

In the Senate of the United States,

November 14, 2006.

Resolved, That the bill from the House of Representatives (H.R. 5385) entitled “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.”, do pass with the following

AMENDMENTS:

Strike out all after the enacting clause and insert:

- 1 *That the following sums are appropriated, out of any*
- 2 *money in the Treasury not otherwise appropriated, for*
- 3 *military construction, the Department of Veterans Affairs,*
- 4 *and related agencies for the fiscal year ending September*
- 5 *30, 2007, and for other purposes, namely:*

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

5 *For acquisition, construction, installation, and equip-*
6 *ment of temporary or permanent public works, military in-*
7 *stallations, 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, \$2,172,622,000, to remain*
13 *available until September 30, 2011: Provided, That of this*
14 *amount, not to exceed \$199,540,000 shall be available for*
15 *study, planning, design, architect and engineer services,*
16 *and host nation support, as authorized by law, unless the*
17 *Secretary of Defense determines that additional obligations*
18 *are necessary for such purposes and notifies the Committees*
19 *on Appropriations of both Houses of Congress of the deter-*
20 *mination and the reasons therefor: Provided further, That*
21 *of the funds appropriated for “Military Construction,*
22 *Army” under Public Law 109–114, \$43,348,000 are hereby*
23 *rescinded: Provided further, That of the funds appropriated*
24 *for “Military Construction, Army” under Public Law 109–*
25 *13, \$125,800,000 are hereby rescinded: Provided further,*

1 *That of the amount provided under this heading,*
2 *\$34,800,000 is designated as an emergency requirement*
3 *pursuant to section 402 of S. Con. Res. 83 (109th Congress),*
4 *the concurrent resolution on the budget for fiscal year 2007,*
5 *as made applicable in the Senate by section 7035 of Public*
6 *Law 109–234.*

7 *MILITARY CONSTRUCTION, NAVY AND MARINE CORPS*

8 *(INCLUDING RESCISSIONS OF FUNDS)*

9 *For acquisition, construction, installation, and equip-*
10 *ment of temporary or permanent public works, naval in-*
11 *stallations, facilities, and real property for the Navy and*
12 *Marine Corps as currently authorized by law, including*
13 *personnel in the Naval Facilities Engineering Command*
14 *and other personal services necessary for the purposes of this*
15 *appropriation, \$1,238,065,000, to remain available until*
16 *September 30, 2011: Provided, That of this amount, not to*
17 *exceed \$71,626,000 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, Navy and Marine Corps” under Public Law*
25 *108–132, \$30,000,000 are hereby rescinded: Provided fur-*

1 *ther, That of the funds appropriated for “Military Con-*
2 *struction, Navy and Marine Corps” under Public Law 108–*
3 *324, \$8,000,000 are hereby rescinded.*

4 *MILITARY CONSTRUCTION, AIR FORCE*
5 *(INCLUDING RESCISSIONS OF FUNDS)*

6 *For acquisition, construction, installation, and equip-*
7 *ment of temporary or permanent public works, military in-*
8 *stallations, facilities, and real property for the Air Force*
9 *as currently authorized by law, \$1,214,885,000, to remain*
10 *available until September 30, 2011: Provided, That of this*
11 *amount, not to exceed \$71,381,000 shall be available for*
12 *study, planning, design, and architect and engineer serv-*
13 *ices, as authorized by law, unless the Secretary of Defense*
14 *determines that additional obligations are necessary for*
15 *such purposes and notifies the Committees on Appropria-*
16 *tions of both Houses of Congress of the determination and*
17 *the reasons therefor: Provided further, That of the funds ap-*
18 *propriated for “Military Construction, Air Force” under*
19 *Public Law 108–324, \$2,694,000 are hereby rescinded: Pro-*
20 *vided further, That of the funds appropriated for “Military*
21 *Construction, Air Force” under Public Law 109–114,*
22 *\$19,816,000 are hereby rescinded: Provided further, That*
23 *of the funds appropriated for “Military Construction, Air*
24 *Force” under Public Law 109–13, \$10,800,000 are hereby*
25 *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.*

1 *FAMILY HOUSING CONSTRUCTION, NAVY AND MARINE*
 2 *CORPS*

3 *For expenses of family housing for the Navy and Ma-*
 4 *rine Corps for construction, including acquisition, replace-*
 5 *ment, addition, expansion, extension, and alteration, as au-*
 6 *thorized by law, \$305,071,000, to remain available until*
 7 *September 30, 2011.*

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

10 *For expenses of family housing for the Navy and Ma-*
 11 *rine Corps for operation and maintenance, including debt*
 12 *payment, leasing, minor construction, principal and inter-*
 13 *est charges, and insurance premiums, as authorized by law,*
 14 *\$498,525,000.*

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

17 *For expenses of family housing for the Air Force for*
 18 *construction, including acquisition, replacement, addition,*
 19 *expansion, extension, and alteration, as authorized by law,*
 20 *\$1,182,138,000, to remain available until September 30,*
 21 *2011: Provided, That of the funds appropriated for “Family*
 22 *Housing Construction, Air Force” under Public Law 108–*
 23 *324, \$23,400,000 are hereby rescinded: Provided further,*
 24 *That of the funds appropriated for “Family Housing Con-*

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 *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 *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 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.*

1 (INCLUDING TRANSFER OF FUNDS)

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.”.

Attest:

Secretary.

109TH CONGRESS
2^D SESSION

H. R. 5385

AMENDMENTS