$1,238,065,000, to remain available until*
10 *September 30, 2011: Provided, That of this amount, not to*
11 *exceed \$71,626,000 shall be available for study, planning,*
12 *design, and architect and engineer services, as authorized*
13 *by law, unless the Secretary of Defense determines that ad-*
14 *ditional obligations are necessary for such purposes and no-*
15 *tifies the Committees on Appropriations of both Houses of*
16 *Congress of the determination and the reasons therefor: Pro-*
17 *vided further, That of the funds appropriated for “Military*
18 *Construction, Navy and Marine Corps” under Public Law*
19 *108–132, \$30,000,000 are hereby rescinded: Provided fur-*
20 *ther, That of the funds appropriated for “Military Con-*
21 *struction, Navy and Marine Corps” under Public Law 108–*
22 *324, \$8,000,000 are hereby rescinded.*

MILITARY CONSTRUCTION, AIR FORCE

(INCLUDING RESCISSIONS OF FUNDS)

For acquisition, construction, installation, and equipment of temporary or permanent public works, military installations, facilities, and real property for the Air Force as currently authorized by law, \$1,214,885,000, to remain available until September 30, 2011: Provided, That of this amount, not to exceed \$71,381,000 shall be available for study, planning, design, and architect and engineer services, 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: Provided further, That of the funds appropriated for “Military Construction, Air Force” under Public Law 108–324, \$2,694,000 are hereby rescinded: Provided further, That of the funds appropriated for “Military Construction, Air Force” under Public Law 109–114, \$19,816,000 are hereby rescinded: Provided further, That of the funds appropriated for “Military Construction, Air Force” under Public Law 109–13, \$10,800,000 are hereby rescinded.

1 *MILITARY CONSTRUCTION, DEFENSE-WIDE*2 *(INCLUDING RESCISSIONS AND 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 *\$1,162,281,000, to remain available until September 30,*
9 *2011: 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 \$172,150,000 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: Pro-*
23 *vided further, That of the funds appropriated for “Military*
24 *Construction, Defense-Wide” under Public Law 108–132,*
25 *\$9,000,000 are hereby rescinded: Provided further, That of*

1 *the funds appropriated for “Military Construction, Defense-*
 2 *Wide” under Public Law 108–324, \$43,000,000 are hereby*
 3 *rescinded: Provided further, That of the funds appropriated*
 4 *for “Military Construction, Defense-Wide” under Public*
 5 *Law 109–114, \$72,065,000 are hereby rescinded: Provided*
 6 *further, That of the amount provided under this heading,*
 7 *\$100,886,000 is designated as an emergency requirement*
 8 *pursuant to section 402 of S. Con. Res. 83 (109th Congress),*
 9 *the concurrent resolution on the budget for fiscal year 2007,*
 10 *as made applicable in the Senate by section 7035 of Public*
 11 *Law 109–234.*

12 *MILITARY CONSTRUCTION, ARMY NATIONAL GUARD*

13 *(INCLUDING RESCISSION OF FUNDS)*

14 *For construction, acquisition, expansion, rehabilita-*
 15 *tion, and conversion of facilities for the training and ad-*
 16 *ministration of the Army National Guard, and contribu-*
 17 *tions therefor, as authorized by chapter 1803 of title 10,*
 18 *United States Code, and Military Construction Authoriza-*
 19 *tion Acts, \$539,804,000, to remain available until Sep-*
 20 *tember 30, 2011: Provided, That of the funds appropriated*
 21 *for “Military Construction, Army National Guard” under*
 22 *Public Law 109–114, \$2,129,000 are hereby rescinded.*

23 *MILITARY CONSTRUCTION, AIR NATIONAL GUARD*

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

1 *ministration of the Air National Guard, and contributions*
2 *therefor, as authorized by chapter 1803 of title 10, United*
3 *States Code, and Military Construction Authorization Acts,*
4 *\$252,834,000, to remain available until September 30,*
5 *2011.*

6 *MILITARY CONSTRUCTION, ARMY RESERVE*

7 *For construction, acquisition, expansion, rehabilita-*
8 *tion, and conversion of facilities for the training and ad-*
9 *ministration of the Army Reserve as authorized by chapter*
10 *1803 of title 10, United States Code, and Military Con-*
11 *struction Authorization Acts, \$191,450,000, to remain*
12 *available until September 30, 2011.*

13 *MILITARY CONSTRUCTION, NAVY RESERVE*

14 *For construction, acquisition, expansion, rehabilita-*
15 *tion, and conversion of facilities for the training and ad-*
16 *ministration of the reserve components of the Navy and Ma-*
17 *rine Corps as authorized by chapter 1803 of title 10, United*
18 *States Code, and Military Construction Authorization Acts,*
19 *\$48,408,000, to remain available until September 30, 2011.*

20 *MILITARY CONSTRUCTION, AIR FORCE RESERVE*

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

1 *Construction Authorization Acts, \$44,936,000, to remain*
2 *available until September 30, 2011.*

3 *NORTH ATLANTIC TREATY ORGANIZATION*

4 *SECURITY INVESTMENT PROGRAM*

5 *For the United States share of the cost of the North*
6 *Atlantic Treaty Organization Security Investment Pro-*
7 *gram for the acquisition and construction of military facili-*
8 *ties and installations (including international military*
9 *headquarters) and for related expenses for the collective de-*
10 *fense of the North Atlantic Treaty Area as authorized by*
11 *section 2806 of title 10, United States Code, and Military*
12 *Construction Authorization Acts, \$205,985,000, to remain*
13 *available until expended.*

14 *FAMILY HOUSING CONSTRUCTION, ARMY*

15 *For expenses of family housing for the Army for con-*
16 *struction, including acquisition, replacement, addition, ex-*
17 *pansion, extension, and alteration, as authorized by law,*
18 *\$578,791,000, to remain available until September 30,*
19 *2011.*

20 *FAMILY HOUSING OPERATION AND MAINTENANCE, ARMY*

21 *For expenses of family housing for the Army for oper-*
22 *ation and maintenance, including debt payment, leasing,*
23 *minor construction, principal and interest charges, and in-*
24 *surance premiums, as authorized by law, \$675,617,000.*

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

15 *FAMILY HOUSING CONSTRUCTION, AIR FORCE*
16 *(INCLUDING RESCISSIONS OF FUNDS)*

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1 *struction, Air Force” under Public Law 109–114,*
2 *\$42,800,000 are hereby rescinded.*

3 *FAMILY HOUSING OPERATION AND MAINTENANCE, AIR*
4 *FORCE*

5 *For expenses of family housing for the Air Force for*
6 *operation and maintenance, including debt payment, leas-*
7 *ing, minor construction, principal and interest charges,*
8 *and insurance premiums, as authorized by law,*
9 *\$755,071,000.*

10 *FAMILY HOUSING CONSTRUCTION, DEFENSE-WIDE*

11 *For expenses of family housing for the activities and*
12 *agencies of the Department of Defense (other than the mili-*
13 *tary departments) for construction, including acquisition,*
14 *replacement, addition, expansion, extension, and alteration,*
15 *as authorized by law, \$8,808,000, to remain available until*
16 *September 30, 2011.*

17 *FAMILY HOUSING OPERATION AND MAINTENANCE,*
18 *DEFENSE-WIDE*

19 *For expenses of family housing for the activities and*
20 *agencies of the Department of Defense (other than the mili-*
21 *tary departments) for operation and maintenance, leasing,*
22 *and minor construction, as authorized by law, \$48,506,000.*

1 *DEPARTMENT OF DEFENSE FAMILY HOUSING*
2 *IMPROVEMENT FUND*

3 *For the Department of Defense Family Housing Im-*
4 *provement Fund, \$2,500,000, to remain available until ex-*
5 *pended, for family housing initiatives undertaken pursuant*
6 *to section 2883 of title 10, United States Code, providing*
7 *alternative means of acquiring and improving military*
8 *family housing and supporting facilities.*

9 *CHEMICAL DEMILITARIZATION CONSTRUCTION, DEFENSE-*
10 *WIDE*

11 *For expenses of construction, not otherwise provided*
12 *for, necessary for the destruction of the United States stock-*
13 *pile of lethal chemical agents and munitions in accordance*
14 *with section 1412 of the Department of Defense Authoriza-*
15 *tion Act, 1986 (50 U.S.C. 1521), and for the destruction*
16 *of other chemical warfare materials that are not in the*
17 *chemical weapon stockpile, as currently authorized by law,*
18 *\$140,993,000, to remain available until September 30,*
19 *2011, which shall be only for the Assembled Chemical Weap-*
20 *ons Alternatives program.*

21 *DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT 1990*

22 *For deposit into the Department of Defense Base Clo-*
23 *sure Account 1990, established by section 2906(a)(1) of the*
24 *Defense Base Closure and Realignment Act of 1990 (10*

1 *U.S.C. 2687 note), \$191,220,000, to remain available until*
2 *expended.*

3 *DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT 2005*

4 *For deposit into the Department of Defense Base Clo-*
5 *sure Account 2005, established by section 2906A(a)(1) of the*
6 *Defense Base Closure and Realignment Act of 1990 (10*
7 *U.S.C. 2687 note), \$5,237,100,000, to remain available*
8 *until expended.*

9 *ADMINISTRATIVE PROVISIONS*

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

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

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

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

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

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

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

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

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

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

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

23 *SEC. 112. None of the funds made available in this*
24 *title for military construction in the United States terri-*
25 *ories and possessions in the Pacific and on Kwajalein*

1 *Atoll, or in countries bordering the Arabian Sea, may be*
2 *used to award any contract estimated by the Government*
3 *to exceed \$1,000,000 to a foreign contractor: Provided, That*
4 *this section shall not be applicable to contract awards for*
5 *which the lowest responsive and responsible bid of a United*
6 *States contractor exceeds the lowest responsive and respon-*
7 *sible bid of a foreign contractor by greater than 20 percent:*
8 *Provided further, That this section shall not apply to con-*
9 *tract awards for military construction on Kwajalein Atoll*
10 *for which the lowest responsive and responsible bid is sub-*
11 *mitted by a Marshallese contractor.*

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

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

23 *(INCLUDING TRANSFER OF FUNDS)*

24 *SEC. 115. Funds appropriated to the Department of*
25 *Defense for construction in prior years shall be available*
26 *for construction authorized for each such military depart-*

1 *ment by the authorizations enacted into law during the cur-*
2 *rent session of Congress.*

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

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

21 *SEC. 118. (a) Not later than December 1, 2006, the*
22 *Secretary of Defense, in consultation with the Secretary of*
23 *State, shall submit to the Committees on Appropriations*
24 *of both Houses of Congress a report on actions taken by*
25 *the Department of Defense and the Department of State*

1 *during the previous fiscal year to encourage host countries*
2 *to assume a greater share of the common defense burden*
3 *of such countries and the United States.*

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

6 *(1) attempts to secure cash and in-kind contribu-*
7 *tions from host countries for military construction*
8 *projects;*

9 *(2) attempts to achieve economic incentives of-*
10 *fered by host countries to encourage private invest-*
11 *ment for the benefit of the United States Armed*
12 *Forces;*

13 *(3) attempts to recover funds due to be paid to*
14 *the United States by host countries for assets deeded*
15 *or otherwise imparted to host countries upon the ces-*
16 *sation of United States operations at military instal-*
17 *lations;*

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

21 *(5) for host countries that are members of the*
22 *North Atlantic Treaty Organization (NATO), the*
23 *amount contributed to NATO by host countries, in*
24 *dollars and in terms of the percent of the total NATO*
25 *budget.*

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

4 (INCLUDING TRANSFER OF FUNDS)

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

16 (INCLUDING TRANSFER OF FUNDS)

17 SEC. 120. *Subject to 30 days prior notification to the*
 18 *Committees on Appropriations of both Houses of Congress,*
 19 *such additional amounts as may be determined by the Sec-*
 20 *retary of Defense may be transferred to: (1) the Department*
 21 *of Defense Family Housing Improvement Fund from*
 22 *amounts appropriated for construction in “Family Hous-*
 23 *ing” accounts, to be merged with and to be available for*
 24 *the same purposes and for the same period of time as*
 25 *amounts appropriated directly to the Fund; or (2) the De-*
 26 *partment of Defense Military Unaccompanied Housing Im-*

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

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

20 *(b)(1) A notice referred to in subsection (a) is a notice*
 21 *of any guarantee (including the making of mortgage or*
 22 *rental payments) proposed to be made by the Secretary to*
 23 *the private party under the contract involved in the event*
 24 *of—*

1 (A) the closure or realignment of the installation
2 for which housing is provided under the contract;

3 (B) a reduction in force of units stationed at
4 such installation; or

5 (C) the extended deployment overseas of units
6 stationed at such installation.

7 (2) Each notice under this subsection shall specify the
8 nature of the guarantee involved and assess the extent and
9 likelihood, if any, of the liability of the Federal Government
10 with respect to the guarantee.

11 (INCLUDING TRANSFER OF FUNDS)

12 SEC. 122. In addition to any other transfer authority
13 available to the Department of Defense, amounts may be
14 transferred from the accounts established by sections
15 2906(a)(1) and 2906A(a)(1) of the Defense Base Closure
16 and Realignment Act of 1990 (10 U.S.C. 2687 note), to the
17 fund established by section 1013(d) of the Demonstration
18 Cities and Metropolitan Development Act of 1966 (42
19 U.S.C. 3374) to pay for expenses associated with the Home-
20 owners Assistance Program. Any amounts transferred shall
21 be merged with and be available for the same purposes and
22 for the same time period as the fund to which transferred.

23 SEC. 123. Notwithstanding this or any other provision
24 of law, funds made available in this title for operation and
25 maintenance of family housing shall be the exclusive source
26 of funds for repair and maintenance of all family housing

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

1 *chapter 603, or chapter 903 of title 10, United States Code,*
 2 *in the previous year and were obligated for the construction,*
 3 *improvement, repair, or maintenance of any military facil-*
 4 *ity or infrastructure.*

5 *SEC. 124. Amounts contained in the Ford Island Im-*
 6 *provement Account established by subsection (h) of section*
 7 *2814 of title 10, United States Code, are appropriated and*
 8 *shall be available until expended for the purposes specified*
 9 *in subsection (i)(1) of such section or until transferred pur-*
 10 *suant to subsection (i)(3) of such section.*

11 *(INCLUDING TRANSFER OF FUNDS)*

12 *SEC. 125. None of the funds made available in this*
 13 *title, or in any Act making appropriations for military*
 14 *construction which remain available for obligation, may be*
 15 *obligated or expended to carry out a military construction,*
 16 *land acquisition, or family housing project at or for a mili-*
 17 *tary installation approved for closure, or at a military in-*
 18 *stallation for the purposes of supporting a function that has*
 19 *been approved for realignment to another installation, in*
 20 *2005 under the Defense Base Closure and Realignment Act*
 21 *of 1990 (part A of title XXIX of Public Law 101–510; 10*
 22 *U.S.C. 2687 note), unless such a project at a military in-*
 23 *stallation approved for realignment will support a con-*
 24 *tinuing mission or function at that installation or a new*
 25 *mission or function that is planned for that installation,*
 26 *or unless the Secretary of Defense certifies that the cost to*

1 *the United States of carrying out such project would be less*
2 *than the cost to the United States of cancelling such project,*
3 *or if the project is at an active component base that shall*
4 *be established as an enclave or in the case of projects having*
5 *multi-agency use, that another Government agency has in-*
6 *dicated it will assume ownership of the completed project.*
7 *The Secretary of Defense may not transfer funds made*
8 *available as a result of this limitation from any military*
9 *construction project, land acquisition, or family housing*
10 *project to another account or use such funds for another*
11 *purpose or project without the prior approval of the Com-*
12 *mittees on Appropriations of both Houses of Congress. This*
13 *section shall not apply to military construction projects,*
14 *land acquisition, or family housing projects for which the*
15 *project is vital to the national security or the protection*
16 *of health, safety, or environmental quality: Provided, That*
17 *the Secretary of Defense shall notify the congressional de-*
18 *fense committees within seven days of a decision to carry*
19 *out such a military construction project.*

20 *SEC. 126. Section 3001(o) of the Emergency Supple-*
21 *mental Appropriations Act for Defense and for the Recon-*
22 *struction of Iraq and Afghanistan, 2004 (Public Law 108–*
23 *106; 117 Stat. 1238; 5 U.S.C. App., note to section 8G of*
24 *Public Law 95–452), as amended by section 1054(b) of the*
25 *John Warner National Defense Authorization Act for Fiscal*

1 *Year 2007 (Public Law 109–364), is amended to read as*
2 *follows:*

3 “(o) *TERMINATION.*—(1)(A) *The Office of the Inspector*
4 *General shall terminate 10 months after 80 percent of the*
5 *funds appropriated or otherwise made available to the Iraq*
6 *Relief and Reconstruction Fund have been expended.*

7 “(B) *For purposes of calculating the termination of*
8 *the Office of the Inspector General under this subsection,*
9 *any United States funds appropriated or otherwise made*
10 *available for fiscal year 2006 for the reconstruction of Iraq,*
11 *irrespective of the designation of such funds, shall be deemed*
12 *to be amounts appropriated or otherwise made available to*
13 *the Iraq Relief and Reconstruction Fund.*

14 “(2) *The Special Inspector General for Iraq Recon-*
15 *struction shall, prior to the termination of the Office of the*
16 *Special Inspector General under paragraph (1), prepare a*
17 *final forensic audit report on all funds deemed to be*
18 *amounts appropriated or otherwise made available to the*
19 *Iraq Relief and Reconstruction Fund.”.*

20 *SEC. 127. (a) Of the amount appropriated or otherwise*
21 *made available by this title under the heading “FAMILY*
22 *HOUSING OPERATION AND MAINTENANCE, ARMY”,*
23 *\$7,500,000 may be available for the lease of not more than*
24 *300 additional housing units in the vicinity of Fairbanks,*

1 *Alaska. Such funds may not be available for the construc-*
 2 *tion or purchase of such units.*

3 **(b)(1)** *The total cost of a unit leased under subsection*
 4 *(a), including the cost of utilities, maintenance, and oper-*
 5 *ation, may not exceed \$25,000 per year.*

6 **(2)** *A lease entered into under subsection (a) may not*
 7 *exceed 5 years in duration or include an option to extend*
 8 *the lease beyond the 5-year period beginning on the date*
 9 *the lease commences.*

10 **SEC. 128.** *(a) The amount appropriated or otherwise*
 11 *made available by this title under the heading “MILITARY*
 12 *CONSTRUCTION, NAVY AND MARINE CORPS” and available*
 13 *for “Replacement Vehicle Bridge, Increment 2, Naval Sta-*
 14 *tion, Newport, Rhode Island” is hereby increased by*
 15 *\$3,410,000.*

16 **(b)** *The amount appropriated or otherwise made avail-*
 17 *able by this title under the heading “MILITARY CONSTRUC-*
 18 *TION, NAVY AND MARINE CORPS” and available for “Haz-*
 19 *ardous Material Storage Facility, Naval Station Newport,*
 20 *Rhode Island” is hereby reduced by \$3,410,000.*

21 **SEC. 129.** *(a) The amount appropriated or otherwise*
 22 *made available by this title under the heading “MILITARY*
 23 *CONSTRUCTION, AIR FORCE” is hereby increased by*
 24 *\$750,000.*

1 (b) Of the amount appropriated or otherwise made
2 available by this title under the heading “MILITARY CON-
3 STRUCTION, AIR FORCE”, as increased by subsection (a),
4 \$750,000 may be available for the Air Force Financial
5 Management Center.

6 (c) The amount appropriated or otherwise made avail-
7 able by this title under the heading “NORTH ATLANTIC
8 TREATY ORGANIZATION SECURITY INVESTMENT PROGRAM”
9 is hereby reduced by \$750,000.

10 SEC. 130. Subsection (c) of section 1077 of the John
11 Warner National Defense Authorization Act for Fiscal Year
12 2007 (Public Law 109–364) is hereby repealed.

13 SEC. 131. (a) The amount available for “MILITARY
14 CONSTRUCTION, AIR FORCE” is hereby reduced by
15 \$25,400,000 for “Basic Expeditionary Airmen Training
16 Facility, Lackland AFB, Texas”.

17 (b) The amount available for “Department of Defense
18 Base Closure Account 2005” is hereby increased by
19 \$25,400,000.

20 SEC. 132. Of the amount appropriated or otherwise
21 made available by chapter 7 of title I of the Department
22 of Defense, Emergency Supplemental Appropriations to Ad-
23 dress Hurricanes in the Gulf of Mexico, and Pandemic In-
24 fluenza Act, 2006 (Public Law 109–148) under the heading
25 “MILITARY CONSTRUCTION, NAVY AND MARINE CORPS”

1 *and available for the replacement of a Bachelor Enlisted*
 2 *Quarters at Naval Construction Battalion Center, Gulfport,*
 3 *Mississippi, \$13,400,000 may be available for the construc-*
 4 *tion of an additional Bachelor Enlisted Quarters at Naval*
 5 *Construction Battalion Center, Gulfport, Mississippi.*

6 *TITLE II*

7 *DEPARTMENT OF VETERANS AFFAIRS*

8 *VETERANS BENEFITS PROGRAMS*

9 *COMPENSATION AND PENSIONS*

10 *(INCLUDING TRANSFER OF FUNDS)*

11 *For the payment of compensation benefits to or on be-*
 12 *half of veterans and a pilot program for disability examina-*
 13 *tions as authorized by law (38 U.S.C. 107, chapters 11, 13,*
 14 *18, 51, 53, 55, and 61); pension benefits to or on behalf*
 15 *of veterans as authorized by law (38 U.S.C. chapters 15,*
 16 *51, 53, 55, and 61; 92 Stat. 2508); and burial benefits, the*
 17 *Reinstated Entitlement Program for Survivors, emergency*
 18 *and other officers' retirement pay, adjusted-service credits*
 19 *and certificates, payment of premiums due on commercial*
 20 *life insurance policies guaranteed under the provisions of*
 21 *title IV of the Servicemembers Civil Relief Act (50 U.S.C.*
 22 *App. 540 et seq.) and for other benefits as authorized by*
 23 *law (38 U.S.C. 107, 1312, 1977, and 2106, chapters 23,*
 24 *51, 53, 55, and 61; 43 Stat. 122, 123; 45 Stat. 735; 76*
 25 *Stat. 1198), \$38,007,095,000, to remain available until ex-*
 26 *pended: Provided, That not to exceed \$28,112,000 of the*

1 amount appropriated under this heading shall be reim-
 2 bursed to “General operating expenses” and “Medical serv-
 3 ices” for necessary expenses in implementing the provisions
 4 of chapters 51, 53, and 55 of title 38, United States Code,
 5 the funding source for which is specifically provided as the
 6 “Compensation and pensions” appropriation: Provided fur-
 7 ther, That such sums as may be earned on an actual quali-
 8 fying patient basis, shall be reimbursed to “Medical care
 9 collections fund” to augment the funding of individual med-
 10 ical facilities for nursing home care provided to pensioners
 11 as authorized.

12 READJUSTMENT BENEFITS

13 For the payment of readjustment and rehabilitation
 14 benefits to or on behalf of veterans as authorized by law
 15 (38 U.S.C. chapters 21, 30, 31, 34, 35, 36, 39, 51, 53, 55,
 16 and 61), \$3,262,006,000, to remain available until ex-
 17 pended: Provided, That expenses for rehabilitation program
 18 services and assistance which the Secretary is authorized
 19 to provide under section 3104(a) of title 38, United States
 20 Code, other than under subsection (a)(1), (2), (5), and (11)
 21 of that section, shall be charged to this account.

22 VETERANS INSURANCE AND INDEMNITIES

23 For military and naval insurance, national service life
 24 insurance, servicemen’s indemnities, service-disabled vet-
 25 erans insurance, and veterans mortgage life insurance as
 26 authorized by title 38, United States Code, chapter 19; 70

1 *Stat. 887; 72 Stat. 487, \$49,850,000, to remain available*
 2 *until expended.*

3 *VETERANS HOUSING BENEFIT PROGRAM FUND PROGRAM*

4 *ACCOUNT*

5 *(INCLUDING TRANSFER OF FUNDS)*

6 *For the cost of direct and guaranteed loans, such sums*
 7 *as may be necessary to carry out the program, as authorized*
 8 *by subchapters I through III of chapter 37 of title 38,*
 9 *United States Code: Provided, That such costs, including*
 10 *the cost of modifying such loans, shall be as defined in sec-*
 11 *tion 502 of the Congressional Budget Act of 1974: Provided*
 12 *further, That during fiscal year 2007, within the resources*
 13 *available, not to exceed \$500,000 in gross obligations for*
 14 *direct loans are authorized for specially adapted housing*
 15 *loans.*

16 *In addition, for administrative expenses to carry out*
 17 *the direct and guaranteed loan programs, \$153,185,000.*

18 *VOCATIONAL REHABILITATION LOANS PROGRAM ACCOUNT*

19 *(INCLUDING TRANSFER OF FUNDS)*

20 *For the cost of direct loans, \$53,000, as authorized by*
 21 *chapter 31 of title 38, United States Code: Provided, That*
 22 *such costs, including the cost of modifying such loans, shall*
 23 *be as defined in section 502 of the Congressional Budget*
 24 *Act of 1974: Provided further, That funds made available*
 25 *under this heading are available to subsidize gross obliga-*

1 *tions for the principal amount of direct loans not to exceed*
 2 *\$4,242,000.*

3 *In addition, for administrative expenses necessary to*
 4 *carry out the direct loan program, \$305,000, which may*
 5 *be transferred to and merged with the appropriation for*
 6 *“General operating expenses”.*

7 *NATIVE AMERICAN VETERAN HOUSING LOAN PROGRAM*

8 *ACCOUNT*

9 *(INCLUDING TRANSFER OF FUNDS)*

10 *For administrative expenses to carry out the direct*
 11 *loan program authorized by subchapter V of chapter 37 of*
 12 *title 38, United States Code, \$615,000: Provided, That no*
 13 *new loans in excess of \$30,000,000 may be made in fiscal*
 14 *year 2007.*

15 *GUARANTEED TRANSITIONAL HOUSING LOANS FOR*

16 *HOMELESS VETERANS PROGRAM ACCOUNT*

17 *For the administrative expenses to carry out the guar-*
 18 *anteed transitional housing loan program authorized by*
 19 *subchapter VI of chapter 37 of title 38, United States Code,*
 20 *not to exceed \$750,000 of the amounts appropriated by this*
 21 *Act for “General operating expenses” and “Medical serv-*
 22 *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 and salaries and expenses of*
11 *healthcare employees hired under title 38, United States*
12 *Code, and aid to State homes as authorized by section 1741*
13 *of title 38, United States Code; and for necessary expenses*
14 *in the administration of the medical, hospital, nursing*
15 *home, domiciliary, construction, supply, and research ac-*
16 *tivities, as authorized by law; administrative expenses in*
17 *support of capital policy activities; and administrative and*
18 *legal expenses of the Department for collecting and recov-*
19 *ering amounts owed the Department as authorized under*
20 *chapter 17 of title 38, United States Code, and the Federal*
21 *Medical Care Recovery Act (42 U.S.C. 2651 et seq.);*
22 *\$28,689,000,000, plus reimbursements: Provided, That of*
23 *the funds made available under this heading, not to exceed*
24 *\$1,350,000,000 shall be available until September 30, 2008:*
25 *Provided further, That, notwithstanding any other provi-*
26 *sion of law, the Secretary of Veterans Affairs shall establish*

1 a priority for treatment for veterans who are service-con-
2 nected disabled, lower income, or have special needs: Pro-
3 vided further, That, notwithstanding any other provision
4 of law, the Secretary of Veterans Affairs shall give priority
5 funding for the provision of basic medical benefits to vet-
6 erans in enrollment priority groups 1 through 6: Provided
7 further, That, notwithstanding any other provision of law,
8 the Secretary of Veterans Affairs may authorize the dis-
9 pensing of prescription drugs from Veterans Health Admin-
10 istration facilities to enrolled veterans with privately writ-
11 ten prescriptions based on requirements established by the
12 Secretary: Provided further, That the implementation of the
13 program described in the previous proviso shall incur no
14 additional cost to the Department of Veterans Affairs.

15 MEDICAL FACILITIES

16 For necessary expenses for the maintenance and oper-
17 ation of hospitals, nursing homes, and domiciliary facilities
18 and other necessary facilities for the Veterans Health Ad-
19 ministration; for administrative expenses in support of
20 planning, design, project management, real property acqui-
21 sition and disposition, construction and renovation of any
22 facility under the jurisdiction or for the use of the Depart-
23 ment; for oversight, engineering and architectural activities
24 not charged to project costs; for repairing, altering, improv-
25 ing or providing facilities in the several hospitals and
26 homes under the jurisdiction of the Department, not other-

1 *wise provided for, either by contract or by the hire of tem-*
 2 *porary employees and purchase of materials; for leases of*
 3 *facilities; and for laundry and food services,*
 4 *\$3,569,000,000, plus reimbursements, of which*
 5 *\$250,000,000 shall be available until September 30, 2008.*

6 *MEDICAL AND PROSTHETIC RESEARCH*

7 *For necessary expenses in carrying out programs of*
 8 *medical and prosthetic research and development as author-*
 9 *ized by chapter 73 of title 38, United States Code, to remain*
 10 *available until September 30, 2008, \$412,000,000, plus re-*
 11 *imbursements, of which not less than \$15,000,000 shall be*
 12 *used for Gulf War Illness research.*

13 *NATIONAL CEMETERY ADMINISTRATION*

14 *For necessary expenses of the National Cemetery Ad-*
 15 *ministration for operations and maintenance, not otherwise*
 16 *provided for, including uniforms or allowances therefor;*
 17 *cemeterial expenses as authorized by law; purchase of one*
 18 *passenger motor vehicle for use in cemeterial operations;*
 19 *and hire of passenger motor vehicles, \$160,733,000, of which*
 20 *not to exceed \$8,037,000 shall be available until September*
 21 *30, 2008.*

22 *DEPARTMENTAL ADMINISTRATION*

23 *GENERAL OPERATING EXPENSES*

24 *(INCLUDING TRANSFER OF FUNDS)*

25 *For necessary operating expenses of the Department of*
 26 *Veterans Affairs, not otherwise provided for, including ad-*

1 *ministrative expenses in support of Department-Wide cap-*
2 *ital planning, management and policy activities, uniforms*
3 *or allowances therefor; not to exceed \$25,000 for official re-*
4 *ception and representation expenses; hire of passenger*
5 *motor vehicles; and reimbursement of the General Services*
6 *Administration for security guard services, and the Depart-*
7 *ment of Defense for the cost of overseas employee mail,*
8 *\$1,467,764,000: Provided, That expenses for services and as-*
9 *sistance authorized under paragraphs (1), (2), (5), and (11)*
10 *of section 3104(a) of title 38, United States Code, that the*
11 *Secretary of Veterans Affairs determines are necessary to*
12 *enable entitled veterans: (1) to the maximum extent feasible,*
13 *to become employable and to obtain and maintain suitable*
14 *employment; or (2) to achieve maximum independence in*
15 *daily living, shall be charged to this account: Provided fur-*
16 *ther, That the Veterans Benefits Administration shall be*
17 *funded at not less than \$1,167,859,000: Provided further,*
18 *That of the funds made available under this heading, not*
19 *to exceed \$75,000,000 shall be available for obligation until*
20 *September 30, 2008: Provided further, That from the funds*
21 *made available under this heading, the Veterans Benefits*
22 *Administration may purchase up to two passenger motor*
23 *vehicles for use in operations of that Administration in Ma-*
24 *nila, Philippines.*

1 OFFICE OF INSPECTOR GENERAL

2 *For necessary expenses of the Office of Inspector Gen-*
3 *eral, to include information technology, in carrying out the*
4 *provisions of the Inspector General Act of 1978,*
5 *\$70,599,000, of which \$3,474,950 shall remain available*
6 *until September 30, 2008.*

7 CONSTRUCTION, MAJOR PROJECTS

8 *For constructing, altering, extending and improving*
9 *any of the facilities including parking projects under the*
10 *jurisdiction or for the use of the Department of Veterans*
11 *Affairs, or for any of the purposes set forth in sections 316,*
12 *2404, 2406, 8102, 8103, 8106, 8108, 8109, 8110, and 8122*
13 *of title 38, United States Code, including planning, archi-*
14 *tectural and engineering services, construction management*
15 *services, maintenance or guarantee period services costs as-*
16 *sociated with equipment guarantees provided under the*
17 *project, services of claims analysts, offsite utility and storm*
18 *drainage system construction costs, and site acquisition,*
19 *where the estimated cost of a project is more than the*
20 *amount set forth in section 8104(a)(3)(A) of title 38, United*
21 *States Code, or where funds for a project were made avail-*
22 *able in a previous major project appropriation,*
23 *\$429,000,000, to remain available until expended, of which*
24 *\$2,000,000 shall be to make reimbursements as provided in*
25 *section 13 of the Contract Disputes Act of 1978 (41 U.S.C.*
26 *612) for claims paid for contract disputes: Provided, That*

1 *except for advance planning activities, including needs as-*
 2 *sessments which may or may not lead to capital invest-*
 3 *ments, and other capital asset management related activi-*
 4 *ties, such as portfolio development and management activi-*
 5 *ties, and investment strategy studies funded through the ad-*
 6 *vance planning fund and the planning and design activities*
 7 *funded through the design fund and CARES funds, includ-*
 8 *ing needs assessments which may or may not lead to capital*
 9 *investments, none of the funds appropriated under this*
 10 *heading shall be used for any project which has not been*
 11 *approved by the Congress in the budgetary process: Pro-*
 12 *vided further, That funds provided in this appropriation*
 13 *for fiscal year 2007, for each approved project (except those*
 14 *for CARES activities referenced above) shall be obligated:*
 15 *(1) by the awarding of a construction documents contract*
 16 *by September 30, 2007; and (2) by the awarding of a con-*
 17 *struction contract by September 30, 2008: Provided further,*
 18 *That the Secretary of Veterans Affairs shall promptly report*
 19 *in writing to the Committees on Appropriations of both*
 20 *Houses of Congress any approved major construction*
 21 *project in which obligations are not incurred within the*
 22 *time limitations established above.*

23 *CONSTRUCTION, MINOR PROJECTS*

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

1 *Affairs, including planning and assessments of needs which*
 2 *may lead to capital investments, architectural and engi-*
 3 *neering services, maintenance or guarantee period services*
 4 *costs associated with equipment guarantees provided under*
 5 *the project, services of claims analysts, offsite utility and*
 6 *storm drainage system construction costs, and site acquisi-*
 7 *tion, or for any of the purposes set forth in sections 316,*
 8 *2404, 2406, 8102, 8103, 8106, 8108, 8109, 8110, 8122, and*
 9 *8162 of title 38, United States Code, where the estimated*
 10 *cost of a project is equal to or less than the amount set*
 11 *forth in section 8104(a)(3)(A) of title 38, United States*
 12 *Code, \$168,000,000, to remain available until expended,*
 13 *along with unobligated balances of previous “Construction,*
 14 *minor projects” appropriations which are hereby made*
 15 *available for any project where the estimated cost is equal*
 16 *to or less than the amount set forth in such section for: (1)*
 17 *repairs to any of the nonmedical facilities under the juris-*
 18 *diction or for the use of the Department which are necessary*
 19 *because of loss or damage caused by any natural disaster*
 20 *or catastrophe; and (2) temporary measures necessary to*
 21 *prevent or to minimize further loss by such causes.*

22 *GRANTS FOR CONSTRUCTION OF STATE EXTENDED CARE*

23 *FACILITIES*

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

1 *domiciliary facilities in State homes, for furnishing care*
 2 *to veterans as authorized by sections 8131–8137 of title 38,*
 3 *United States Code, \$85,000,000, to remain available until*
 4 *expended.*

5 *GRANTS FOR CONSTRUCTION OF STATE VETERANS*
 6 *CEMETERIES*

7 *For grants to aid States in establishing, expanding,*
 8 *or improving State veterans cemeteries as authorized by sec-*
 9 *tion 2408 of title 38, United States Code, \$32,000,000, to*
 10 *remain available until expended.*

11 *INFORMATION TECHNOLOGY SYSTEMS*
 12 *(INCLUDING TRANSFER OF FUNDS)*

13 *For necessary expenses for information technology sys-*
 14 *tems and telecommunications support, including develop-*
 15 *mental information systems and operational information*
 16 *systems; including pay and associated cost for operations*
 17 *and maintenance associated staff; for the capital asset ac-*
 18 *quisition of information technology systems, including*
 19 *management and related contractual costs of said acquisi-*
 20 *tions, including contractual costs associated with operations*
 21 *authorized by chapter 3109 of title 5, United States Code,*
 22 *\$1,255,900,000, to remain available until September 30,*
 23 *2008: Provided, That none of these funds may be obligated*
 24 *until the Department of Veterans Affairs submits to the*
 25 *Committees on Appropriations of both Houses of Congress,*
 26 *and such Committees approve, a plan for expenditure that:*

1 *(1) meets the capital planning and investment control re-*
 2 *view requirements established by the Office of Management*
 3 *and Budget; (2) complies with the Department of Veterans*
 4 *Affairs enterprise architecture; (3) conforms with an estab-*
 5 *lished enterprise life cycle methodology; and (4) complies*
 6 *with the acquisition rules, requirements, guidelines, and*
 7 *systems acquisition management practices of the Federal*
 8 *Government: Provided further, That within 60 days of en-*
 9 *actment of this Act, the Secretary of Veterans Affairs shall*
 10 *submit to the Committees on Appropriations of both Houses*
 11 *of Congress a reprogramming base letter which provides,*
 12 *by project, the costs included in this appropriation.*

13 *ADMINISTRATIVE PROVISIONS*

14 *(INCLUDING TRANSFER OF FUNDS)*

15 *SEC. 201. Any appropriation for fiscal year 2007, in*
 16 *this Act or any other Act, for “Compensation and pen-*
 17 *sions”, “Readjustment benefits”, and “Veterans insurance*
 18 *and indemnities” may be transferred as necessary to any*
 19 *other of the mentioned appropriations: Provided, That be-*
 20 *fore a transfer may take place, the Secretary of Veterans*
 21 *Affairs shall request from the Committees on Appropria-*
 22 *tions of both Houses of Congress the authority to make the*
 23 *transfer and an approval is issued, or absent a response,*
 24 *a period of 30 days has elapsed.*

(INCLUDING TRANSFER OF FUNDS)

1
2 *SEC. 202. Amounts made available for fiscal year*
3 *2007, in this Act or any other Act, under the “Medical serv-*
4 *ices” and “Medical facilities” accounts may be transferred*
5 *between the accounts to the extent necessary to implement*
6 *the restructuring of the Veterans Health Administration ac-*
7 *counts: Provided, That before a transfer may take place,*
8 *the Secretary of Veterans Affairs shall request from the*
9 *Committees on Appropriations of both Houses of Congress*
10 *the authority to make the transfer and an approval is*
11 *issued.*

12 *SEC. 203. Appropriations available in this title for sal-*
13 *aries and expenses shall be available for services authorized*
14 *by section 3109 of title 5, United States Code, hire of pas-*
15 *senger motor vehicles; lease of a facility or land or both;*
16 *and uniforms or allowances therefor, as authorized by sec-*
17 *tions 5901–5902 of title 5, United States Code.*

18 *SEC. 204. No appropriations in this title (except the*
19 *appropriations for “Construction, major projects”, and*
20 *“Construction, minor projects”) shall be available for the*
21 *purchase of any site for the construction of any new hos-*
22 *pital or home.*

23 *SEC. 205. No appropriations in this title shall be*
24 *available for hospitalization or examination of any persons*
25 *(except beneficiaries entitled under the laws bestowing such*

1 *benefits to veterans, and persons receiving such treatment*
2 *under sections 7901–7904 of title 5, United States Code or*
3 *the Robert T. Stafford Disaster Relief and Emergency As-*
4 *sistance Act (42 U.S.C. 5121 et seq.)), unless reimbursement*
5 *of cost is made to the “Medical services” account at such*
6 *rates as may be fixed by the Secretary of Veterans Affairs.*

7 *SEC. 206. Appropriations available in this title for*
8 *“Compensation and pensions”, “Readjustment benefits”,*
9 *and “Veterans insurance and indemnities” shall be avail-*
10 *able for payment of prior year accrued obligations required*
11 *to be recorded by law against the corresponding prior year*
12 *accounts within the last quarter of fiscal year 2006.*

13 *SEC. 207. Appropriations available in this title shall*
14 *be available to pay prior year obligations of corresponding*
15 *prior year appropriations accounts resulting from sections*
16 *3328(a), 3334, and 3712(a) of title 31, United States Code,*
17 *except that if such obligations are from trust fund accounts*
18 *they shall be payable from “Compensation and pensions”.*

19 *SEC. 208. Notwithstanding any other provision of law,*
20 *during fiscal year 2007, the Secretary of Veterans Affairs*
21 *shall, from the National Service Life Insurance Fund (38*
22 *U.S.C. 1920), the Veterans’ Special Life Insurance Fund*
23 *(38 U.S.C. 1923), and the United States Government Life*
24 *Insurance Fund (38 U.S.C. 1955), reimburse the “General*
25 *operating expenses” account for the cost of administration*

1 of the insurance programs financed through those accounts:
2 Provided, That reimbursement shall be made only from the
3 surplus earnings accumulated in an insurance program in
4 fiscal year 2007 that are available for dividends in that
5 program after claims have been paid and actuarially deter-
6 mined reserves have been set aside: Provided further, That
7 if the cost of administration of an insurance program ex-
8 ceeds the amount of surplus earnings accumulated in that
9 program, reimbursement shall be made only to the extent
10 of such surplus earnings: Provided further, That the Sec-
11 retary shall determine the cost of administration for fiscal
12 year 2007 which is properly allocable to the provision of
13 each insurance program and to the provision of any total
14 disability income insurance included in such insurance
15 program.

16 SEC. 209. Amounts deducted from enhanced-use lease
17 proceeds to reimburse an account for expenses incurred by
18 that account during a prior fiscal year for providing en-
19 hanced-use lease services, may be obligated during the fiscal
20 year in which the proceeds are received.

21 SEC. 210. Funds available in this title or funds for
22 salaries and other administrative expenses shall also be
23 available to reimburse the Office of Resolution Management
24 and the Office of Employment Discrimination Complaint
25 Adjudication for all services provided at rates which will

1 *recover actual costs but not exceed \$31,246,000 for the Office*
2 *of Resolution Management and \$3,059,000 for the Office of*
3 *Employment and Discrimination Complaint Adjudication:*
4 *Provided, That payments may be made in advance for serv-*
5 *ices to be furnished based on estimated costs: Provided fur-*
6 *ther, That amounts received shall be credited to “General*
7 *operating expenses” for use by the office that provided the*
8 *service.*

9 *SEC. 211. No appropriations in this title shall be*
10 *available to enter into any new lease of real property if*
11 *the estimated annual rental is more than \$300,000 unless*
12 *the Secretary submits a report which the Committees on*
13 *Appropriations of both Houses of Congress approve within*
14 *30 days following the date on which the report is received.*

15 *SEC. 212. No funds of the Department of Veterans Af-*
16 *airs shall be available for hospital care, nursing home care,*
17 *or medical services provided to any person under chapter*
18 *17 of title 38, United States Code, for a non-service-con-*
19 *nected disability described in section 1729(a)(2) of such*
20 *title, unless that person has disclosed to the Secretary of*
21 *Veterans Affairs, in such form as the Secretary may require,*
22 *current, accurate third-party reimbursement information*
23 *for purposes of section 1729 of such title: Provided, That*
24 *the Secretary may recover, in the same manner as any other*
25 *debt due the United States, the reasonable charges for such*

1 *care or services from any person who does not make such*
 2 *disclosure as required: Provided further, That any amounts*
 3 *so recovered for care or services provided in a prior fiscal*
 4 *year may be obligated by the Secretary during the fiscal*
 5 *year in which amounts are received.*

6 *(INCLUDING TRANSFER OF FUNDS)*

7 *SEC. 213. Notwithstanding any other provision of law,*
 8 *at the discretion of the Secretary of Veterans Affairs, pro-*
 9 *ceeds or revenues derived from enhanced-use leasing activi-*
 10 *ties (including disposal) may be deposited into the “Con-*
 11 *struction, major projects” and “Construction, minor*
 12 *projects” accounts and be used for construction (including*
 13 *site acquisition and disposition), alterations and improve-*
 14 *ments of any medical facility under the jurisdiction or for*
 15 *the use of the Department of Veterans Affairs. Such sums*
 16 *as realized are in addition to the amount provided for in*
 17 *“Construction, major projects” and “Construction, minor*
 18 *projects”.*

19 *SEC. 214. Amounts made available under “Medical*
 20 *services” are available—*

21 *(1) for furnishing recreational facilities, sup-*
 22 *plies, and equipment; and*

23 *(2) for funeral expenses, burial expenses, and*
 24 *other expenses incidental to funerals and burials for*
 25 *beneficiaries receiving care in the Department.*

1 (INCLUDING TRANSFER OF FUNDS)

2 SEC. 215. Such sums as may be deposited to the Med-
3 ical Care Collections Fund pursuant to section 1729A of
4 title 38, United States Code, may be transferred to “Medical
5 services”, to remain available until expended for the pur-
6 poses of this account.

7 SEC. 216. Notwithstanding any other provision of law,
8 the Secretary of Veterans Affairs shall allow veterans eligi-
9 ble under existing Department of Veterans Affairs medical
10 care requirements and who reside in Alaska to obtain med-
11 ical care services from medical facilities supported by the
12 Indian Health Service or tribal organizations. The Sec-
13 retary shall: (1) limit the application of this provision to
14 rural Alaskan veterans in areas where an existing Depart-
15 ment of Veterans Affairs facility or Veterans Affairs-con-
16 tracted service is unavailable; (2) require participating vet-
17 erans and facilities to comply with all appropriate rules
18 and regulations, as established by the Secretary; (3) require
19 this provision to be consistent with Capital Asset Realign-
20 ment for Enhanced Services activities; and (4) result in no
21 additional cost to the Department of Veterans Affairs or
22 the Indian Health Service.

23 (INCLUDING TRANSFER OF FUNDS)

24 SEC. 217. Such sums as may be deposited to the De-
25 partment of Veterans Affairs Capital Asset Fund pursuant
26 to section 8118 of title 38, United States Code, may be

1 transferred to the “Construction, major projects” and “Con-
2 struction, minor projects” accounts, to remain available
3 until expended for the purposes of these accounts.

4 SEC. 218. None of the funds available to the Depart-
5 ment of Veterans Affairs, in this Act, or any other Act, may
6 be used for payment for E-Gov initiatives.

7 SEC. 219. None of the funds made available in this
8 Act may be used to implement any policy prohibiting the
9 Directors of the Veterans Integrated Service Networks from
10 conducting outreach or marketing to enroll new veterans
11 within their respective Networks.

12 SEC. 220. The Secretary of Veterans Affairs shall sub-
13 mit to the Committees on Appropriations of both Houses
14 of Congress a quarterly report on the financial status of
15 the Veterans Health Administration.

16 (INCLUDING TRANSFER OF FUNDS)

17 SEC. 221. Amounts made available under the “Medical
18 services”, “Medical facilities”, “General operating ex-
19 penses”, and “National Cemetery Administration” accounts
20 for fiscal year 2007, may be transferred to or from the “In-
21 formation technology systems” account: Provided, That be-
22 fore a transfer may take place, the Secretary of Veterans
23 Affairs shall request from the Committees on Appropria-
24 tions of both Houses of Congress the authority to make the
25 transfer and an approval is issued.

1 (INCLUDING TRANSFER OF FUNDS)

2 SEC. 222. *For purposes of perfecting the funding*
3 *sources of the Department of Veterans Affairs’ new “Infor-*
4 *mation technology systems” account, funds made available*
5 *for fiscal year 2007, in this or any other Act, may be trans-*
6 *ferred from the “General operating expenses”, “National*
7 *Cemetery Administration”, and “Office of Inspector Gen-*
8 *eral” accounts to the “Medical services” account: Provided,*
9 *That before a transfer may take place, the Secretary of Vet-*
10 *erans Affairs shall request from the Committees on Appro-*
11 *priations of both Houses of Congress the authority to make*
12 *the transfer and an approval is issued.*

13 (INCLUDING TRANSFER OF FUNDS)

14 SEC. 223. *Amounts made available for the “Informa-*
15 *tion technology systems” account may be transferred be-*
16 *tween projects: Provided, That no project may be increased*
17 *or decreased by more than \$1,000,000 of cost prior to sub-*
18 *mitting a request to the Committees on Appropriations of*
19 *both Houses of Congress to make the transfer and an ap-*
20 *proval is issued, or absent a response, a period of 30 days*
21 *has elapsed.*

22 SEC. 224. *No funds in this Act may be deposited into*
23 *the DOD/VA Health Care Sharing Incentive Fund.*

24 SEC. 225. *The authority provided by section 2011 of*
25 *title 38, United States Code, shall continue in effect through*
26 *September 30, 2007.*

1 *SEC. 226. REPORT ON USE OF LANDS AT WEST LOS*
2 *ANGELES DEPARTMENT OF VETERANS AFFAIRS MEDICAL*
3 *CENTER. (a) REPORT.—The Secretary of Veterans Affairs*
4 *shall submit to Congress a report on the master plan of*
5 *the Department of Veterans Affairs relating to the use of*
6 *Department lands at the West Los Angeles Department of*
7 *Veterans Medical Center, California.*

8 *(b) REPORT ELEMENTS.—The report under subsection*
9 *(a) shall set forth the following:*

10 *(1) The master plan referred to in that sub-*
11 *section, if such a plan currently exists.*

12 *(2) A current assessment of the master plan.*

13 *(3) Any proposal of the Department for a vet-*
14 *erans park on the lands referred to in subsection (a),*
15 *and an assessment of each such proposal.*

16 *(4) Any proposal to use a portion of those lands*
17 *as dedicated green space, and an assessment of each*
18 *such proposal.*

19 *(c) ALTERNATIVE REPORT ELEMENT.—If a master*
20 *plan referred to in subsection (a) does not exist as of the*
21 *date of enactment of this Act, the Secretary shall set forth*
22 *in the report under that subsection, in lieu of the matters*
23 *specified in paragraphs (1) and (2) of subsection (b), a plan*
24 *for the development of a master plan for the use of the lands*
25 *referred to in subsection (a) during the period beginning*

1 *on the date of the enactment of this Act and ending 25 years*
2 *later and during the period beginning on the date of the*
3 *enactment of this Act and ending 50 years later. The master*
4 *plan referred to in subsection (a) shall be completed prior*
5 *to the adoption of the Capital Asset Realignment for En-*
6 *hanced Services (CARES) plan for that property, or prior*
7 *to the issuance of any enhanced use lease on the subject*
8 *property. The CARES plan for the subject property shall*
9 *be consistent with the master plan required by this section.*

10 *(d) LIMITATIONS ON IMPLEMENTATION.—*

11 *(1) IN GENERAL.—The Secretary may not imple-*
12 *ment any portion of the master plan referred to in*
13 *subsection (a) until 120 days after the date of the re-*
14 *ceipt by the Committees on Appropriations of the*
15 *Senate and the House of Representatives of the report*
16 *required by that subsection.*

17 *(2) ACTIONS OTHER THAN DIRECT VETERANS*
18 *SERVICES.—In the case of any portion of the master*
19 *plan referred to in subsection (a) that does not relate*
20 *exclusively to direct veterans services on the site re-*
21 *ferred to in subsection (a), the Secretary may not*
22 *carry out such portion of the master plan without the*
23 *approval of the Committees on Appropriations of the*
24 *Senate and the House of Representatives.*

1 (e) *EXEMPTIONS.*—Nothing contained in this provi-
2 sion shall prevent the Department of Veterans Affairs from
3 providing maintenance, service or programs consistent with
4 the mission of the Department.

5 *SEC. 227.* None of the funds available to the Depart-
6 ment of Veterans Affairs, in this Act, or any other Act, may
7 be used to replace the current system by which the Veterans
8 Integrated Services Networks select and contract for diabetes
9 monitoring supplies and equipment.

10 *SEC. 228.* The major medical facility project for a De-
11 partment of Veterans Affairs Medical Center in New Orle-
12 ans, Louisiana, for which funds were appropriated for the
13 Department of Veterans Affairs for the “Construction,
14 major projects” account in Public Law 109–234 and Public
15 Law 109–148 shall be treated for purposes of section
16 8104(b) of title 38, United States Code, as a major medical
17 facility project that has been specifically authorized by law,
18 and the Secretary of Veterans Affairs may obligate and ex-
19 pend amounts so appropriated for that account for that
20 project for the purchase of a site including property ex-
21 change for, and new construction, restoration, or replace-
22 ment of, the Department of Veterans Affairs Medical Center
23 in New Orleans, Louisiana.

24 *SEC. 229.* Of the amount appropriated by this title,
25 up to \$18,000,000 may be available for necessary expenses,

1 *including salaries and expenses, for the provision of addi-*
2 *tional mental health services through centers for readjust-*
3 *ment counseling and related mental health services for vet-*
4 *erans under section 1712A of title 38, United States Code*
5 *(commonly referred to as “Vet Centers”), to veterans who*
6 *served in combat in Iraq or Afghanistan.*

7 *SEC. 230. Not later than 60 days after the date of the*
8 *enactment of this Act, the Secretary of Veterans Affairs*
9 *shall submit to the Committee on Appropriations of the*
10 *Senate and the Committee on Appropriations of the House*
11 *of Representatives a report on the actions taken by the Sec-*
12 *retary to test veterans for vestibular damage.*

13 *SEC. 231. (a) INCREASE IN THRESHOLD FOR MAJOR*
14 *MEDICAL FACILITY PROJECTS.—Section 8104(a)(3)(A) of*
15 *title 38, United States Code, is amended by striking*
16 *“\$7,000,000” and inserting “\$10,000,000”.*

17 *(b) EFFECTIVE DATE.—The amendment made by sub-*
18 *section (a) shall take effect on October 1, 2006, and shall*
19 *apply with respect to fiscal years beginning on or after that*
20 *date.*

21 *SEC. 232. Notwithstanding any other provision of law,*
22 *the Secretary is authorized to carry out major medical fa-*
23 *cility projects and leases for which any funds have been ap-*
24 *propriated under this Act or any other Act. Further, for*
25 *major medical facility projects authorized under Public*

1 *Law 108–170, the Secretary may carry out contracts*
2 *through September 30, 2007, including land purchase on*
3 *projects for which Phase I design has been authorized.*

4 *SEC. 233. Of the amount appropriated by this title*
5 *under the heading “VETERANS HEALTH ADMINISTRATION”,*
6 *up to \$1,000,000 shall be available for the Office of Inspec-*
7 *tor General.*

8 *SEC. 234. (a) COLOCATION OF COMMUNITY BASED*
9 *OUTPATIENT CLINIC WITH WAGNER INDIAN HEALTH*
10 *SERVICE UNIT, WAGNER, SOUTH DAKOTA.—No amount*
11 *appropriated or otherwise made available for the Depart-*
12 *ment of Veterans Affairs by this title may be obligated or*
13 *expended to implement a business plan of Veterans Inte-*
14 *grated Service Network 23 (VISN 23) for the implementa-*
15 *tion a Community Based Outpatient Clinic (CBOC) in*
16 *Wagner, South Dakota, unless such business plan contains*
17 *an evaluation and an analysis of the prospect of colocating*
18 *such Community Based Outpatient Clinic with the Wagner*
19 *Indian Health Service unit in Wagner, South Dakota.*

20 *(b) AVAILABILITY OF AMOUNTS FOR EMERGENCY*
21 *ROOM SERVICES AT WAGNER INDIAN HEALTH SERVICE*
22 *UNIT.—Of the amount appropriated or otherwise made*
23 *available to the Department of Veterans Affairs by this title*
24 *under the heading “MEDICAL FACILITIES”, at the discretion*
25 *of the Secretary of the Department of Veterans Affairs up*

1 to \$500,000 may be available for emergency room services
2 at the Wagner Indian Health Service unit pending imple-
3 mentation of a business plan meeting the requirements in
4 subsection (a).

5 SEC. 235. (a) STUDY ON COSTS OF COMPREHENSIVE
6 SERVICE PROGRAMS FOR HOMELESS VETERANS.—The Sec-
7 retary of Veterans Affairs shall carry out a study of costs
8 associated with the Comprehensive Service Programs au-
9 thorized by sections 2011 and 2012 of title 38 United States
10 Code.

11 (b) REPORT.—Not later than 120 days after the date
12 of the enactment of this Act, the Secretary shall submit to
13 the Committees on Veterans' Affairs and Appropriations of
14 the Senate and the Committees on Veterans' Affairs and Ap-
15 propriations of the House of Representatives a report on
16 the study required by subsection (a). The report shall set
17 forth the following:

18 (1) The number of authorized and operational
19 transitional housing beds and service centers under
20 the programs referred to in subsection (a) in fiscal
21 year 2006, and the number of such beds and centers
22 in each State and in each Congressional District dur-
23 ing such fiscal year.

24 (2) The cost in fiscal year 2006 of grants under
25 section 2011 of title 38, United States Code, to au-

1 *thorized and operational transitional housing beds*
2 *and service centers under the programs referred to in*
3 *that subsection.*

4 (3) *The cost in fiscal year 2006 of per diem pay-*
5 *ments under section 2012 of title 38 United States*
6 *Code, to authorized and operational transitional*
7 *housing beds and service centers under the programs*
8 *referred to in that subsection.*

9 (4) *The number of applications received, scored*
10 *as qualified, and awarded pursuant to the Capital*
11 *Grant Notice of Funds Availability published on*
12 *April 20, 2006.*

13 (5) *The range of per diem payment rates, the av-*
14 *erage per diem payment rate, and the median per*
15 *diem payment rate paid to recipients of grants under*
16 *section 2012 of title 38, United States Code, in fiscal*
17 *year 2006.*

18 (6) *The number and percentage of total recipi-*
19 *ents of grants under section 2011 of title 38 United*
20 *States Code, in fiscal year 2006 being paid under sec-*
21 *tion 2012 of title 38, United States Code, the rate au-*
22 *thorized for State homes for domiciliary care under*
23 *section 1741(a)(1)(A) of that title for fiscal year 2006.*

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

5 *For necessary expenses, not otherwise provided for, of*
6 *the American Battle Monuments Commission, including the*
7 *acquisition of land or interest in land in foreign countries;*
8 *purchases and repair of uniforms for caretakers of national*
9 *cemeteries and monuments outside of the United States and*
10 *its territories and possessions; rent of office and garage*
11 *space in foreign countries; purchase (one-for-one replace-*
12 *ment only) and hire of passenger motor vehicles; not to ex-*
13 *ceed \$7,500 for official reception and representation ex-*
14 *penses; and insurance of official motor vehicles in foreign*
15 *countries, when required by law of such countries,*
16 *\$37,088,000, to remain available until expended.*

17 *FOREIGN CURRENCY FLUCTUATIONS*

18 *For necessary expenses, not otherwise provided for, of*
19 *the American Battle Monuments Commission, \$4,900,000,*
20 *to remain available until expended, for purposes authorized*
21 *by section 2109 of title 36, United States Code.*

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

4 *For necessary expenses for the operation of the United*
5 *States Court of Appeals for Veterans Claims as authorized*
6 *by sections 7251–7298 of title 38, United States Code,*
7 *\$19,790,000: Provided, That \$1,260,000 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 *\$26,550,000, 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 *ARMED FORCES RETIREMENT HOME*

2 *For expenses necessary for the Armed Forces Retire-*
3 *ment Home to operate and maintain the Armed Forces Re-*
4 *tirement Home—Washington, District of Columbia and the*
5 *Armed Forces Retirement Home—Gulfport, Mississippi, to*
6 *be paid from funds available in the Armed Forces Retire-*
7 *ment Home Trust Fund, \$54,846,000.*

8 *ADMINISTRATIVE PROVISIONS*

9 *SEC. 301. None of the funds in this title under the*
10 *heading “American Battle Monuments Commission” shall*
11 *be available for the Capital Security Costs Sharing pro-*
12 *gram.*

13 *(INCLUDING RESCISSION OF FUNDS)*

14 *SEC. 302. (a) For an additional amount for “United*
15 *States Court of Appeals for Veterans Claims, Salaries and*
16 *Expenses”, \$500,000, to remain available until expended,*
17 *for implementation of the Appellate Case Management Elec-*
18 *tronic Case Files System.*

19 *(b) Of the amount appropriated under the heading*
20 *“United States Court of Appeals for Veterans Claims, Sala-*
21 *ries and Expenses”, in the Military Quality of Life, Mili-*
22 *tary Construction, and Veterans Affairs Appropriations*
23 *Act, 2006 (Public Law 109–114), \$500,000 are rescinded.*

24 *(c) This section shall take effect immediately upon en-*
25 *actment of this Act.*

1 *TITLE IV*2 *GENERAL PROVISIONS*

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

6 *SEC. 402. Such sums as may be necessary for fiscal*
7 *year 2007 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 Quality of Life and Veterans Affairs,*
 12 *and Related Agencies of the Committee on Appropriations*
 13 *of the House of Representatives and the Subcommittee on*
 14 *Military Construction and Veterans Affairs, and Related*
 15 *Agencies of the Committee on Appropriations of the Senate.*

16 ***TITLE V—DIGITAL AND*** 17 ***WIRELESS TECHNOLOGY***

18 ***SEC. 501. SHORT TITLE.***

19 *This title may be cited as the “Minority Serving Insti-*
 20 *tution Digital and Wireless Technology Opportunity Act of*
 21 *2006”.*

22 ***SEC. 502. ESTABLISHMENT OF PROGRAM.***

23 *Section 5 of the Stevenson-Wydler Technology Innova-*
 24 *tion Act of 1980 (15 U.S.C. 3704) is amended by inserting*
 25 *the following after subsection (f):*

1 “(g) *MINORITY SERVING INSTITUTION DIGITAL AND*
2 *WIRELESS TECHNOLOGY OPPORTUNITY PROGRAM.*—

3 “(1) *IN GENERAL.*—*The Secretary, acting*
4 *through the Under Secretary, shall establish a Minor-*
5 *ity Serving Institution Digital and Wireless Tech-*
6 *nology Opportunity Program to assist eligible institu-*
7 *tions in acquiring, and augmenting their use of, dig-*
8 *ital and wireless networking technologies to improve*
9 *the quality and delivery of educational services at eli-*
10 *gible institutions.*

11 “(2) *AUTHORIZED ACTIVITIES.*—*An eligible in-*
12 *stitution may use a grant, cooperative agreement, or*
13 *contract awarded under this subsection—*

14 “(A) *to acquire equipment, instrumenta-*
15 *tion, networking capability, hardware and soft-*
16 *ware, digital network technology, wireless tech-*
17 *nology, and infrastructure to further the objective*
18 *of the Program described in paragraph (1);*

19 “(B) *to develop and provide training, edu-*
20 *cation, and professional development programs,*
21 *including faculty development, to increase the*
22 *use of, and usefulness of, digital and wireless*
23 *networking technology;*

24 “(C) *to provide teacher education, including*
25 *the provision of preservice teacher training and*

1 *in-service professional development at eligible in-*
2 *stitutions, library and media specialist training,*
3 *and preschool and teacher aid certification to in-*
4 *dividuals who seek to acquire or enhance tech-*
5 *nology skills in order to use digital and wireless*
6 *networking technology in the classroom or in-*
7 *structional process, including instruction in*
8 *science, mathematics, engineering, and tech-*
9 *nology subjects; and*

10 *“(D) to foster the use of digital and wireless*
11 *networking technology to improve research and*
12 *education, including scientific, mathematics, en-*
13 *gineering, and technology instruction.*

14 *“(3) APPLICATION AND REVIEW PROCEDURES.—*

15 *“(A) IN GENERAL.—To be eligible to receive*
16 *a grant, cooperative agreement, or contract*
17 *under this subsection, an eligible institution*
18 *shall submit an application to the Under Sec-*
19 *retary at such time, in such manner, and con-*
20 *taining such information as the Under Secretary*
21 *may require. Such application, at a minimum,*
22 *shall include a description of how the funds will*
23 *be used, including a description of any digital*
24 *and wireless networking technology to be ac-*
25 *quired, and a description of how the institution*

1 *will ensure that digital and wireless networking*
2 *will be made accessible to, and employed by, stu-*
3 *dents, faculty, and administrators. The Under*
4 *Secretary, consistent with subparagraph (B),*
5 *shall establish procedures to review such applica-*
6 *tions. The Under Secretary shall publish the ap-*
7 *plication requirements and review criteria in the*
8 *Federal Register, along with a statement describ-*
9 *ing the availability of funds.*

10 *“(B) REVIEW PANELS.—Each application*
11 *submitted under this subsection by an eligible in-*
12 *stitution shall be reviewed by a panel of individ-*
13 *uals selected by the Under Secretary to judge the*
14 *quality and merit of the proposal, including the*
15 *extent to which the eligible institution can effec-*
16 *tively and successfully utilize the proposed grant,*
17 *cooperative agreement, or contract to carry out*
18 *the program described in paragraph (1). The*
19 *Under Secretary shall ensure that the review*
20 *panels include representatives of minority serv-*
21 *ing institutions and others who are knowledge-*
22 *able about eligible institutions and digital and*
23 *wireless networking technology. The Under Sec-*
24 *retary shall ensure that no individual assigned*
25 *under this subsection to review any application*

1 *has a conflict of interest with regard to that ap-*
2 *plication. The Under Secretary shall take into*
3 *consideration the recommendations of the review*
4 *panel in determining whether to award a grant,*
5 *cooperative agreement, or contract to an eligible*
6 *institution.*

7 “(C) *MATCHING REQUIREMENT.—The*
8 *Under Secretary may not award a grant, cooper-*
9 *ative agreement, or contract to an eligible insti-*
10 *tution under this subsection unless such institu-*
11 *tion agrees that, with respect to the costs in-*
12 *curring by the institution in carrying out the*
13 *program for which the grant, cooperative agree-*
14 *ment, or contract was awarded, such institution*
15 *shall make available, directly, or through dona-*
16 *tions from public or private entities, non-Federal*
17 *contributions in an amount equal to one-quarter*
18 *of the grant, cooperative agreement, or contract*
19 *awarded by the Under Secretary, or \$500,000,*
20 *whichever is the lesser amount. The Under Sec-*
21 *retary shall waive the matching requirement for*
22 *any institution or consortium with no endow-*
23 *ment, or an endowment that has a current dollar*
24 *value lower than \$50,000,000.*

25 “(D) *AWARDS.—*

1 “(i) *LIMITATION.*—An eligible institu-
2 tion that receives a grant, cooperative agree-
3 ment, or contract under this subsection that
4 exceeds \$2,500,000 shall not be eligible to re-
5 ceive another grant, cooperative agreement,
6 or contract.

7 “(ii) *CONSORTIA.*—Grants, cooperative
8 agreements, and contracts may only be
9 awarded to eligible institutions. Eligible in-
10 stitutions may seek funding under this sub-
11 section for consortia which may include
12 other eligible institutions, a State or a State
13 educational agency, local educational agen-
14 cies, institutions of higher education, com-
15 munity-based organizations, national non-
16 profit organizations, or businesses, includ-
17 ing minority businesses.

18 “(iii) *PLANNING GRANTS.*—The Under
19 Secretary may provide funds to develop
20 strategic plans to implement such grants,
21 cooperative agreements, or contracts.

22 “(iv) *INSTITUTIONAL DIVERSITY.*—In
23 awarding grants, cooperative agreements,
24 and contracts to eligible institutions, the
25 Under Secretary shall ensure, to the extent

1 *practicable, that awards are made to all*
2 *types of institutions eligible for assistance*
3 *under this subsection.*

4 “(v) *NEED.*—*In awarding funds under*
5 *this subsection, the Under Secretary shall*
6 *give priority to the institution with the*
7 *greatest demonstrated need for assistance.*

8 “(E) *ANNUAL REPORT AND EVALUATION.*—

9 “(i) *ANNUAL REPORT REQUIRED FROM*
10 *RECIPIENTS.*—*Each institution that receives*
11 *a grant, cooperative agreement, or contract*
12 *awarded under this subsection shall provide*
13 *an annual report to the Under Secretary on*
14 *its use of the grant, cooperative agreement,*
15 *or contract.*

16 “(ii) *INDEPENDENT ASSESSMENT.*—
17 *Not later than 6 months after the date of*
18 *enactment of this subsection, the Under Sec-*
19 *retary shall enter into a contract with the*
20 *National Academy of Public Administration*
21 *to conduct periodic assessments of the pro-*
22 *gram. The Assessments shall be conducted*
23 *once every 3 years during the 10-year pe-*
24 *riod following the enactment of this sub-*
25 *section. The assessments shall include an*

1 *evaluation of the effectiveness of the pro-*
2 *gram in improving the education and*
3 *training of students, faculty and staff at eli-*
4 *gible institutions that have been awarded*
5 *grants, cooperative agreements, or contracts*
6 *under the program; an evaluation of the ef-*
7 *fectiveness of the program in improving ac-*
8 *cess to, and familiarity with, digital and*
9 *wireless networking technology for students,*
10 *faculty, and staff at all eligible institutions;*
11 *an evaluation of the procedures established*
12 *under subparagraph (A); and recommenda-*
13 *tions for improving the program, including*
14 *recommendations concerning the continuing*
15 *need for Federal support. In carrying out*
16 *its assessments, the National Academy of*
17 *Public Administration shall review the re-*
18 *ports submitted to the Under Secretary*
19 *under clause (i).*

20 “(iii) *REPORT TO CONGRESS.*—Upon
21 *completion of each independent assessment*
22 *carried out under clause (ii), the Under*
23 *Secretary shall transmit the assessment to*
24 *Congress along with a summary of the*
25 *Under Secretary’s plans, if any, to imple-*

1 *ment the recommendations of the National*
2 *Academy of Public Administration.*

3 *“(F) DEFINITIONS.—In this subsection:*

4 *“(i) DIGITAL AND WIRELESS NET-*
5 *WORKING TECHNOLOGY.—The term ‘digital*
6 *and wireless networking technology’ means*
7 *computer and communications equipment*
8 *and software that facilitates the trans-*
9 *mission of information in a digital format.*

10 *“(ii) ELIGIBLE INSTITUTION.—The*
11 *term ‘eligible institution’ means an institu-*
12 *tion that is—*

13 *“(I) a historically Black college or*
14 *university that is a part B institution,*
15 *as defined in section 322(2) of the*
16 *Higher Education Act of 1965 (20*
17 *U.S.C. 1061(2)), or an institution de-*
18 *scribed in section 326(e)(1) of that Act*
19 *(20 U.S.C. 1063b(e)(1));*

20 *“(II) a Hispanic-serving institu-*
21 *tion, as defined in section 502(a)(5) of*
22 *the Higher Education Act of 1965 (20*
23 *U.S.C. 1101a(a)(5));*

24 *“(III) a tribally controlled college*
25 *or university, as defined in section*

1 *316(b)(3) of the Higher Education Act*
 2 *of 1965 (20 U.S.C. 1059c(b)(3));*

3 “(IV) *an Alaska Native-serving*
 4 *institution under section 317(b) of the*
 5 *Higher Education Act of 1965 (20*
 6 *U.S.C. 1059d(b)); or*

7 “(V) *a Native Hawaiian-serving*
 8 *institution under section 317(b) of the*
 9 *Higher Education Act of 1965 (20*
 10 *U.S.C. 1059d(b)).*

11 “(iii) *INSTITUTION OF HIGHER EDU-*
 12 *CATION.—The term ‘institution of higher*
 13 *education’ has the meaning given the term*
 14 *in section 101 of the Higher Education Act*
 15 *of 1965 (20 U.S.C. 1001).*

16 “(iv) *LOCAL EDUCATIONAL AGENCY.—*
 17 *The term ‘local educational agency’ has the*
 18 *meaning given the term in section 9101 of*
 19 *the Elementary and Secondary Education*
 20 *Act of 1965 (20 U.S.C. 7801).*

21 “(v) *MINORITY BUSINESS.—The term*
 22 *‘minority business’ includes HUBZone*
 23 *small business concerns (as defined in sec-*
 24 *tion 3(p) of the Small Business Act (15*
 25 *U.S.C. 632(p)).*

1 “(vi) *MINORITY INDIVIDUAL.*—The
 2 term ‘minority individual’ means an Amer-
 3 ican Indian, Alaskan Native, Black (not of
 4 Hispanic origin), Hispanic (including per-
 5 sons of Mexican, Puerto Rican, Cuban and
 6 Central or South American origin), or Pa-
 7 cific Islander individual.

8 “(vii) *STATE.*—The term ‘State’ has
 9 the meaning given the term in section 9101
 10 of the Elementary and Secondary Edu-
 11 cation Act of 1965 (20 U.S.C. 7801).

12 “(viii) *STATE EDUCATIONAL AGEN-*
 13 *CY.*—The term ‘State educational agency’
 14 has the meaning given the term in section
 15 9101 of the Elementary and Secondary
 16 Education Act of 1965 (20 U.S.C. 7801).”.

17 **SEC. 503. AUTHORIZATION OF APPROPRIATIONS.**

18 *There are authorized to be appropriated to the Tech-*
 19 *nology Administration of the Department of Commerce to*
 20 *carry out section 5(g) of the Stevenson-Wydler Technology*
 21 *Innovation Act of 1980 such sums as may be necessary for*
 22 *each of the fiscal years 2007 through 2010.*

23 *This Act may be cited as the “Military Construction*
 24 *and Veterans Affairs and Related Agencies Appropriations*
 25 *Act, 2007”.*

Amend the title so as to read: “An Act making appropriations for Military Construction and Veterans Affairs, and Related Agencies for the fiscal year ending September 30, 2007, and for other purposes.”.

Passed the House of Representatives May 19, 2006.

Attest: KAREN L. HAAS,
Clerk.

Passed the Senate November 14, 2006.

Attest: EMILY J. REYNOLDS,
Secretary.