110TH CONGRESS
1ST SESSION
H. R. 2829

AN ACT

Making appropriations for Financial Services and General Government for the fiscal year ending September 30, 2008, and for other purposes.

Be it enacted by the Senate and House of Represen-
tatives of the United States of America in Congress assembled,
That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2008, and for other purposes, namely:

TITLE I

DEPARTMENT OF THE TREASURY

DEPARTMENTAL OFFICES

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Departmental Offices including operation and maintenance of the Treasury Building and Annex; hire of passenger motor vehicles; maintenance, repairs, and improvements of, and purchase of commercial insurance policies for, real properties leased or owned overseas, when necessary for the performance of official business, $250,591,000, of which not to exceed $10,115,000 is for executive direction program activities; not to exceed $9,700,000 is for general counsel program activities; not to exceed $45,450,000 is for economic policies and programs activities; not to exceed $29,069,000 is for financial policies and programs activities; not to exceed $56,475,000 is for terrorism and financial intelligence activities; not to exceed $19,010,000 is for Treasury-wide management policies and programs activities; and not to exceed $80,772,000 is for administration programs activities: Provided, That the Secretary of the
Treasury is authorized to transfer funds appropriated for any program activity of the Departmental Offices to any other program activity of the Departmental Offices upon notification to the House and Senate Committees on Appropriations: Provided further, That no appropriation for any program activity shall be increased or decreased by more than 2 percent by all such transfers: Provided further, That any change in funding greater than 2 percent shall be submitted for approval to the House and Senate Committees on Appropriations: Provided further, That of the amount appropriated under this heading, not to exceed $3,000,000, to remain available until September 30, 2009, for information technology modernization requirements; not to exceed $150,000 for official reception and representation expenses; and not to exceed $258,000 for unforeseen emergencies of a confidential nature, to be allocated and expended under the direction of the Secretary of the Treasury and to be accounted for solely on his certificate: Provided further, That of the amount appropriated under this heading, $5,114,000, to remain available until September 30, 2009, is for the Treasury-wide Financial Statement Audit and Internal Control Program, of which such amounts as may be necessary may be transferred to accounts of the Department’s offices and bureaus to conduct audits: Provided further, That this transfer authority shall
be in addition to any other provided in this Act: Provided further, That of the amount appropriated under this heading, $3,000,000, to remain available until September 30, 2009, is for secure space requirements: Provided further, That of the amount appropriated under this heading, $2,300,000, to remain available until September 30, 2009, is for salary and benefits for hiring of personnel whose work will require completion of a security clearance investigation in order to perform highly classified work to further the activities of the Office of Terrorism and Financial Intelligence: Provided further, That of the amount appropriated under this heading, $2,100,000, to remain available until September 30, 2010, is to develop and implement programs within the Office of Critical Infrastructure Protection and Compliance Policy, including entering into cooperative agreements.

DEPARTMENT-WIDE SYSTEMS AND CAPITAL INVESTMENTS PROGRAMS (INCLUDING TRANSFER OF FUNDS)

For development and acquisition of automatic data processing equipment, software, and services for the Department of the Treasury, $18,710,000, to remain available until September 30, 2010: Provided, That these funds shall be transferred to accounts and in amounts as necessary to satisfy the requirements of the Department's of-
offices, bureaus, and other organizations: Provided further,
That this transfer authority shall be in addition to any
other transfer authority provided in this Act: Provided fur-
ther, That none of the funds appropriated under this head-
ing shall be used to support or supplement “Internal Rev-
enue Service, Operations Support” or “Internal Revenue
Service, Business Systems Modernization”.

Office of Inspector General

Salaries and Expenses

For necessary expenses of the Office of Inspector
General in carrying out the provisions of the Inspector
General Act of 1978, not to exceed $2,000,000 for official
travel expenses, including hire of passenger motor vehicles;
and not to exceed $100,000 for unforeseen emergencies
of a confidential nature, to be allocated and expended
under the direction of the Inspector General of the Treas-
ury, $18,450,000, of which not to exceed $2,500 shall be
available for official reception and representation ex-
penses.

Treasury Inspector General for Tax

Administration

Salaries and Expenses

For necessary expenses of the Treasury Inspector
General for Tax Administration in carrying out the In-
spector General Act of 1978, including purchase (not to
exceed 150 for replacement only for police-type use) and
hire of passenger motor vehicles (31 U.S.C. 1343(b));
services authorized by 5 U.S.C. 3109, at such rates as
may be determined by the Inspector General for Tax Ad-
ministration; not to exceed $6,000,000 for official travel
expenses; and not to exceed $500,000 for unforeseen
emergencies of a confidential nature, to be allocated and
expended under the direction of the Inspector General for
Tax Administration, $140,533,000; and of which not to
exceed $1,500 shall be available for official reception and
representation expenses.

AIR TRANSPORTATION STABILIZATION PROGRAM
ACCOUNT
(INCLUDING RESCISSION)
Sections 101(a)(1), 102, 104, and 107(2) of the Air
Transportation Safety and System Stabilization Act (title
I, Public Law 107–42) are hereby repealed. All unobli-
gated balances under this heading are rescinded.

FINANCIAL CRIMES ENFORCEMENT NETWORK
SALARIES AND EXPENSES
For necessary expenses of the Financial Crimes En-
forcement Network, including hire of passenger motor ve-
hicles; travel and training expenses of non-Federal and
foreign government personnel to attend meetings and
training concerned with domestic and foreign financial in-
intelligence activities, law enforcement, and financial regulation; not to exceed $14,000 for official reception and representation expenses; and for assistance to Federal law enforcement agencies, with or without reimbursement, $83,344,000, of which not to exceed $16,340,000 shall remain available until September 30, 2010; and of which $8,955,000 shall remain available until September 30, 2009: Provided, That funds appropriated in this account may be used to procure personal services contracts.

FINANCIAL MANAGEMENT SERVICE

SALARIES AND EXPENSES

For necessary expenses of the Financial Management Service, $234,423,000, of which not to exceed $9,220,000 shall remain available until September 30, 2010, for information systems modernization initiatives; and of which not to exceed $2,500 shall be available for official reception and representation expenses.

ALCOHOL AND TOBACCO TAX AND TRADE BUREAU

SALARIES AND EXPENSES

For necessary expenses of carrying out section 1111 of the Homeland Security Act of 2002, including hire of passenger motor vehicles, $93,515,000; of which not to exceed $6,000 for official reception and representation expenses; not to exceed $50,000 for cooperative research and development programs for laboratory services; and provi-
ision of laboratory assistance to State and local agencies with or without reimbursement.

UNITED STATES MINT

UNITED STATES MINT PUBLIC ENTERPRISE FUND

Pursuant to section 5136 of title 31, United States Code, the United States Mint is provided funding through the United States Mint Public Enterprise Fund for costs associated with the production of circulating coins, numismatic coins, and protective services, including both operating expenses and capital investments. The aggregate amount of new liabilities and obligations incurred during fiscal year 2008 under such section 5136 for circulating coinage and protective service capital investments of the United States Mint shall not exceed $33,200,000.

BUREAU OF THE PUBLIC DEBT

ADMINISTERING THE PUBLIC DEBT

For necessary expenses connected with any public-debt issues of the United States, $182,871,000, of which not to exceed $2,500 shall be available for official reception and representation expenses, and of which not to exceed $2,000,000 shall remain available until September 30, 2010, for systems modernization: Provided, That the sum appropriated herein from the general fund for fiscal year 2008 shall be reduced by not more than $10,000,000 as definitive security issue fees and Legacy Treasury Di-
rect Investor Account Maintenance fees are collected, so as to result in a final fiscal year 2008 appropriation from the general fund estimated at $172,871,000. In addition, $70,000 to be derived from the Oil Spill Liability Trust Fund to reimburse the Bureau for administrative and personnel expenses for financial management of the Fund, as authorized by section 1012 of Public Law 101–380.

COMMUNITY DEVELOPMENT FINANCIAL INSTITUTIONS FUND PROGRAM ACCOUNT

To carry out the Community Development Banking and Financial Institutions Act of 1994 (Public Law 103–325), including services authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the rate for ES–3, $100,000,000, to remain available until September 30, 2009, of which up to $13,500,000 may be used for administrative expenses, including administration of the New Markets Tax Credit, up to $7,500,000 may be used for the cost of direct loans, and up to $250,000 may be used for administrative expenses to carry out the direct loan program: Provided, That the cost of direct loans, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: Provided further, That these funds are available to subsidize gross obligations for
the principal amount of direct loans not to exceed $15,000,000.

**Internal Revenue Service**

**Taxpayer Services**

For necessary expenses of the Internal Revenue Service to provide taxpayer services, including pre-filing assistance and education, filing and account services, taxpayer advocacy services, and other services as authorized by 5 U.S.C. 3109, at such rates as may be determined by the Commissioner, $2,155,000,000, of which up to $4,100,000 shall be for the Tax Counseling for the Elderly Program, of which $8,000,000 shall be available for low-income taxpayer clinic grants, and of which not less than $179,600,000 shall be available for operating expenses of the Taxpayer Advocate Service.

**Enforcement**

**(Including Transfer of Funds)**

For necessary expenses of the Internal Revenue Service to determine and collect owed taxes, to provide legal and litigation support, to conduct criminal investigations, to enforce criminal statutes related to violations of internal revenue laws and other financial crimes, to purchase (for police-type use, not to exceed 850) and hire of passenger motor vehicles (31 U.S.C. 1343(b)), and to provide other services as authorized by 5 U.S.C. 3109, at such
rates as may be determined by the Commissioner, $4,925,498,000, of which not less than $57,252,000 shall be for the Interagency Crime and Drug Enforcement program: Provided, That up to $10,000,000 may be transferred as necessary from this account to the Internal Revenue Service Operations Support appropriation solely for the purposes of the Interagency Crime and Drug Enforcement program: Provided further, That this transfer authority shall be in addition to any other transfer authority provided in this Act.

Operations Support

For necessary expenses of the Internal Revenue Service to operate and support taxpayer services and tax law enforcement programs, including rent payments; facilities services; printing; postage; physical security; headquarters and other IRS-wide administration activities; research and statistics of income; telecommunications; information technology development, enhancement, operations, maintenance, and security; the hire of passenger motor vehicles (31 U.S.C. 1343(b)); and other services as authorized by 5 U.S.C. 3109, at such rates as may be determined by the Commissioner; $3,769,587,000, of which $75,000,000 shall remain available until September 30, 2009, for information technology support; of which not to exceed $1,000,000 shall remain available until September 30,
2010, for research; of which not to exceed $1,600,000 shall be for the Internal Revenue Service Oversight Board; and of which not to exceed $25,000 shall be for official reception and representation.

**BUSINESS SYSTEMS MODERNIZATION**

For necessary expenses of the Internal Revenue Service’s business systems modernization program, $282,090,000, to remain available until September 30, 2010, for the capital asset acquisition of information technology systems, including management and related contractual costs of said acquisitions, including related Internal Revenue Service labor costs, and contractual costs associated with operations authorized by 5 U.S.C. 3109:

*Provided, That, with the exception of labor costs, none of these funds may be obligated until the Internal Revenue Service submits to the Committees on Appropriations, and such Committees approve, a plan for expenditure that: (1) meets the capital planning and investment control review requirements established by the Office of Management and Budget, including Circular A–11; (2) complies with the Internal Revenue Service’s enterprise architecture, including the modernization blueprint; (3) conforms with the Internal Revenue Service’s enterprise life cycle methodology; (4) is approved by the Internal Revenue Service, the Department of the Treasury, and the Office of Man-***
agement and Budget; (5) has been reviewed by the Government Accountability Office; and (6) complies with the acquisition rules, requirements, guidelines, and systems acquisition management practices of the Federal Government.

**Health Insurance Tax Credit Administration**

For expenses necessary to implement the health insurance tax credit included in the Trade Act of 2002 (Public Law 107–210), $15,235,000.

**Administrative Provisions—Internal Revenue Service**

**(Including Transfer of Funds)**

**Sec. 101.** Not to exceed 5 percent of any appropriation made available in this Act to the Internal Revenue Service or not to exceed 3 percent of appropriations under the heading “Enforcement” may be transferred to any other Internal Revenue Service appropriation upon the advance approval of the Committees on Appropriations.

**Sec. 102.** The Internal Revenue Service shall maintain a training program to ensure that Internal Revenue Service employees are trained in taxpayers’ rights, in dealing courteously with taxpayers, and in cross-cultural relations.
SEC. 103. The Internal Revenue Service shall institute and enforce policies and procedures that will safeguard the confidentiality of taxpayer information.

SEC. 104. Funds made available by this or any other Act to the Internal Revenue Service shall be available for improved facilities and increased manpower to provide sufficient and effective 1–800 help line service for taxpayers. The Commissioner shall continue to make the improvement of the Internal Revenue Service 1–800 help line service a priority and allocate resources necessary to increase phone lines and staff to improve the Internal Revenue Service 1–800 help line service.

SEC. 105. Of the funds made available by this Act to the Internal Revenue Service, not less than $6,822,000,000 shall be available only for tax enforcement and related support activities funded in Internal Revenue Service, “Enforcement” and “Operations Support”. In addition, of the funds made available by this Act to the Internal Revenue Service, and subject to the same terms and conditions, an additional $406,000,000 shall be available for tax enforcement and related support activities.

SEC. 106. Section 9503(a) of title 5, United States Code, is amended by striking “for a period of 10 years after the date of enactment of this section” and inserting “before July 23, 2013”.
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SEC. 107. Sections 9504 (a) and (b), and 9505(a) of title 5, United States Code, are amended by striking “For a period of 10 years after the date of enactment of this section” each place it occurs and inserting “Before July 23, 2013”.

SEC. 108. Section 9502(a) of title 5, United States Code, is amended by striking “Office of Management and Budget” and inserting “Office of Personnel Management”.

ADMINISTRATIVE PROVISIONS—DEPARTMENT OF THE TREASURY (INCLUDING TRANSFERS OF FUNDS)

SEC. 109. Appropriations to the Department of the Treasury in this Act shall be available for uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901), including maintenance, repairs, and cleaning; purchase of insurance for official motor vehicles operated in foreign countries; purchase of motor vehicles without regard to the general purchase price limitations for vehicles purchased and used overseas for the current fiscal year; entering into contracts with the Department of State for the furnishing of health and medical services to employees and their dependents serving in foreign countries; and services authorized by 5 U.S.C. 3109.
SEC. 110. Not to exceed 2 percent of any appropriations in this Act made available to the Departmental Offices—Salaries and Expenses, Office of Inspector General, Financial Management Service, Alcohol and Tobacco Tax and Trade Bureau, Financial Crimes Enforcement Network, and Bureau of the Public Debt, may be transferred between such appropriations upon the advance approval of the Committees on Appropriations: Provided, That no transfer may increase or decrease any such appropriation by more than 2 percent.

SEC. 111. Not to exceed 2 percent of any appropriation made available in this Act to the Internal Revenue Service may be transferred to the Treasury Inspector General for Tax Administration’s appropriation upon the advance approval of the Committees on Appropriations: Provided, That no transfer may increase or decrease any such appropriation by more than 2 percent.

SEC. 112. Of the funds available for the purchase of law enforcement vehicles, no funds may be obligated until the Secretary of the Treasury certifies that the purchase by the respective Treasury bureau is consistent with departmental vehicle management principles: Provided, That the Secretary may delegate this authority to the Assistant Secretary for Management.
SEC. 113. None of the funds appropriated in this Act or otherwise available to the Department of the Treasury or the Bureau of Engraving and Printing may be used to redesign the $1 Federal Reserve note.

SEC. 114. The Secretary of the Treasury may transfer funds from Financial Management Services, Salaries and Expenses to Debt Collection Fund as necessary to cover the costs of debt collection: Provided, That such amounts shall be reimbursed to such salaries and expenses account from debt collections received in the Debt Collection Fund.

SEC. 115. Section 122(g)(1) of Public Law 105–119, as amended (5 U.S.C. 3104 note), is further amended by striking “8 years” and inserting “10 years”.

SEC. 116. None of the funds appropriated or otherwise made available by this or any other Act may be used by the United States Mint to construct or operate any museum without the explicit approval of the House Committee on Financial Services and the Senate Committee on Banking, Housing, and Urban Affairs.

SEC. 117. None of the funds appropriated or otherwise made available by this or any other Act or source to the Department of the Treasury, the Bureau of Engraving and Printing, and the United States Mint, individually or collectively, may be used to consolidate any or all func-
tions of the Bureau of Engraving and Printing and the United States Mint without the explicit approval of the House Committee on Financial Services; the Senate Committee on Banking, Housing, and Urban Affairs; the House Committee on Appropriations; and the Senate Committee on Appropriations.

This title may be cited as the “Department of the Treasury Appropriations Act, 2008”.

**TITLE II**

**EXECUTIVE OFFICE OF THE PRESIDENT AND FUNDS APPROPRIATED TO THE PRESIDENT**

**COMPENSATION OF THE PRESIDENT**

For compensation of the President, including an expense allowance at the rate of $50,000 per annum as authorized by 3 U.S.C. 102, $450,000: Provided, That none of the funds made available for official expenses shall be expended for any other purpose and any unused amount shall revert to the Treasury pursuant to section 1552 of title 31, United States Code.

**WHITE HOUSE OFFICE**

**SALARIES AND EXPENSES**

For necessary expenses for the White House as authorized by law, including not to exceed $3,850,000 for services as authorized by 5 U.S.C. 3109 and 3 U.S.C. 105; subsistence expenses as authorized by 3 U.S.C. 105, which
shall be expended and accounted for as provided in that section; hire of passenger motor vehicles, newspapers, periodicals, teletype news service, and travel (not to exceed $100,000 to be expended and accounted for as provided by 3 U.S.C. 103); and not to exceed $19,000 for official entertainment expenses, to be available for allocation within the Executive Office of the President; $53,156,000: Provided, That of the funds appropriated under this heading, up to $1,500,000 shall be for the Privacy and Civil Liberties Oversight Board.

EXECUTIVE RESIDENCE AT THE WHITE HOUSE

OPERATING EXPENSES

For the care, maintenance, repair and alteration, refurnishing, improvement, heating, and lighting, including electric power and fixtures, of the Executive Residence at the White House and official entertainment expenses of the President, $12,814,000, to be expended and accounted for as provided by 3 U.S.C. 105, 109, 110, and 112–114.

REIMBURSABLE EXPENSES

For the reimbursable expenses of the Executive Residence at the White House, such sums as may be necessary: Provided, That all reimbursable operating expenses of the Executive Residence shall be made in accordance with the provisions of this paragraph: Provided further, That, notwithstanding any other provision of law, such
amount for reimbursable operating expenses shall be the
exclusive authority of the Executive Residence to incur ob-
ligations and to receive offsetting collections, for such ex-
penses: Provided further, That the Executive Residence
shall require each person sponsoring a reimbursable polit-
ical event to pay in advance an amount equal to the esti-
mated cost of the event, and all such advance payments
shall be credited to this account and remain available until
expended: Provided further, That the Executive Residence
shall require the national committee of the political party
of the President to maintain on deposit $25,000, to be
separately accounted for and available for expenses relat-
ing to reimbursable political events sponsored by such
committee during such fiscal year: Provided further, That
the Executive Residence shall ensure that a written notice
of any amount owed for a reimbursable operating expense
under this paragraph is submitted to the person owing
such amount within 60 days after such expense is in-
curred, and that such amount is collected within 30 days
after the submission of such notice: Provided further, That
the Executive Residence shall charge interest and assess
penalties and other charges on any such amount that is
not reimbursed within such 30 days, in accordance with
the interest and penalty provisions applicable to an out-
standing debt on a United States Government claim under
Provided further, That each such amount that is reimbursed, and any accompanying interest and charges, shall be deposited in the Treasury as miscellaneous receipts: Provided further, That the Executive Residence shall prepare and submit to the Committees on Appropriations, by not later than 90 days after the end of the fiscal year covered by this Act, a report setting forth the reimbursable operating expenses of the Executive Residence during the preceding fiscal year, including the total amount of such expenses, the amount of such total that consists of reimbursable official and ceremonial events, the amount of such total that consists of reimbursable political events, and the portion of each such amount that has been reimbursed as of the date of the report: Provided further, That the Executive Residence shall maintain a system for the tracking of expenses related to reimbursable events within the Executive Residence that includes a standard for the classification of any such expense as political or nonpolitical: Provided further, That no provision of this paragraph may be construed to exempt the Executive Residence from any other applicable requirement of subchapter I or II of chapter 37 of title 31, United States Code.
WHITE HOUSE REPAIR AND RESTORATION

For the repair, alteration, and improvement of the Executive Residence at the White House, $1,600,000, to remain available until expended, for required maintenance, safety and health issues, and continued preventative maintenance.

COUNCIL OF ECONOMIC ADVISERS

SALARIES AND EXPENSES


OFFICE OF POLICY DEVELOPMENT

SALARIES AND EXPENSES

For necessary expenses of the Office of Policy Development, including services as authorized by 5 U.S.C. 3109 and 3 U.S.C. 107, $3,482,000.

NATIONAL SECURITY COUNCIL

SALARIES AND EXPENSES

For necessary expenses of the National Security Council, including services as authorized by 5 U.S.C. 3109, $8,640,000.

OFFICE OF ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses of the Office of Administration, including services as authorized by 5 U.S.C. 3109
and 3 U.S.C. 107, and hire of passenger motor vehicles, $92,829,000, of which $11,923,000 shall remain available until expended for continued modernization of the information technology infrastructure within the Executive Office of the President.

OFFICE OF MANAGEMENT AND BUDGET

SALARIES AND EXPENSES

For necessary expenses of the Office of Management and Budget, including hire of passenger motor vehicles and services as authorized by 5 U.S.C. 3109 and to carry out the provisions of chapter 35 of title 44, United States Code, $78,394,000, of which not to exceed $3,000 shall be available for official representation expenses: Provided, That, as provided in 31 U.S.C. 1301(a), appropriations shall be applied only to the objects for which appropriations were made and shall be allocated in accordance with the terms and conditions set forth in the accompanying statement of the managers except as otherwise provided by law: Provided further, That none of the funds appropriated in this Act for the Office of Management and Budget may be used for the purpose of reviewing any agricultural marketing orders or any activities or regulations under the provisions of the Agricultural Marketing Agreement Act of 1937 (7 U.S.C. 601 et seq.): Provided further, That none of the funds made available for the Office of
Management and Budget by this Act may be expended for
the altering of the transcript of actual testimony of wit-
nesses, except for testimony of officials of the Office of
Management and Budget, before the Committees on Ap-
propriations or their subcommittees: Provided further,
That the preceding shall not apply to printed hearings re-
leased by the Committees on Appropriations: Provided fur-
ther, That the Office of Management and Budget shall
have not more than 60 days in which to perform budgetary
policy reviews of water resource matters on which the
Chief of Engineers has reported: Provided further, That
the Director of the Office of Management and Budget
shall notify the appropriate authorizing and appropriating
committees when the 60-day review is initiated: Provided
further, That if water resource reports have not been
transmitted to the appropriate authorizing and appro-
priating committees within 15 days after the end of the
Office of Management and Budget review period based on
the notification from the Director, Congress shall assume
Office of Management and Budget concurrence with the
report and act accordingly.

OFFICE OF NATIONAL DRUG CONTROL POLICY

SALARIES AND EXPENSES

For necessary expenses of the Office of National
Drug Control Policy; for research activities pursuant to
the Office of National Drug Control Policy Reauthorization Act of 2006 (Public Law 109–469); not to exceed $10,000 for official reception and representation expenses; and for participation in joint projects or in the provision of services on matters of mutual interest with nonprofit, research, or public organizations or agencies, with or without reimbursement, $26,636,000; of which $1,316,000 shall remain available until expended for policy research and evaluation: Provided, That the Office is authorized to accept, hold, administer, and utilize gifts, both real and personal, public and private, without fiscal year limitation, for the purpose of aiding or facilitating the work of the Office.

COUNTERDRUG TECHNOLOGY ASSESSMENT CENTER
(INCLUDING TRANSFER OF FUNDS)

For necessary expenses for the Counterdrug Technology Assessment Center for research activities pursuant to the Office of National Drug Control Policy Reauthorization Act of 2006 (Public Law 109–469), $10,000,000, which shall remain available until expended, consisting of $5,000,000 for counternarcotics research and development projects, and $5,000,000 for the continued operation of the technology transfer program: Provided, That the $5,000,000 for counternarcotics research and development
projects shall be available for transfer to other Federal departments or agencies.

**FEDERAL DRUG CONTROL PROGRAMS**

**HIGH INTENSITY DRUG TRAFFICKING AREAS PROGRAM**

**(INCLUDING TRANSFERS OF FUNDS)**

For necessary expenses of the Office of National Drug Control Policy’s High Intensity Drug Trafficking Areas Program authorized by the Office of National Drug Control Policy Reauthorization Act of 2006 (Public Law 109–469), $226,000,000 for drug control activities consistent with the approved strategy for each of the designated High Intensity Drug Trafficking Areas, of which no less than 51 percent shall be transferred to State and local entities for drug control activities: *Provided,* That up to 49 percent, to remain available until September 30, 2009, may be transferred to Federal agencies and departments at a rate to be determined by the Director, of which not less than $2,100,000 shall be used for auditing services and associated activities: *Provided further,* That High Intensity Drug Trafficking Areas Programs designated as of September 30, 2007, shall be funded at no less than the fiscal year 2007 initial allocation levels unless the Director submits to the Committees on Appropriations, and the Committees approve, justification for changes in those levels based on clearly articulated priorities for the High Intensity Drug Trafficking Area Programs, as well as
published Office of National Drug Control Policy performance measures of effectiveness: *Provided further*, That a request shall be submitted in compliance with the reprogramming guidelines to the Committees on Appropriations for approval prior to the obligation of funds of an amount in excess of the fiscal year 2007 budget request.

**Other Federal Drug Control Programs**

*(including transfer of funds)*

For activities to support a national anti-drug campaign for youth, and for other purposes, authorized by the Office of National Drug Control Policy Reauthorization Act of 2006 (Public Law 109–469), $197,800,000, to remain available until expended, of which the amounts are available as follows: $93,000,000 to support a national media campaign: *Provided*, That the Office of National Drug Control Policy shall maintain funding for non-advertising services for the media campaign at no less than the fiscal year 2003 ratio of service funding to total funds and shall continue the corporate outreach program as it operated prior to its cancellation; $90,000,000 to continue a program of matching grants to drug-free communities, of which $2,000,000 shall be made available as directed by section 4 of Public Law 107–82, as amended by Public Law 109–469 (21 U.S.C. 1521 note); $1,000,000 for training and technical assistance for drug court profes-
sionals; $1,000,000 as directed by section 1105 of Public Law 109–469; $1,000,000 for demonstration programs as authorized by section 1119 of Public Law 109–469; $9,600,000 for the United States Anti-Doping Agency for anti-doping activities; $1,700,000 for the United States membership dues to the World Anti-Doping Agency; and $500,000 for evaluations and research related to National Drug Control Program performance measures: Provided further, That such funds may be transferred to other Federal departments and agencies to carry out such activities: Provided further, That of the amounts appropriated for a national media campaign, not to exceed 10 percent shall be for administration, advertising production, research and testing, labor, and related costs of the national media campaign.

UNANTICIPATED NEEDS

For expenses necessary to enable the President to meet unanticipated needs, in furtherance of the national interest, security, or defense which may arise at home or abroad during the current fiscal year, as authorized by 3 U.S.C. 108, $1,000,000.
SPECIAL ASSISTANCE TO THE PRESIDENT AND THE
OFFICIAL RESIDENCE OF THE VICE PRESIDENT

SALARIES AND EXPENSES

For necessary expenses to enable the Vice President
to provide assistance to the President in connection with
specially assigned functions; services as authorized by 5
U.S.C. 3109 and 3 U.S.C. 106, including subsistence ex-
penses as authorized by 3 U.S.C. 106, which shall be ex-
pended and accounted for as provided in that section; and
hire of passenger motor vehicles, $4,432,000.

OPERATING EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For the care, operation, refurnishing, improvement,
and to the extent not otherwise provided for, heating and
lighting, including electric power and fixtures, of the offi-
cial residence of the Vice President; the hire of passenger
motor vehicles; and not to exceed $90,000 for official en-
tertainment expenses of the Vice President, to be ac-
counted for solely on his certificate, $320,000: Provided,
That advances or repayments or transfers from this ap-
propriation may be made to any department or agency for
expenses of carrying out such activities.
Sec. 201. From funds made available in this Act under the headings “White House Office”, “Executive Residence at the White House”, “White House Repair and Restoration”, “Council of Economic Advisors”, “National Security Council”, “Office of Administration”, “Office of Policy Development”, “Special Assistance to the President”, and “Official Residence of the Vice President”, the Director of the Office of Management and Budget (or such other officer as the President may designate in writing), may, 15 days after giving notice to the House and Senate Committees on Appropriations, transfer not to exceed 10 percent of any such appropriation to any other such appropriation, to be merged with and available for the same time and for the same purposes as the appropriation to which transferred: Provided, That the amount of an appropriation shall not be increased by more than 50 percent by such transfers: Provided further, That no amount shall be transferred from “Special Assistance to the President” or “Official Residence of the Vice President” without the approval of the Vice President.

Sec. 202. The President shall submit to the Committees on Appropriations not later than 30 days after the date of the enactment of this Act, and prior to the initial
obligation of funds appropriated under the heading “Office of National Drug Control Policy”, a financial plan on
the proposed uses of all funds under the heading on a
project-by-project basis, for which the obligation of funds
is anticipated: Provided, That up to 20 percent of funds
appropriated under this heading may be obligated before
the submission of the report subject to prior approval of
the Committees on Appropriations: Provided further, That
the report shall be updated and submitted to the Commit-
tees on Appropriations every six months and shall include
information detailing how the estimates and assumptions
contained in previous reports have changed: Provided fur-
ther, That any new projects and changes in funding of
ongoing projects shall be subject to the prior approval of
the Committees on Appropriations.

This title may be cited as the “Executive Office of
the President Appropriations Act, 2008”.

TITLE III
THE JUDICIARY
SUPREME COURT OF THE UNITED STATES

SALARIES AND EXPENSES
For expenses necessary for the operation of the Su-
preme Court, as required by law, excluding care of the
building and grounds, including purchase or hire, driving,
maintenance, and operation of an automobile for the Chief
Justice, not to exceed $10,000 for the purpose of transporting Associate Justices, and hire of passenger motor vehicles as authorized by 31 U.S.C. 1343 and 1344; not to exceed $10,000 for official reception and representation expenses; and for miscellaneous expenses, to be expended as the Chief Justice may approve, $66,526,000, of which $2,000,000 shall remain available until expended.

Care of the Building and Grounds

For such expenditures as may be necessary to enable the Architect of the Capitol to carry out the duties imposed upon the Architect by the Act approved May 7, 1934 (40 U.S.C. 13a–13b), $12,201,000, which shall remain available until expended.

United States Court of Appeals for the Federal Circuit

Salaries and Expenses

For salaries of the chief judge, judges, and other officers and employees, and for necessary expenses of the court, as authorized by law, $27,976,000.

United States Court of International Trade

Salaries and Expenses

For salaries of the chief judge and eight judges, salaries of the officers and employees of the court, services, and necessary expenses of the court, as authorized by law, $16,544,000.
Courts of Appeals, District Courts, and Other Judicial Services

Salaries and Expenses

For the salaries of circuit and district judges (including judges of the territorial courts of the United States), justices and judges retired from office or from regular active service, judges of the United States Court of Federal Claims, bankruptcy judges, magistrate judges, and all other officers and employees of the Federal Judiciary not otherwise specifically provided for, and necessary expenses of the courts, as authorized by law, $4,660,590,000 (including the purchase of firearms and ammunition); of which not to exceed $27,817,000 shall remain available until expended for space alteration projects and for furniture and furnishings related to new space alteration and construction projects.

In addition, for expenses of the United States Court of Federal Claims associated with processing cases under the National Childhood Vaccine Injury Act of 1986 (Public Law 99–660), not to exceed $4,099,000, to be appropriated from the Vaccine Injury Compensation Trust Fund.

Defender Services

For the operation of Federal Defender organizations; the compensation and reimbursement of expenses of attor-
neys appointed to represent persons under the Criminal Justice Act of 1964 (18 U.S.C. 3006A); the compensation and reimbursement of expenses of persons furnishing investigative, expert and other services under the Criminal Justice Act of 1964 (18 U.S.C. 3006A(e)); the compensation (in accordance with Criminal Justice Act maximums) and reimbursement of expenses of attorneys appointed to assist the court in criminal cases where the defendant has waived representation by counsel; the compensation and reimbursement of travel expenses of guardians ad litem acting on behalf of financially eligible minor or incompetent offenders in connection with transfers from the United States to foreign countries with which the United States has a treaty for the execution of penal sentences; the compensation of attorneys appointed to represent jurors in civil actions for the protection of their employment, as authorized by 28 U.S.C. 1875(d); and for necessary training and general administrative expenses, $830,499,000, to remain available until expended.

FEES OF JURORS AND COMMISSIONERS

For fees and expenses of jurors as authorized by 28 U.S.C. 1871 and 1876; compensation of jury commissioners as authorized by 28 U.S.C. 1863; and compensation of commissioners appointed in condemnation cases pursuant to rule 71A(h) of the Federal Rules of Civil Pro-
procedure (28 U.S.C. Appendix Rule 71A(h)), $62,350,000, to remain available until expended: Provided, That the compensation of land commissioners shall not exceed the daily equivalent of the highest rate payable under section 5332 of title 5, United States Code.

COURT SECURITY
(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses, not otherwise provided for, incident to the provision of protective guard services for United States courthouses and other facilities housing Federal court operations, and the procurement, installation, and maintenance of security systems and equipment for United States courthouses and other facilities housing Federal court operations, including building ingress-egress control, inspection of mail and packages, directed security patrols, perimeter security, basic security services provided by the Federal Protective Service, and other similar activities as authorized by section 1010 of the Judicial Improvement and Access to Justice Act (Public Law 100–702), $396,476,000, of which not to exceed $15,000,000 shall remain available until expended, to be expended directly or transferred to the United States Marshals Service, which shall be responsible for administering the Judicial Facility Security Program consistent with standards or guidelines agreed to by the Director of the Administrative

**Administrative Office of the United States Courts**

**Salaries and Expenses**

For necessary expenses of the Administrative Office of the United States Courts as authorized by law, including travel as authorized by 31 U.S.C. 1345, hire of a passenger motor vehicle as authorized by 31 U.S.C. 1343(b), advertising and rent in the District of Columbia and elsewhere, $75,667,000, of which not to exceed $8,500 is authorized for official reception and representation expenses.

**Federal Judicial Center**

**Salaries and Expenses**

For necessary expenses of the Federal Judicial Center, as authorized by Public Law 90–219, $23,994,000; of which $1,800,000 shall remain available through September 30, 2009, to provide education and training to Federal court personnel; and of which not to exceed $1,500 is authorized for official reception and representation expenses.

**Judicial Retirement Funds**

**Payment to Judiciary Trust Funds**

For payment to the Judicial Officers’ Retirement Fund, as authorized by 28 U.S.C. 377(o), $59,400,000;
to the Judicial Survivors’ Annuities Fund, as authorized by 28 U.S.C. 376(c), $2,300,000; and to the United States Court of Federal Claims Judges’ Retirement Fund, as authorized by 28 U.S.C. 178(l), $3,700,000.

United States Sentencing Commission

Salaries and Expenses

For the salaries and expenses necessary to carry out the provisions of chapter 58 of title 28, United States Code, $15,477,000, of which not to exceed $1,000 is authorized for official reception and representation expenses.

Administrative Provisions—The Judiciary

(including transfer of funds)

Sec. 301. Appropriations and authorizations made in this title which are available for salaries and expenses shall be available for services as authorized by 5 U.S.C. 3109.

Sec. 302. Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Judiciary in this Act may be transferred between such appropriations, but no such appropriation, except “Courts of Appeals, District Courts, and Other Judicial Services, Defender Services” and “Courts of Appeals, District Courts, and Other Judicial Services, Fees of Jurors and Commissioners”, shall be increased by more than 10 percent by any such transfers: Provided, That any transfer pursuant to this section shall be treated as a reprogramming of
funds under sections 605 and 610 of this Act and shall
not be available for obligation or expenditure except in
compliance with the procedures set forth in that section.

SEC. 303. Notwithstanding any other provision of
law, the salaries and expenses appropriation for “Courts
of Appeals, District Courts, and Other Judicial Services”
shall be available for official reception and representation
expenses of the Judicial Conference of the United States:

Provided, That such available funds shall not exceed
$11,000 and shall be administered by the Director of the
Administrative Office of the United States Courts in the
capacity as Secretary of the Judicial Conference.

SEC. 304. Within 90 days after the date of the enact-
ment of this Act, the Administrative Office of the U.S.
Courts shall submit to the Committees on Appropriations
a comprehensive financial plan for the Judiciary allocating
all sources of available funds including appropriations, fee
collections, and carryover balances, to include a separate
and detailed plan for the Judiciary Information Tech-
nology fund.

SEC. 305. Section 203(c) of the Judicial Improve-
note) is amended in the sixth sentence (relating to the
Northern District of Ohio), by striking “15 years” and
inserting “20 years”.
This title may be cited as “The Judiciary Appropriations Act, 2008”.

TITLE IV
DISTRICT OF COLUMBIA
FEDERAL FUNDS

Federal Payment for Resident Tuition Support

For a Federal payment to the District of Columbia, to be deposited into a dedicated account, for a nationwide program to be administered by the Mayor, for District of Columbia resident tuition support, $35,100,000, to remain available until expended: Provided, That such funds, including any interest accrued thereon, may be used on behalf of eligible District of Columbia residents to pay an amount based upon the difference between in-State and out-of-State tuition at public institutions of higher education, or to pay up to $2,500 each year at eligible private institutions of higher education: Provided further, That the awarding of such funds may be prioritized on the basis of a resident’s academic merit, the income and need of eligible students and such other factors as may be authorized: Provided further, That the District of Columbia government shall maintain a dedicated account for the Resident Tuition Support Program that shall consist of the Federal funds appropriated to the Program in this Act and any subsequent appropriations, any unobligated bal-
ances from prior fiscal years, and any interest earned in this or any fiscal year: Provided further, That the account shall be under the control of the District of Columbia Chief Financial Officer, who shall use those funds solely for the purposes of carrying out the Resident Tuition Support Program: Provided further, That the Office of the Chief Financial Officer shall provide a quarterly financial report to the Committees on Appropriations of the House of Representatives and Senate for these funds showing, by object class, the expenditures made and the purpose therefor: Provided further, That not more than $1,200,000 of the total amount appropriated for this program may be used for administrative expenses.

**Federal Payment for Emergency Planning and Security Costs in the District of Columbia**

For necessary expenses, as determined by the Mayor of the District of Columbia in written consultation with the elected county or city officials of surrounding jurisdictions, $3,352,000, to remain available until expended, to reimburse the District of Columbia for the costs of providing public safety at events related to the presence of the national capital in the District of Columbia and for the costs of providing support to respond to immediate and specific terrorist threats or attacks in the District of Columbia or surrounding jurisdictions of which not to ex-
ceed $352,000 is for the District of Columbia National Guard: Provided, That any amount provided under this heading shall be available only after such amount has been apportioned pursuant to chapter 15 of title 31, United States Code.

District of Columbia Courts

Federal Payment to the District of Columbia

For salaries and expenses for the District of Columbia Courts, $256,395,000, to be allocated as follows: for the District of Columbia Court of Appeals, $10,800,000, of which not to exceed $1,500 is for official reception and representation expenses; for the District of Columbia Superior Court, $100,543,000, of which not to exceed $1,500 is for official reception and representation expenses; for the District of Columbia Court System, $54,052,000, of which not to exceed $1,500 is for official reception and representation expenses; and $91,000,000, to remain available until September 30, 2009, for capital improvements for District of Columbia courthouse facilities: Provided, That notwithstanding any other provision of law, a single contract or related contracts for development and construction of facilities may be employed which collectively include the full scope of the project: Provided further, That the solicitation and contract shall contain the
clause “availability of Funds” found at 48 CFR 52.232–18: Provided further, That funds made available for capital improvements shall be expended consistent with the General Services Administration (GSA) master plan study and building evaluation report: Provided further, That notwithstanding any other provision of law, all amounts under this heading shall be apportioned quarterly by the Office of Management and Budget and obligated and expended in the same manner as funds appropriated for salaries and expenses of other Federal agencies, with payroll and financial services to be provided on a contractual basis with the GSA, and such services shall include the preparation of monthly financial reports, copies of which shall be submitted directly by GSA to the President and to the Committees on Appropriations of the House of Representatives and Senate, the Committee on Oversight and Government Reform of the House of Representatives, and the Committee on Homeland Security and Governmental Affairs of the Senate: Provided further, That 30 days after providing written notice to the Committees on Appropriations of the House of Representatives and Senate, the District of Columbia Courts may reallocate not more than $1,000,000 of the funds provided under this heading among the items and entities funded under this heading.
for operations, and not more than 4 percent of the funds
provided under this heading for facilities.

DEFENDER SERVICES IN DISTRICT OF COLUMBIA

COURTS

For payments authorized under section 11–2604 and
section 11–2605, D.C. Official Code (relating to represen-
tation provided under the District of Columbia Criminal
Justice Act), payments for counsel appointed in pro-
cedings in the Family Court of the Superior Court of the
District of Columbia under chapter 23 of title 16, D.C.
Official Code, or pursuant to contractual agreements to
provide guardian ad litem representation, training, tech-
nical assistance and such other services as are necessary
to improve the quality of guardian ad litem representation,
payments for counsel appointed in adoption proceedings
under chapter 3 of title 16, D.C. Code, and payments for
counsel authorized under section 21–2060, D.C. Official
Code (relating to representation provided under the Dis-
trict of Columbia Guardianship, Protective Proceedings,
and Durable Power of Attorney Act of 1986),
$52,475,000, to remain available until expended: Pro-
vided, That the funds provided in this Act under the head-
ing ‘‘Federal Payment to the District of Columbia Courts’’
(other than the $91,000,000 provided under such heading
for capital improvements for District of Columbia court-
house facilities) may also be used for payments under this heading: Provided further, That in addition to the funds provided under this heading, the Joint Committee on Judicial Administration in the District of Columbia may use funds provided in this Act under the heading “Federal Payment to the District of Columbia Courts” (other than the $91,000,000 provided under such heading for capital improvements for District of Columbia courthouse facilities), to make payments described under this heading for obligations incurred during any fiscal year: Provided further, That funds provided under this heading shall be administered by the Joint Committee on Judicial Administration in the District of Columbia: Provided further, That notwithstanding any other provision of law, this appropriation shall be apportioned quarterly by the Office of Management and Budget and obligated and expended in the same manner as funds appropriated for expenses of other Federal agencies, with payroll and financial services to be provided on a contractual basis with the General Services Administration (GSA), and such services shall include the preparation of monthly financial reports, copies of which shall be submitted directly by GSA to the President and to the Committees on Appropriations of the House of Representatives and Senate, the Committee on Oversight and Government Reform of the House of Rep-
resentatives, and the Committee on Homeland Security and Governmental Affairs of the Senate.

Federal Payment to the Court Services and Offender Supervision Agency for the District of Columbia

For salaries and expenses, including the transfer and hire of motor vehicles, of the Court Services and Offender Supervision Agency for the District of Columbia, as authorized by the National Capital Revitalization and Self-Government Improvement Act of 1997, $190,343,000, of which not to exceed $2,000 is for official receptions and representation expenses related to Community Supervision and Pretrial Services Agency programs; of which not to exceed $25,000 is for dues and assessments relating to the implementation of the Court Services and Offender Supervision Agency Interstate Supervision Act of 2002; of which not to exceed $400,000 for the Community Supervision program and $160,000 for the Pretrial Services program, both to remain available until September 30, 2009, are for Information Technology infrastructure enhancement acquisitions; of which $140,499,000 shall be for necessary expenses of Community Supervision and Sex Offender Registration, to include expenses relating to the supervision of adults subject to protection orders or the provision of services for or related to such persons; of
which $49,849,000 shall be available to the Pretrial Services Agency: *Provided,* That notwithstanding any other provision of law, all amounts under this heading shall be apportioned quarterly by the Office of Management and Budget and obligated and expended in the same manner as funds appropriated for salaries and expenses of other Federal agencies: *Provided further,* That the Director is authorized to accept and use gifts in the form of in-kind contributions of space and hospitality to support offender and defendant programs, and equipment and vocational training services to educate and train offenders and defendants: *Provided further,* That the Director shall keep accurate and detailed records of the acceptance and use of any gift or donation under the previous proviso, and shall make such records available for audit and public inspection: *Provided further,* That the Court Services and Offender Supervision Agency Director is authorized to accept and use reimbursement from the District of Columbia Government for space and services provided on a cost reimbursable basis.

**Federal Payment to District of Columbia Public Defender Service**

For salaries and expenses, including the transfer and hire of motor vehicles, of the District of Columbia Public Defender Service, as authorized by the National Capital
Revitalization and Self-Government Improvement Act of 1997, $32,710,000: Provided, That notwithstanding any other provision of law, all amounts under this heading shall be apportioned quarterly by the Office of Management and Budget and obligated and expended in the same manner as funds appropriated for salaries and expenses of Federal agencies.

FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA

WATER AND SEWER AUTHORITY

For a Federal payment to the District of Columbia Water and Sewer Authority, $12,000,000, to remain available until expended, to continue implementation of the Combined Sewer Overflow Long-Term Plan: Provided, That the District of Columbia Water and Sewer Authority provide a match of $7,000,000 and the District of Columbia provide a match of $5,000,000 in local funds for this payment.

FEDERAL PAYMENT TO THE CRIMINAL JUSTICE COORDINATING COUNCIL

For a Federal payment to the Criminal Justice Coordinating Council, $1,300,000, to remain available until expended, to support initiatives related to the coordination of Federal and local criminal justice resources in the District of Columbia.
FEDERAL PAYMENT TO THE OFFICE OF THE CHIEF FINANCIAL OFFICER OF THE DISTRICT OF COLUMBIA

For a Federal payment to the Office of the Chief Financial Officer of the District of Columbia, $6,148,000:

Provided, That each entity that receives funding under this heading shall submit to the Office of the Chief Financial Officer of the District of Columbia (CFO) a report on the activities to be carried out with such funds no later than March 15, 2008, and the CFO shall submit a comprehensive report to the Committees on Appropriations of the House of Representatives and the Senate no later than June 1, 2008.

FEDERAL PAYMENT FOR SCHOOL IMPROVEMENT

For a Federal payment for a school improvement program in the District of Columbia, $40,800,000, to be allocated as follows: for the District of Columbia Public Schools, $13,000,000 to improve public school education in the District of Columbia; for the State Education Office, $13,000,000 to expand quality public charter schools in the District of Columbia, to remain available until September 30, 2009; for the Secretary of the Department of Education, $14,800,000 to provide opportunity scholarships for students in the District of Columbia in accordance with division C, title III of the District of Columbia Appropriations Act, 2004 (Public Law 108–199; 118 Stat.
1. of which up to $1,800,000 may be used to administer and fund assessments.

**Federal Payment for Consolidated Laboratory Facility**

For a Federal payment to the District of Columbia, $10,000,000, to remain available until September 30, 2009, for costs associated with the construction of a consolidated laboratory facility: *Provided*, That the District of Columbia provides a 100 percent match for this payment.

**Federal Payment for Central Library and Branch Locations**

For a Federal payment to the District of Columbia, $10,000,000, to remain available until expended, for the Federal contribution toward costs associated with the renovation and rehabilitation of District libraries.

**Federal Payment to Reimburse the Federal Bureau of Investigation**

For a Federal payment to the District of Columbia, $4,000,000, to remain available until September 30, 2010, for reimbursement to the Federal Bureau of Investigation for additional laboratory services, including DNA analysis, performed for cases currently waiting analysis.
The following amounts are appropriated for the District of Columbia for the current fiscal year out of the general fund of the District of Columbia, except as otherwise specifically provided: Provided, That notwithstanding any other provision of law, except as provided in section 450A of the District of Columbia Home Rule Act (114 Stat. 2440) (D.C. Official Code, section 1–204.50a) and provisions of this Act, the total amount appropriated in this Act for operating expenses for the District of Columbia for fiscal year 2008 under this heading shall not exceed the lesser of the sum of the total revenues of the District of Columbia for such fiscal year or $9,777,362,000 (of which $6,022,444,000 shall be from local funds, $2,015,853,000 shall be from Federal grant funds, $1,730,503,000 shall be from other funds, and $8,562,000 shall be from private funds), in addition, $116,552,000 from funds previously appropriated in this Act as Federal payments: Provided further, That of the local funds, $153,900,000 shall be derived from the District’s general fund balance: Provided further, That of these funds the District’s intradistrict authority shall be $648,289,000: Provided further, That in addition, for capital construction projects, there is appropriated an increase of $1,595,503,000, of which $1,042,712,000 shall
be from local funds, $38,523,000 from the District of Columbia Highway Trust Fund, $73,260,000 from the Local Street Maintenance Fund, $75,000,000 from revenue bonds, $150,000,000 from financing for construction of a consolidated laboratory facility, $30,000,000 for construction of a baseball stadium, $186,008,000 from Federal grant funds, and a rescission of $212,696,000 from local funds appropriated under this heading in prior fiscal years (of which $187,450,000 are from local funds and $51,444,000 are from the Local Street Maintenance Fund), for a net amount of $1,382,807,000, to remain available until expended: Provided further, That the amounts provided under this heading are to be subject to the provisions of and allocated and expended as proposed under “Title III—District of Columbia Funds” of the Fiscal Year 2008 Proposed Budget and Financial Plan submitted to the Congress of the United States by the District of Columbia on June 7, 2007: Provided further, That this amount may be increased by proceeds of one-time transactions, which are expended for emergency or unanticipated operating or capital needs: Provided further, That such increases shall be approved by enactment of local District law and shall comply with all reserve requirements contained in the District of Columbia Home Rule Act approved December 24, 1973 (87 Stat. 777;
D.C. Official Code, section 1–201.01 et seq.) as amended by this Act: Provided further, That the Chief Financial Officer of the District of Columbia shall take such steps as are necessary to assure that the District of Columbia meets these requirements, including the apportioning by the Chief Financial Officer of the appropriations and funds made available to the District during fiscal year 2008, except that the Chief Financial Officer may not reprogram for operating expenses any funds derived from bonds, notes, or other obligations issued for capital projects.

This title may be cited as the “District of Columbia Appropriations Act, 2008”.

TITLE V

INDEPENDENT AGENCIES

CONSUMER PRODUCT SAFETY COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Consumer Product Safety Commission, including hire of passenger motor vehicles, services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the maximum rate payable under 5 U.S.C. 5376, purchase of nominal awards to recognize non-Federal officials’ contributions to Commission activities, and not to
exceed $500 for official reception and representation expenses, $66,838,000.

**Election Assistance Commission**

**Salaries and Expenses**

**(Including Transfer of Funds)**

For necessary expenses to carry out the Help America Vote Act of 2002, $15,467,000, of which $3,250,000 shall be transferred to the National Institute of Standards and Technology for election reform activities authorized under the Help America Vote Act of 2002.

**Election Reform Programs**

For necessary expenses to carry out programs under the Help America Vote Act of 2002 (Public Law 107–252), $300,950,000: *Provided*, That of the amount appropriated under this heading, $300,000,000 shall be available for requirements payments under section 257 of such Act, but only for States that file a new State plan under section 253(b)(1) of such Act for fiscal year 2008: *Provided further*, That of the amount appropriated under this heading, $750,000 shall be available for the Help America Vote College Program under title V of such Act: *Provided further*, That of the amount appropriated under this heading, $200,000 shall be available for the National Student and Parent Mock Election under part 6 of subtitle D of title II of such Act.
For necessary expenses of the Federal Communications Commission, as authorized by law, including uniforms and allowances therefor, as authorized by 5 U.S.C. 5901–5902; not to exceed $4,000 for official reception and representation expenses; purchase and hire of motor vehicles; special counsel fees; and services as authorized by 5 U.S.C. 3109, $313,000,000: Provided, That offsetting collections shall be assessed and collected pursuant to section 9 of title I of the Communications Act of 1934, of which $312,000,000 shall be retained and used for necessary expenses in this appropriation, and shall remain available until expended: Provided further, That the sum herein appropriated shall be reduced as such offsetting collections are received during fiscal year 2008 so as to result in a final fiscal year 2008 appropriation estimated at $1,000,000: Provided further, That any offsetting collections received in excess of $312,000,000 in fiscal year 2008 shall not be available for obligation: Provided further, That remaining offsetting collections from prior years collected in excess of the amount specified for collection in each such year and otherwise becoming available on October 1, 2007, shall not be available for obligation: Provided further, That notwithstanding 47 U.S.C. 309(j)(8)(B),
proceeds from the use of a competitive bidding system that may be retained and made available for obligation shall not exceed $85,000,000 for fiscal year 2008: Provided further, That in addition, not to exceed $20,980,000 may be transferred from the Universal Service Fund in fiscal year 2008, to remain available until expended, to monitor the Universal Service Fund program to prevent and remedy waste, fraud and abuse, and to conduct audits and investigations by the Office of Inspector General.

**FEDERAL DEPOSIT INSURANCE CORPORATION**

**OFFICE OF INSPECTOR GENERAL**

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, $26,848,000, to be derived from the Deposit Insurance Fund and the FSLIC Resolution Fund.

**FEDERAL ELECTION COMMISSION**

**SALARIES AND EXPENSES**

For necessary expenses to carry out the provisions of the Federal Election Campaign Act of 1971, $59,224,000, of which no less than $8,100,000 shall be available for internal automated data processing systems, and of which not to exceed $5,000 shall be available for reception and representation expenses.
FEDERAL LABOR RELATIONS AUTHORITY

SALARIES AND EXPENSES

For necessary expenses to carry out functions of the Federal Labor Relations Authority, pursuant to Reorganization Plan Numbered 2 of 1978, and the Civil Service Reform Act of 1978, including services authorized by 5 U.S.C. 3109, and including hire of experts and consultants, hire of passenger motor vehicles, and rental of conference rooms in the District of Columbia and elsewhere, $23,641,000: Provided, That public members of the Federal Service Impasses Panel may be paid travel expenses and per diem in lieu of subsistence as authorized by law (5 U.S.C. 5703) for persons employed intermittently in the Government service, and compensation as authorized by 5 U.S.C. 3109: Provided further, That notwithstanding 31 U.S.C. 3302, funds received from fees charged to non-Federal participants at labor-management relations conferences shall be credited to and merged with this account, to be available without further appropriation for the costs of carrying out these conferences.

FEDERAL TRADE COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Federal Trade Commission, including uniforms or allowances therefor, as authorized by 5 U.S.C. 5901–5902; services as authorized
by 5 U.S.C. 3109; hire of passenger motor vehicles; and not to exceed $2,000 for official reception and representation expenses, $247,489,000, to remain available until expended: Provided, That not to exceed $300,000 shall be available for use to contract with a person or persons for collection services in accordance with the terms of 31 U.S.C. 3718: Provided further, That, notwithstanding any other provision of law, not to exceed $139,000,000 of offsetting collections derived from fees collected for premerger notification filings under the Hart-Scott-Rodino Antitrust Improvements Act of 1976 (15 U.S.C. 18a), regardless of the year of collection, shall be retained and used for necessary expenses in this appropriation: Provided further, That, notwithstanding any other provision of law, not to exceed $20,000,000 in offsetting collections derived from fees sufficient to implement and enforce the Telemarketing Sales Rule, promulgated under the Telemarketing and Consumer Fraud and Abuse Prevention Act (15 U.S.C. 6101 et seq.), shall be credited to this account, and be retained and used for necessary expenses in this appropriation: Provided further, That the sum here- in appropriated from the general fund shall be reduced as such offsetting collections are received during fiscal year 2008, so as to result in a final fiscal year 2008 appropriation from the general fund estimated at not more than
$88,489,000: Provided further, That none of the funds made available to the Federal Trade Commission may be used to implement subsection (c)(2)(B) of section 43 of the Federal Deposit Insurance Act (12 U.S.C. 1831t).

**GENERAL SERVICES ADMINISTRATION**

**REAL PROPERTY ACTIVITIES**

**FEDERAL BUILDINGS FUND**

**LIMITATION ON AVAILABILITY OF REVENUE**

For an additional amount to be deposited in the Federal Buildings Fund, $88,144,000. Amounts in the fund, including the revenues and collections deposited into the Fund shall be available for necessary expenses of real property management and related activities not otherwise provided for, including operation, maintenance, and protection of federally owned and leased buildings; rental of buildings in the District of Columbia; restoration of leased premises; moving governmental agencies (including space adjustments and telecommunications relocation expenses) in connection with the assignment, allocation and transfer of space; contractual services incident to cleaning or servicing buildings, and moving; repair and alteration of federally owned buildings including grounds, approaches and appurtenances; care and safeguarding of sites; maintenance, preservation, demolition, and equipment; acquisition of buildings and sites by purchase, condemnation, or as otherwise authorized by law; acquisition of options to
purchase buildings and sites; conversion and extension of
federally owned buildings; preliminary planning and de-
sign of projects by contract or otherwise; construction of
new buildings (including equipment for such buildings);
and payment of principal, interest, and any other obliga-
tions for public buildings acquired by installment purchase
and purchase contract; in the aggregate amount of
$7,834,612,000, of which: (1) $524,540,000 shall remain
available until expended for construction (including funds
for sites and expenses and associated design and construc-
tion services) of additional projects at the following loca-
tions:

New Construction:

Arizona:
San Luis, Land Port of Entry I,
$7,053,000.

California:
San Ysidro, Land Port of Entry,
$37,742,000.

District of Columbia:
DHS Consolidation and development of St.
Elizabeth’s campus, $275,133,000.
St. Elizabeth’s West Campus Infrastructure,
$20,572,000.
St. Elizabeth’s West Campus Site Acquisition, $7,000,000.

Maine:

Madawaska, Land Port of Entry, $17,160,000.

Maryland:

Montgomery County, Food and Drug Administration Consolidation, $57,749,000.

Minnesota:

Warroad, Land Port of Entry, $43,628,000.

New York:

Alexandria Bay, Land Port of Entry, $11,676,000.

Texas:

El Paso, Tronillo-Guadalupe Land Port of Entry, $4,290,000.

Vermont:

Derby Line, Land Port of Entry, $33,139,000.

Nonprospectus Construction, $9,398,000:

Provided, That each of the foregoing limits of costs on new construction projects may be exceeded to the extent that savings are effected in other such projects, but not to exceed 10 percent of the amounts included in an ap-
proved prospectus, if required, unless advance approval is obtained from the Committees on Appropriations of a greater amount: Provided further, That all funds for direct construction projects shall expire on September 30, 2009, and remain in the Federal Buildings Fund except for funds for projects as to which funds for design or other funds have been obligated in whole or in part prior to such date; (2) $733,267,000 shall remain available until expended for repairs and alterations, which includes associated design and construction services:

Repairs and Alterations:

District of Columbia:

Eisenhower Executive Office Building, Phase III, $172,279,000.

Joint Operations Center, $12,800,000.

Nebraska Avenue Complex, $27,673,000.

Nevada:

Reno, C. Clifton Young Federal Building and Courthouse, $12,793,000.

New York:


West Virginia:

Martinsburg, Internal Revenue Service Enterprise Computing Center, $35,822,000.
Special Emphasis Programs:

Energy Program, $15,000,000.

Design Program, $7,372,000.

Basic Repairs and Alterations, $278,984,000:

Provided further, That funds made available in this or any previous Act in the Federal Buildings Fund for Repairs and Alterations shall, for prospectus projects, be limited to the amount identified for each project, except each project in this or any previous Act may be increased by an amount not to exceed 10 percent unless advance approval is obtained from the Committees on Appropriations of a greater amount: Provided further, That additional projects for which prospectuses have been fully approved may be funded under this category only if advance approval is obtained from the Committees on Appropriations: Provided further, That the amounts provided in this or any prior Act for “Repairs and Alterations” may be used to fund costs associated with implementing security improvements to buildings necessary to meet the minimum standards for security in accordance with current law and in compliance with the reprogramming guidelines of the appropriate Committees of the House and Senate: Provided further, That the difference between the funds appropriated and expended on any projects in this or any prior Act, under the heading “Repairs and Alterations”,
may be transferred to Basic Repairs and Alterations or used to fund authorized increases in prospectus projects:

Provided further, That all funds for repairs and alterations prospectus projects shall expire on September 30, 2009, and remain in the Federal Buildings Fund except funds for projects as to which funds for design or other funds have been obligated in whole or in part prior to such date:

Provided further, That the amount provided in this or any prior Act for Basic Repairs and Alterations may be used to pay claims against the Government arising from any projects under the heading “Repairs and Alterations” or used to fund authorized increases in prospectus projects;

(3) $155,781,000 for installment acquisition payments including payments on purchase contracts which shall remain available until expended; (4) $4,315,534,000 for rental of space which shall remain available until expended; and (5) $2,105,490,000 for building operations which shall remain available until expended: Provided further, That funds available to the General Services Administration shall not be available for expenses of any construction, repair, alteration and acquisition project for which a prospectus, if required by the Public Buildings Act of 1959, as amended, has not been approved, except that necessary funds may be expended for each project for required expenses for the development of a proposed
prospectus: Provided further, That funds available in the Federal Buildings Fund may be expended for emergency repairs when advance approval is obtained from the Committees on Appropriations: Provided further, That amounts necessary to provide reimbursable special services to other agencies under section 210(f)(6) of the Federal Property and Administrative Services Act of 1949, as amended (40 U.S.C. 592(b)(2)) and amounts to provide such reimbursable fencing, lighting, guard booths, and other facilities on private or other property not in Government ownership or control as may be appropriate to enable the United States Secret Service to perform its protective functions pursuant to 18 U.S.C. 3056, shall be available from such revenues and collections: Provided further, That revenues and collections and any other sums accruing to this Fund during fiscal year 2008, excluding reimbursements under section 210(f)(6) of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 592(b)(2)) in excess of the aggregate new obligational authority authorized for Real Property Activities of the Federal Buildings Fund in this Act shall remain in the Fund and shall not be available for expenditure except as authorized in appropriations Acts.
GENERAL ACTIVITIES
POLICY AND OPERATIONS

For expenses authorized by law, not otherwise provided for, for Government-wide policy and evaluation activities associated with the management of real and personal property assets and certain administrative services; Government-wide policy support responsibilities relating to acquisition, telecommunications, information technology management, and related technology activities; Government-wide activities associated with utilization and donation of surplus personal property; disposal of real property; providing Internet access to Federal information and services; agency-wide policy direction and management; the Civilian Board of Contract Appeals; services as authorized by 5 U.S.C. 3109; and not to exceed $7,500 for official reception and representation expenses; $142,945,000 (reduced by $8,000,000), of which $44,984,000 is for the Office of Government-Wide Policy:

Provided, That any change in the amount specified herein for the Office of Government-Wide Policy may only be made 15 days following approval of the Committees on Appropriations.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General and service authorized by 5 U.S.C. 3109, $47,382,000 (increased by $6,000,000): Provided, That
not to exceed $15,000 shall be available for payment for information and detection of fraud against the Government, including payment for recovery of stolen Government property: Provided further, That not to exceed $2,500 shall be available for awards to employees of other Federal agencies and private citizens in recognition of efforts and initiatives resulting in enhanced Office of Inspector General effectiveness.

ELECTRONIC GOVERNMENT FUND

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses in support of interagency projects that enable the Federal Government to expand its ability to conduct activities electronically, through the development and implementation of innovative uses of the Internet and other electronic methods, $2,970,000, to remain available until expended: Provided, That these funds may be transferred to Federal agencies to carry out the purposes of the Fund: Provided further, That this transfer authority shall be in addition to any other transfer authority provided in this Act: Provided further, That such transfers may not be made until 10 days after a proposed spending plan and justification for each project to be undertaken has been submitted to the Committees on Appropriations.
ALLOWANCES AND OFFICE STAFF FOR FORMER PRESIDENTS

(INCLUDING TRANSFER OF FUNDS)

For carrying out the provisions of the Act of August 25, 1958 (3 U.S.C. 102 note), and Public Law 95–138, $2,500,000: Provided, That the Administrator of General Services shall transfer to the Secretary of the Treasury such sums as may be necessary to carry out the provisions of such Acts.

FEDERAL CITIZEN INFORMATION CENTER FUND

For necessary expenses of the Federal Citizen Information Center, including services authorized by 5 U.S.C. 3109, $15,798,000, to be deposited into the Federal Citizen Information Center Fund: Provided, That the appropriations, revenues, and collections deposited into the Fund shall be available for necessary expenses of Federal Citizen Information Center activities in the aggregate amount not to exceed $35,000,000: Provided further, That appropriations, revenues, and collections accruing to this Fund during fiscal year 2008 in excess of such amount shall remain in the Fund and shall not be available for expenditure except as authorized in appropriations Acts.
ADMINISTRATIVE PROVISIONS—GENERAL SERVICES

ADMINISTRATION

(INCLUDING TRANSFERS OF FUNDS)

Sec. 501. The appropriate appropriation or fund available to the General Services Administration shall be credited with the cost of operation, protection, maintenance, upkeep, repair, and improvement, included as part of rentals received from Government corporations pursuant to law (40 U.S.C. 129).

Sec. 502. Funds available to the General Services Administration shall be available for the hire of passenger motor vehicles.

Sec. 503. Funds in the Federal Buildings Fund made available for fiscal year 2008 for Federal Buildings Fund activities may be transferred between such activities only to the extent necessary to meet program requirements: Provided, That any proposed transfers shall be approved in advance by the Committees on Appropriations.

Sec. 504. Except as otherwise provided in this title, no funds made available by this Act shall be used to transmit a fiscal year 2009 request for United States Courthouse construction that: (1) does not meet the design guide standards for construction as established and approved by the General Services Administration, the Judicial Conference of the United States, and the Office of Management and Budget; and (2) does not reflect the pri-
orities of the Judicial Conference of the United States as
set out in its approved 5-year construction plan: Provided,
That the fiscal year 2009 request must be accompanied
by a standardized courtroom utilization study of each fa-
cility to be constructed, replaced, or expanded.

Sec. 505. None of the funds provided in this Act may
be used to increase the amount of occupiable square feet,
provide cleaning services, security enhancements, or any
other service usually provided through the Federal Build-
ings Fund, to any agency that does not pay the rate per
square foot assessment for space and services as deter-
mined by the General Services Administration in compli-
ance with the Public Buildings Amendments Act of 1972
(Public Law 92–313).

Sec. 506. From funds made available under the
heading “Federal Buildings Fund, Limitations on Avail-
ability of Revenue”, claims against the Government of less
than $250,000 arising from direct construction projects
and acquisition of buildings may be liquidated from sav-
ings effected in other construction projects with prior noti-
fication to the Committees on Appropriations.

Merit Systems Protection Board
Salaries and Expenses
(Including Transfer of Funds)

For necessary expenses to carry out functions of the
Merit Systems Protection Board pursuant to Reorganiza-
tion Plan Numbered 2 of 1978, the Civil Service Reform Act of 1978, and the Whistleblower Protection Act of 1989 (5 U.S.C. 5509 note), including services as authorized by 5 U.S.C. 3109, rental of conference rooms in the District of Columbia and elsewhere, hire of passenger motor vehicles, direct procurement of survey printing, and not to exceed $2,000 for official reception and representation expenses, $37,507,000, together with not to exceed $2,579,000 for administrative expenses to adjudicate retirement appeals to be transferred from the Civil Service Retirement and Disability Fund in amounts determined by the Merit Systems Protection Board.

MORRIS K. UDALL SCHOLARSHIP AND EXCELLENCE IN NATIONAL ENVIRONMENTAL POLICY FOUNDATION

MORRIS K. UDALL SCHOLARSHIP AND EXCELLENCE IN NATIONAL ENVIRONMENTAL POLICY TRUST FUND

(INCLUDING TRANSFER OF FUNDS)

For payment to the Morris K. Udall Scholarship and Excellence in National Environmental Policy Trust Fund, pursuant to the Morris K. Udall Scholarship and Excellence in National Environmental and Native American Public Policy Act of 1992 (20 U.S.C. 5601 et seq.), $2,000,000, to remain available until expended, of which up to $50,000 shall be used to conduct financial audits pursuant to the Accountability of Tax Dollars Act of 2002 (Public Law 107–289) notwithstanding sections 8 and 9
of Public Law 102–259: Provided, That up to 60 percent
of such funds may be transferred by the Morris K. Udall
Scholarship and Excellence in National Environmental
Policy Foundation for the necessary expenses of the Na-
tive Nations Institute.

ENVIRONMENTAL DISPUTE RESOLUTION FUND

For payment to the Environmental Dispute Resolu-
tion Fund to carry out activities authorized in the Envi-
ronmental Policy and Conflict Resolution Act of 1998,
$2,000,000, to remain available until expended.

NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

OPERATING EXPENSES

For necessary expenses in connection with the admin-
istration of the National Archives and Records Adminis-
tration (including the Information Security Oversight Of-
fee) and archived Federal records and related activities,
as provided by law, and for expenses necessary for the re-
view and declassification of documents and the activities
of the Public Interest Declassification Board, and for the
hire of passenger motor vehicles, $315,000,000: Provided,
That the Archivist of the United States is authorized to
use any excess funds available from the amount borrowed
for construction of the National Archives facility, for ex-
penses necessary to provide adequate storage for holdings.
For necessary expenses in connection with the development of the electronic records archives, to include all direct project costs associated with research, analysis, design, development, and program management, $58,028,000, of which $38,315,000 shall remain available until September 30, 2009: Provided, That none of the multiyear funds may be obligated until the National Archives and Records Administration submits to the Committees on Appropriations, and such Committees approve, a plan for expenditure that: (1) meets the capital planning and investment control review requirements established by the Office of Management and Budget, including Circular A–11; (2) complies with the National Archives and Records Administration’s enterprise architecture; (3) conforms with the National Archives and Records Administration’s enterprise life cycle methodology; (4) is approved by the National Archives and Records Administration and the Office of Management and Budget; (5) has been reviewed by the Government Accountability Office; and (6) complies with the acquisition rules, requirements, guidelines, and systems acquisition management practices of the Federal Government.
REPAIRS AND RESTORATION

For the repair, alteration, and improvement of archives facilities, and to provide adequate storage for holdings, $16,095,000, to remain available until expended.

NATIONAL HISTORICAL PUBLICATIONS AND RECORDS COMMISSION

GRANTS PROGRAM

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses for allocations and grants for historical publications and records as authorized by 44 U.S.C. 2504, $10,000,000, to remain available until expended: Provided, That of the funds provided in this paragraph, $2,000,000 shall be transferred to the operating expenses account for operating expenses of the National Historical Publications and Records Administration.

NATIONAL CREDIT UNION ADMINISTRATION

CENTRAL LIQUIDITY FACILITY

During fiscal year 2008, gross obligations of the Central Liquidity Facility for the principal amount of new direct loans to member credit unions, as authorized by 12 U.S.C. 1795 et seq., shall not exceed $1,500,000,000: Provided, That administrative expenses of the Central Liquidity Facility in fiscal year 2008 shall not exceed $329,000.
COMMUNITY DEVELOPMENT CREDIT UNION REVOLVING
LOAN FUND
For the Community Development Revolving Loan Fund program as authorized by 42 U.S.C. 9812, 9822 and 9910, $1,000,000 shall be available until September 30, 2009 for technical assistance to low-income designated credit unions.

OFFICE OF GOVERNMENT ETHICS
SALARIES AND EXPENSES
For necessary expenses to carry out functions of the Office of Government Ethics pursuant to the Ethics in Government Act of 1978 and the Ethics Reform Act of 1989, including services as authorized by 5 U.S.C. 3109, rental of conference rooms in the District of Columbia and elsewhere, hire of passenger motor vehicles, and not to exceed $1,500 for official reception and representation expenses, $11,750,000.

OFFICE OF PERSONNEL MANAGEMENT
SALARIES AND EXPENSES
(INCLUDING TRANSFER OF TRUST FUNDS)
For necessary expenses to carry out functions of the Office of Personnel Management pursuant to Reorganization Plan Numbered 2 of 1978 and the Civil Service Reform Act of 1978, including services as authorized by 5 U.S.C. 3109; medical examinations performed for veterans by private physicians on a fee basis; rental of conference
rooms in the District of Columbia and elsewhere; hire of passenger motor vehicles; not to exceed $2,500 for official reception and representation expenses; advances for reimbursements to applicable funds of the Office of Personnel Management and the Federal Bureau of Investigation for expenses incurred under Executive Order No. 10422 of January 9, 1953, as amended; and payment of per diem and/or subsistence allowances to employees where Voting Rights Act activities require an employee to remain overnight at his or her post of duty, $101,765,000, of which $5,991,000 shall remain available until expended for the Enterprise Human Resources Integration project; $1,351,000 shall remain available until expended for the Human Resources Line of Business project; $340,000 shall remain available until expended for the E-Payroll project; and $170,000 shall remain available until expended for the E-Training program; and in addition, $123,401,000 for administrative expenses, to be transferred from the appropriate trust funds of the Office of Personnel Management without regard to other statutes, including direct procurement of printed materials, for the retirement and insurance programs, of which $26,465,000 shall remain available until expended for the cost of automating the retirement recordkeeping systems: Provided, That the provisions of this appropriation shall not affect
the authority to use applicable trust funds as provided by
sections 8348(a)(1)(B), and 9004(f)(2)(A) of title 5,
United States Code: Provided further, That no part of this
appropriation shall be available for salaries and expenses
of the Legal Examining Unit of the Office of Personnel
Management established pursuant to Executive Order No.
9358 of July 1, 1943, or any successor unit of like pur-
pose: Provided further, That the President’s Commission
on White House Fellows, established by Executive Order
No. 11183 of October 3, 1964, may, during fiscal year
2008, accept donations of money, property, and personal
services: Provided further, That such donations, including
those from prior years, may be used for the development
of publicity materials to provide information about the
White House Fellows, except that no such donations shall
be accepted for travel or reimbursement of travel expenses,
or for the salaries of employees of such Commission.

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF TRUST FUNDS)

For necessary expenses of the Office of Inspector
General in carrying out the provisions of the Inspector
General Act of 1978, including services as authorized by
5 U.S.C. 3109, hire of passenger motor vehicles,
$1,519,000, and in addition, not to exceed $16,981,000
for administrative expenses to audit, investigate, and pro-
vide other oversight of the Office of Personnel Manage-
ment’s retirement and insurance programs, to be trans-
ferred from the appropriate trust funds of the Office of
Personnel Management, as determined by the Inspector
General: Provided, That the Inspector General is author-
ized to rent conference rooms in the District of Columbia
and elsewhere.

Government Payment for Annuitants, Employees
Health Benefits

For payment of Government contributions with re-
spect to retired employees, as authorized by chapter 89
of title 5, United States Code, and the Retired Federal
Employees Health Benefits Act (74 Stat. 849), such sums
as may be necessary.

Government Payment for Annuitants, Employee
Life Insurance

For payment of Government contributions with re-
spect to employees retiring after December 31, 1989, as
required by chapter 87 of title 5, United States Code, such
sums as may be necessary.

Payment to Civil Service Retirement and
Disability Fund

For financing the unfunded liability of new and in-
creased annuity benefits becoming effective on or after Oc-
tober 20, 1969, as authorized by 5 U.S.C. 8348, and an-
nuities under special Acts to be credited to the Civil Service Retirement and Disability Fund, such sums as may be necessary: Provided, That annuities authorized by the Act of May 29, 1944, and the Act of August 19, 1950 (33 U.S.C. 771–775), may hereafter be paid out of the Civil Service Retirement and Disability Fund.

OFFICE OF SPECIAL COUNSEL

SALARIES AND EXPENSES


SECURITIES AND EXCHANGE COMMISSION

SALARIES AND EXPENSES

For necessary expenses for the Securities and Exchange Commission, including services as authorized by 5 U.S.C. 3109, the rental of space (to include multiple year leases) in the District of Columbia and elsewhere, and
not to exceed $3,500 for official reception and representation expenses, $908,442,000, to remain available until expended; of which not to exceed $20,000 may be used toward funding a permanent secretariat for the International Organization of Securities Commissions; and of which not to exceed $100,000 shall be available for expenses for consultations and meetings hosted by the Commission with foreign governmental and other regulatory officials, members of their delegations, appropriate representatives and staff to exchange views concerning developments relating to securities matters, development and implementation of cooperation agreements concerning securities matters and provision of technical assistance for the development of foreign securities markets, such expenses to include necessary logistic and administrative expenses and the expenses of Commission staff and foreign invitees in attendance at such consultations and meetings including: (1) such incidental expenses as meals taken in the course of such attendance; (2) any travel and transportation to or from such meetings; and (3) any other related lodging or subsistence. Provided, That fees and charges authorized by sections 6(b) of the Securities Exchange Act of 1933 (15 U.S.C. 77f(b)), and 13(e), 14(g) and 31 of the Securities Exchange Act of 1934 (15 U.S.C. 78m(e), 78n(g), and 78ee), shall be credited to this ac-
count as offsetting collections: Provided further, That not to exceed $867,045,000 of such offsetting collections shall be available until expended for necessary expenses of this account: Provided further, That $41,397,000 shall be derived from prior year unobligated balances from funds previously appropriated to the Securities and Exchange Commission: Provided further, That the total amount appropriated under this heading from the general fund for fiscal year 2008 shall be reduced as such offsetting fees are received so as to result in a final total fiscal year 2008 appropriation from the general fund estimated at not more than $0.

Selective Service System

Salaries and Expenses

For necessary expenses of the Selective Service System, including expenses of attendance at meetings and of training for uniformed personnel assigned to the Selective Service System, as authorized by 5 U.S.C. 4101–4118 for civilian employees; purchase of uniforms, or allowances therefor, as authorized by 5 U.S.C. 5901–5902; hire of passenger motor vehicles; services as authorized by 5 U.S.C. 3109; and not to exceed $750 for official reception and representation expenses; $22,000,000: Provided, That none of the funds appropriated by this Act may be ex-
pended for or in connection with the induction of any per-
son into the Armed Forces of the United States.

**Small Business Administration**

**Salaries and Expenses**

For necessary expenses, not otherwise provided for, of the Small Business Administration as authorized by Public Law 108–447, including hire of passenger motor vehicles as authorized by 31 U.S.C. 1343 and 1344, and not to exceed $3,500 for official reception and representation expenses, $346,553,000: Provided, That the Administrator is authorized to charge fees to cover the cost of publications developed by the Small Business Administration, and certain loan program activities, including fees authorized by section 5(b) of the Small Business Act: Provided further, That, notwithstanding 31 U.S.C. 3302, revenues received from all such activities shall be credited to this account, to remain available until expended, to be available for carrying out these purposes without further appropriations.

**Office of Inspector General**

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, $15,000,000.

**Surety Bond Guarantees Revolving Fund**

For additional capital for the Surety Bond Guarantees Revolving Fund, authorized by the Small Business
Investment Act of 1958, $3,000,000, to remain available until expended.

BUSINESS LOANS PROGRAM ACCOUNT
(INCLUDING TRANSFERS OF FUNDS)

For the cost of direct loans, $2,530,000, to remain available until expended; and for the cost of guaranteed loans, $80,000,000: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: Provided further, That subject to section 502 of the Congressional Budget Act of 1974, during fiscal year 2008 commitments to guarantee loans under section 503 of the Small Business Investment Act of 1958, shall not exceed $7,500,000,000: Provided further, That during fiscal year 2008 commitments for general business loans authorized under section 7(a) of the Small Business Act, shall not exceed $17,500,000,000: Provided further, That during fiscal year 2008 commitments to guarantee loans for debentures under section 303(b) of the Small Business Investment Act of 1958, shall not exceed $3,000,000,000: Provided further, That during fiscal year 2008, guarantees of trust certificates authorized by section 5(g) of the Small Business Act shall not exceed a principal amount of $12,000,000,000.

In addition, for administrative expenses to carry out the direct and guaranteed loan programs, $135,414,000,
which may be transferred to and merged with the appropri-
ations for Salaries and Expenses.

ADMINISTRATIVE PROVISION—SMALL BUSINESS ADMINISTRATION
(INCLUDING TRANSFER OF FUNDS)
Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Small Business Administration in this Act may be transferred between such appropriations, but no such appropriation shall be increased by more than 10 percent by any such transfers:

Provided, That any transfer pursuant to this paragraph shall be treated as a reprogramming of funds under section 610 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

UNITED STATES POSTAL SERVICE
PAYMENT TO THE POSTAL SERVICE FUND
For payment to the Postal Service Fund for revenue forgone on free and reduced rate mail, pursuant to subsections (c) and (d) of section 2401 of title 39, United States Code, $88,864,000, which shall not be available for obligation until October 1, 2008: Provided, That mail for overseas voting and mail for the blind shall continue to be free: Provided further, That 6-day delivery and rural delivery of mail shall continue at not less than the 1983 level: Provided further, That none of the funds made avail-
able to the Postal Service by this Act shall be used to im-
plement any rule, regulation, or policy of charging any of-
ficer or employee of any State or local child support en-
forcement agency, or any individual participating in a
State or local program of child support enforcement, a fee
for information requested or provided concerning an ad-
dress of a postal customer: Provided further, That none
of the funds provided in this Act shall be used to consoli-
date or close small rural and other small post offices in
fiscal year 2008.

UNITED STATES TAX COURT

SALARIES AND EXPENSES

For necessary expenses, including contract reporting
and other services as authorized by 5 U.S.C. 3109,
$45,069,000: Provided, That travel expenses of the judges
shall be paid upon the written certificate of the judge.

TITLE VI

GENERAL PROVISIONS—THIS ACT

Sec. 601. Such sums as may be necessary for fiscal
year 2008 pay raises for programs funded in this Act shall
be absorbed within the levels appropriated in this Act or
previous appropriations Acts.

Sec. 602. None of the funds in this Act shall be used
for the planning or execution of any program to pay the
expenses of, or otherwise compensate, non-Federal parties
intervening in regulatory or adjudicatory proceedings funded in this Act.

SEC. 603. None of the funds appropriated in this Act shall remain available for obligation beyond the current fiscal year, nor may any be transferred to other appropriations, unless expressly so provided herein.

SEC. 604. The expenditure of any appropriation under this Act for any consulting service through procurement contract pursuant to section 3109 of title 5, United States Code, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive order issued pursuant to existing law.

SEC. 605. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by, or transfer authority provided in, this Act or any other appropriations Act.

SEC. 606. None of the funds made available by this Act shall be available for any activity or for paying the salary of any Government employee where funding an activity or paying a salary to a Government employee would result in a decision, determination, rule, regulation, or pol-
icy that would prohibit the enforcement of section 307 of

SEC. 607. No part of any appropriation contained in
this Act shall be available to pay the salary for any person
filling a position, other than a temporary position, for-
merly held by an employee who has left to enter the Armed
Forces of the United States and has satisfactorily com-
pleted his period of active military or naval service, and
has within 90 days after his release from such service or
from hospitalization continuing after discharge for a pe-
riod of not more than 1 year, made application for restora-
tion to his former position and has been certified by the
Office of Personnel Management as still qualified to per-
form the duties of his former position and has not been
restored thereto.

SEC. 608. No funds appropriated pursuant to this
Act may be expended by an entity unless the entity agrees
that in expending the assistance the entity will comply
with sections 2 through 4 of the Act of March 3, 1933
(41 U.S.C. 10a–10c, popularly known as the “Buy Amer-
ican Act”).

SEC. 609. No funds appropriated or otherwise made
available under this Act shall be made available to any
person or entity that has been convicted of violating the
SEC. 610. Except as otherwise provided in this Act, none of the funds provided in this Act, provided by previous appropriations Acts to the agencies or entities funded in this Act that remain available for obligation or expenditure in fiscal year 2008, or provided from any accounts in the Treasury derived by the collection of fees and available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming of funds that: (1) creates a new program; (2) eliminates a program, project, or activity; (3) increases funds or personnel for any program, project, or activity for which funds have been denied or restricted by the Congress; (4) proposes to use funds directed for a specific activity by either the House or Senate Committees on Appropriations for a different purpose; (5) augments existing programs, projects, or activities in excess of $1,000,000 or 10 percent, whichever is less; (6) reduces existing programs, projects, or activities by $1,000,000 or 10 percent, whichever is less; or (7) reorganizes offices, programs, or activities unless prior approval is received from the House and Senate Committees on Appropriations: Provided, That not later than 60 days after the date of enactment of this Act, each agency funded by this Act shall submit an operating plan to the Committees on Appropriations of the Senate and of the House of Representatives to establish
the baseline for application of reprogramming and transfer authorities for the current fiscal year: *Provided further,*

That the report shall include: (1) a table for each appropriation with a separate column to display the President’s budget request, adjustments made by Congress, adjustments due to enacted rescissions, if appropriate, and the fiscal year enacted level; (2) a delineation in the table for each appropriation both by object class and program, project, and activity as detailed in the budget appendix for the respective appropriation; and (3) an identification of items of special congressional interest: *Provided further,*

That the amount appropriated or limited for salaries and expenses for an agency shall be reduced by $100,000 per day for each day after the required date that the report has not been submitted to the Congress.

**Sec. 611.** Except as otherwise specifically provided by law, not to exceed 50 percent of unobligated balances remaining available at the end of fiscal year 2008 from appropriations made available for salaries and expenses for fiscal year 2008 in this Act, shall remain available through September 30, 2009, for each such account for the purposes authorized: *Provided,* That a request shall be submitted to the Committees on Appropriations for approval prior to the expenditure of such funds: *Provided*
further, That these requests shall be made in compliance with reprogramming guidelines.

SEC. 612. None of the funds made available in this Act may be used by the Executive Office of the President to request from the Federal Bureau of Investigation any official background investigation report on any individual, except when—

(1) such individual has given his or her express written consent for such request not more than 6 months prior to the date of such request and during the same presidential administration; or

(2) such request is required due to extraordinary circumstances involving national security.

SEC. 613. The cost accounting standards promulgated under section 26 of the Office of Federal Procurement Policy Act (Public Law 93–400; 41 U.S.C. 422) shall not apply with respect to a contract under the Federal Employees Health Benefits Program established under chapter 89 of title 5, United States Code.

SEC. 614. For the purpose of resolving litigation and implementing any settlement agreements regarding the nonforeign area cost-of-living allowance program, the Office of Personnel Management may accept and utilize (without regard to any restriction on unanticipated travel expenses imposed in an Appropriations Act) funds made
available to the Office of Personnel Management pursuant to court approval.

SEC. 615. No funds appropriated by this Act shall be available to pay for an abortion, or the administrative expenses in connection with any health plan under the Federal employees health benefits program which provides any benefits or coverage for abortions.

SEC. 616. The provision of section 615 shall not apply where the life of the mother would be endangered if the fetus were carried to term, or the pregnancy is the result of an act of rape or incest.

SEC. 617. In order to promote Government access to commercial information technology, the restriction on purchasing nondomestic articles, materials, and supplies set forth in the Buy American Act (41 U.S.C. 10a et seq.), shall not apply to the acquisition by the Federal Government of information technology (as defined in section 11101 of title 40, United States Code), that is a commercial item (as defined in section 4(12) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(12)).

SEC. 618. None of the funds made available in the Act may be used to finalize, implement, administer, or enforce—

(1) the proposed rule relating to the determination that real estate brokerage is an activity that is
financial in nature or incidental to a financial activity published in the Federal Register on January 3, 2001 (66 Fed. Reg. 307 et seq.); or

(2) the revision proposed in such rule to section 1501.2 of title 12 of the Code of Federal Regulations.

SEC. 619. Notwithstanding section 10(b) of the Harry S Truman Memorial Scholarship Act (20 U.S.C. 2009(b)), hereafter, at the request of the Board of Trustees of the Harry S Truman Scholarship Foundation, it shall be the duty of the Secretary of the Treasury to invest in full the amounts appropriated and contributed to the Harry S Truman Memorial Scholarship Trust Fund, as provided in such section. All requests of the Board of Trustees to the Secretary provided for in this section shall be binding on the Secretary.

SEC. 620. (a) In General.—None of the funds appropriated or otherwise made available by this Act may be used for any Federal Government contract with any foreign incorporated entity which is treated as an inverted domestic corporation under section 835(b) of the Homeland Security Act of 2002 (6 U.S.C. 395(b)) or any subsidiary of such an entity.

(b) Waivers.—
(1) IN GENERAL.—Any Secretary shall waive subsection (a) with respect to any Federal Government contract under the authority of such Secretary if the Secretary determines that the waiver is required in the interest of national security.

(2) REPORT TO CONGRESS.—Any Secretary issuing a waiver under paragraph (1) shall report such issuance to Congress.

e) EXCEPTION.—This section shall not apply to any Federal Government contract entered into before the date of the enactment of this Act, or to any task order issued pursuant to such contract.

SEC. 621. For an additional amount under the heading “Small Business Administration, Salaries and Expenses”, $61,318,000, to remain available until September 30, 2009, shall be for initiatives related to small business development and entrepreneurship, including programmatic and construction activities: Provided, That amounts made available under this section shall be provided in accordance with the terms and conditions specified in the statement of managers accompanying this Act.
TITLE VII—GENERAL PROVISIONS

GOVERNMENT-WIDE

DEPARTMENTS, AGENCIES, AND CORPORATIONS

Sec. 701. Hereafter, funds appropriated in this or any other Act may be used to pay travel to the United States for the immediate family of employees serving abroad in cases of death or life threatening illness of said employee.

Sec. 702. No department, agency, or instrumentality of the United States receiving appropriated funds under this or any other Act for fiscal year 2008 shall obligate or expend any such funds, unless such department, agency, or instrumentality has in place, and will continue to administer in good faith, a written policy designed to ensure that all of its workplaces are free from the illegal use, possession, or distribution of controlled substances (as defined in the Controlled Substances Act (21 U.S.C. 802)) by the officers and employees of such department, agency, or instrumentality.

Sec. 703. Unless otherwise specifically provided, the maximum amount allowable during the current fiscal year in accordance with section 16 of the Act of August 2, 1946 (60 Stat. 810), for the purchase of any passenger motor vehicle (exclusive of buses, ambulances, law enforcement, and undercover surveillance vehicles), is hereby fixed at
$12,888 except station wagons for which the maximum shall be $13,312: Provided, That these limits may be exceeded by not to exceed $3,700 for police-type vehicles, and by not to exceed $4,000 for special heavy-duty vehicles: Provided further, That the limits set forth in this section may not be exceeded by more than 5 percent for electric or hybrid vehicles purchased for demonstration under the provisions of the Electric and Hybrid Vehicle Research, Development, and Demonstration Act of 1976: Provided further, That the limits set forth in this section may be exceeded by the incremental cost of clean alternative fuels vehicles acquired pursuant to Public Law 101–549 over the cost of comparable conventionally fueled vehicles.

Sec. 704. Appropriations of the executive departments and independent establishments for the current fiscal year available for expenses of travel, or for the expenses of the activity concerned, are hereby made available for quarters allowances and cost-of-living allowances, in accordance with 5 U.S.C. 5922–5924.

Sec. 705. Unless otherwise specified during the current fiscal year, no part of any appropriation contained in this or any other Act shall be used to pay the compensation of any officer or employee of the Government of the United States (including any agency the majority of the
stock of which is owned by the Government of the United States) whose post of duty is in the continental United States unless such person: (1) is a citizen of the United States; (2) is a person in the service of the United States on the date of the enactment of this Act who, being eligible for citizenship, has filed a declaration of intention to become a citizen of the United States prior to such date and is actually residing in the United States; (3) is a person who owes allegiance to the United States; (4) is an alien from Cuba, Poland, South Vietnam, the countries of the former Soviet Union, or the Baltic countries lawfully admitted to the United States for permanent residence; (5) is a South Vietnamese, Cambodian, or Laotian refugee paroled in the United States after January 1, 1975; or (6) is a national of the People’s Republic of China who qualifies for adjustment of status pursuant to the Chinese Student Protection Act of 1992 (Public Law 102–404): Provided, That for the purpose of this section, an affidavit signed by any such person shall be considered prima facie evidence that the requirements of this section with respect to his or her status have been complied with: Provided further, That any person making a false affidavit shall be guilty of a felony, and, upon conviction, shall be fined no more than $4,000 or imprisoned for not more than 1 year, or both: Provided further, That the above penal clause
shall be in addition to, and not in substitution for, any other provisions of existing law: Provided further, That any payment made to any officer or employee contrary to the provisions of this section shall be recoverable in action by the Federal Government. This section shall not apply to citizens of Ireland, Israel, or the Republic of the Philippines, or to nationals of those countries allied with the United States in a current defense effort, or to international broadcasters employed by the Broadcasting Board of Governors, or to temporary employment of translators, or to temporary employment in the field service (not to exceed 60 days) as a result of emergencies.

SEC. 706. Appropriations available to any department or agency during the current fiscal year for necessary expenses, including maintenance or operating expenses, shall also be available for payment to the General Services Administration for charges for space and services and those expenses of renovation and alteration of buildings and facilities which constitute public improvements performed in accordance with the Public Buildings Act of 1959 (73 Stat. 479), the Public Buildings Amendments of 1972 (86 Stat. 216), or other applicable law.

SEC. 707. In addition to funds provided in this or any other Act, all Federal agencies are authorized to receive and use funds resulting from the sale of materials,
including Federal records disposed of pursuant to a
records schedule recovered through recycling or waste pre-
vention programs. Such funds shall be available until ex-
pended for the following purposes:

(1) Acquisition, waste reduction and prevention,
and recycling programs as described in Executive
Order No. 13101 (September 14, 1998), including
any such programs adopted prior to the effective
date of the Executive order.

(2) Other Federal agency environmental man-
agement programs, including, but not limited to, the
development and implementation of hazardous waste
management and pollution prevention programs.

(3) Other employee programs as authorized by
law or as deemed appropriate by the head of the
Federal agency.

SEC. 708. Funds made available by this or any other
Act for administrative expenses in the current fiscal year
of the corporations and agencies subject to chapter 91 of
title 31, United States Code, shall be available, in addition
to objects for which such funds are otherwise available,
for rent in the District of Columbia; services in accordance
with 5 U.S.C. 3109; and the objects specified under this
head, all the provisions of which shall be applicable to the
expenditure of such funds unless otherwise specified in the
Act by which they are made available: Provided, That in the event any functions budgeted as administrative expenses are subsequently transferred to or paid from other funds, the limitations on administrative expenses shall be correspondingly reduced.

SEC. 709. Hereafter, no part of any appropriation contained in this or any other Act shall be paid to any person for the filling of any position for which he or she has been nominated after the Senate has voted not to approve the nomination of said person.

SEC. 710. No part of any appropriation contained in this or any other Act shall be available for interagency financing of boards (except Federal Executive Boards), commissions, councils, committees, or similar groups (whether or not they are interagency entities) which do not have a prior and specific statutory approval to receive financial support from more than one agency or instrumentality.

SEC. 711. None of the funds made available pursuant to the provisions of this Act shall be used to implement, administer, or enforce any regulation which has been disapproved pursuant to a joint resolution duly adopted in accordance with the applicable law of the United States.

SEC. 712. (a) Notwithstanding any other provision of law, and except as otherwise provided in this section,
no part of any of the funds appropriated for fiscal year 2008, by this or any other Act, may be used to pay any prevailing rate employee described in section 5342(a)(2)(A) of title 5, United States Code—

(1) during the period from the date of expiration of the limitation imposed by the comparable section for previous fiscal years until the normal effective date of the applicable wage survey adjustment that is to take effect in fiscal year 2008, in an amount that exceeds the rate payable for the applicable grade and step of the applicable wage schedule in accordance with such section; and

(2) during the period consisting of the remainder of fiscal year 2008, in an amount that exceeds, as a result of a wage survey adjustment, the rate payable under paragraph (1) by more than the sum of—

(A) the percentage adjustment taking effect in fiscal year 2008 under section 5303 of title 5, United States Code, in the rates of pay under the General Schedule; and

(B) the difference between the overall average percentage of the locality-based comparability payments taking effect in fiscal year 2008 under section 5304 of such title (whether
by adjustment or otherwise), and the overall average percentage of such payments which was effective in the previous fiscal year under such section.

(b) Notwithstanding any other provision of law, no prevailing rate employee described in subparagraph (B) or (C) of section 5342(a)(2) of title 5, United States Code, and no employee covered by section 5348 of such title, may be paid during the periods for which subsection (a) is in effect at a rate that exceeds the rates that would be payable under subsection (a) were subsection (a) applicable to such employee.

(c) For the purposes of this section, the rates payable to an employee who is covered by this section and who is paid from a schedule not in existence on September 30, 2007, shall be determined under regulations prescribed by the Office of Personnel Management.

(d) Notwithstanding any other provision of law, rates of premium pay for employees subject to this section may not be changed from the rates in effect on September 30, 2007, except to the extent determined by the Office of Personnel Management to be consistent with the purpose of this section.

(e) This section shall apply with respect to pay for service performed after September 30, 2007.
(f) For the purpose of administering any provision
of law (including any rule or regulation that provides pre-
mium pay, retirement, life insurance, or any other em-
ployee benefit) that requires any deduction or contribu-
tion, or that imposes any requirement or limitation on the
basis of a rate of salary or basic pay, the rate of salary
or basic pay payable after the application of this section
shall be treated as the rate of salary or basic pay.

(g) Nothing in this section shall be considered to per-
mit or require the payment to any employee covered by
this section at a rate in excess of the rate that would be
payable were this section not in effect.

(h) The Office of Personnel Management may provide
for exceptions to the limitations imposed by this section
if the Office determines that such exceptions are necessary
to ensure the recruitment or retention of qualified employ-
ees.

SEC. 713. During the period in which the head of
any department or agency, or any other officer or civilian
employee of the Federal Government appointed by the
President of the United States, holds office, no funds may
be obligated or expended in excess of $5,000 to furnish
or redecorate the office of such department head, agency
head, officer, or employee, or to purchase furniture or
make improvements for any such office, unless advance
notice of such furnishing or redecoration is expressly ap-
proved by the Committees on Appropriations. For the pur-
poses of this section, the term “office” shall include the
entire suite of offices assigned to the individual, as well
as any other space used primarily by the individual or the
use of which is directly controlled by the individual.

Sec. 714. Notwithstanding section 1346 of title 31,
United States Code, or section 710 of this Act, funds
made available for the current fiscal year by this or any
other Act shall be available for the interagency funding
of national security and emergency preparedness tele-
communications initiatives which benefit multiple Federal
departments, agencies, or entities, as provided by Execu-
tive Order No. 12472 (April 3, 1984).

Sec. 715. (a) None of the funds appropriated by this
or any other Act may be obligated or expended by any
Federal department, agency, or other instrumentality for
the salaries or expenses of any employee appointed to a
position of a confidential or policy-determining character
excepted from the competitive service pursuant to section
3302 of title 5, United States Code, without a certification
to the Office of Personnel Management from the head of
the Federal department, agency, or other instrumentality
employing the Schedule C appointee that the Schedule C
position was not created solely or primarily in order to
detail the employee to the White House.

(b) The provisions of this section shall not apply to
Federal employees or members of the armed services de-
tailed to or from—

(1) the Central Intelligence Agency;
(2) the National Security Agency;
(3) the Defense Intelligence Agency;
(4) the offices within the Department of De-
fense for the collection of specialized national foreign
intelligence through reconnaissance programs;
(5) the Bureau of Intelligence and Research of
the Department of State;
(6) any agency, office, or unit of the Army,
Navy, Air Force, and Marine Corps, the Department
of Homeland Security, the Federal Bureau of Invest-
tigation and the Drug Enforcement Administration
of the Department of Justice, the Department of
Transportation, the Department of the Treasury,
and the Department of Energy performing intel-
ligence functions; and
(7) the Director of National Intelligence or the
Office of the Director of National Intelligence.

SEC. 716. Hereafter, no department, agency, or in-
strumentality of the United States receiving appropriated
funds under this or any other Act shall obligate or expend
any such funds, unless such department, agency, or in-
strumentality has in place, and will continue to administer
in good faith, a written policy designed to ensure that all
of its workplaces are free from discrimination and sexual
harassment and that all of its workplaces are not in viola-
tion of title VII of the Civil Rights Act of 1964 (Public
Law 88–352, 78 Stat. 241), the Age Discrimination in
602), and the Rehabilitation Act of 1973 (Public Law 93–

Sec. 717. No part of any appropriation contained in
this or any other Act shall be available for the payment
of the salary of any officer or employee of the Federal
Government, who—

(1) prohibits or prevents, or attempts or threat-
en to prohibit or prevent, any other officer or em-
ployee of the Federal Government from having any
direct oral or written communication or contact with
any Member, committee, or subcommittee of the
Congress in connection with any matter pertaining
to the employment of such other officer or employee
or pertaining to the department or agency of such
other officer or employee in any way, irrespective of
whether such communication or contact is at the ini-
tiative of such other officer or employee or in re-
response to the request or inquiry of such Member,
committee, or subcommittee; or

(2) removes, suspends from duty without pay,
demotes, reduces in rank, seniority, status, pay, or
performance or efficiency rating, denies promotion
to, relocates, reassigns, transfers, disciplines, or dis-
criminates in regard to any employment right, enti-
tlement, or benefit, or any term or condition of em-
ployment of, any other officer or employee of the
Federal Government, or attempts or threatens to
commit any of the foregoing actions with respect to
such other officer or employee, by reason of any
communication or contact of such other officer or
employee with any Member, committee, or sub-
committee of the Congress as described in paragraph
(1).

Sec. 718. (a) None of the funds made available in
this or any other Act may be obligated or expended for
any employee training that—

(1) does not meet identified needs for knowl-
edge, skills, and abilities bearing directly upon the
performance of official duties;
(2) contains elements likely to induce high levels of emotional response or psychological stress in some participants;

(3) does not require prior employee notification of the content and methods to be used in the training and written end of course evaluation;

(4) contains any methods or content associated with religious or quasi-religious belief systems or “new age” belief systems as defined in Equal Employment Opportunity Commission Notice N–915.022, dated September 2, 1988; or

(5) is offensive to, or designed to change, participants’ personal values or lifestyle outside the workplace.

(b) Nothing in this section shall prohibit, restrict, or otherwise preclude an agency from conducting training bearing directly upon the performance of official duties.
tive Order No. 12958; section 7211 of title 5, United States Code (governing disclosures to Congress); section 1034 of title 10, United States Code, as amended by the Military Whistleblower Protection Act (governing disclosure to Congress by members of the military); section 2302(b)(8) of title 5, United States Code, as amended by the Whistleblower Protection Act (governing disclosures of illegality, waste, fraud, abuse or public health or safety threats); the Intelligence Identities Protection Act of 1982 (50 U.S.C. 421 et seq.) (governing disclosures that could expose confidential Government agents); and the statutes which protect against disclosure that may compromise the national security, including sections 641, 793, 794, 798, and 952 of title 18, United States Code, and section 4(b) of the Subversive Activities Act of 1950 (50 U.S.C. 783(b)). The definitions, requirements, obligations, rights, sanctions, and liabilities created by said Executive order and listed statutes are incorporated into this agreement and are controlling.”: Provided, That notwithstanding the preceding paragraph, a nondisclosure policy form or agreement that is to be executed by a person connected with the conduct of an intelligence or intelligence-related activity, other than an employee or officer of the United States Government, may contain provisions appropriate to the particular activity for which such document is to be used.
Such form or agreement shall, at a minimum, require that the person will not disclose any classified information received in the course of such activity unless specifically authorized to do so by the United States Government. Such nondisclosure forms shall also make it clear that they do not bar disclosures to Congress, or to an authorized official of an executive agency or the Department of Justice, that are essential to reporting a substantial violation of law.

Sec. 720. No part of any funds appropriated in this or any other Act shall be used by an agency of the executive branch, other than for normal and recognized executive-legislative relationships, for publicity or propaganda purposes, and for the preparation, distribution or use of any kit, pamphlet, booklet, publication, radio, television, or film presentation designed to support or defeat legislation pending before the Congress, except in presentation to the Congress itself.

Sec. 721. None of the funds appropriated by this or any other Act may be used by an agency to provide a Federal employee’s home address to any labor organization except when the employee has authorized such disclosure or when such disclosure has been ordered by a court of competent jurisdiction.
SEC. 722. None of the funds made available in this Act or any other Act may be used to provide any non-public information such as mailing or telephone lists to any person or any organization outside of the Federal Government without the approval of the Committees on Appropriations.

SEC. 723. No part of any appropriation contained in this or any other Act shall be used directly or indirectly, including by private contractor, for publicity or propaganda purposes within the United States not heretofor authorized by the Congress.

SEC. 724. (a) In this section, the term “agency”—

(1) means an Executive agency, as defined under section 105 of title 5, United States Code;

(2) includes a military department, as defined under section 102 of such title, the Postal Service, and the Postal Rate Commission; and

(3) shall not include the Government Accountability Office.

(b) Unless authorized in accordance with law or regulations to use such time for other purposes, an employee of an agency shall use official time in an honest effort to perform official duties. An employee not under a leave system, including a Presidential appointee exempted under section 6301(2) of title 5, United States Code, has an obli-
gation to expend an honest effort and a reasonable propor-
tion of such employee’s time in the performance of official
duties.

Sec. 725. Notwithstanding 31 U.S.C. 1346 and sec-
tion 710 of this Act, funds made available for the current
fiscal year by this or any other Act to any department
or agency, which is a member of the Federal Accounting
Standards Advisory Board (FASAB), shall be available to
finance an appropriate share of FASAB administrative
costs.

Sec. 726. Notwithstanding 31 U.S.C. 1346 and sec-
tion 710 of this Act, the head of each Executive depart-
ment and agency is hereby authorized to transfer to or
reimburse “General Services Administration, Policy and
Operations” with the approval of the Director of the Office
of Management and Budget, funds made available for the
current fiscal year by this or any other Act, including re-
bates from charge card and other contracts: Provided,
That these funds shall be administered by the Adminis-
trator of General Services to support Government-wide fi-
nancial, information technology, procurement, and other
management innovations, initiatives, and activities, as ap-
proved by the Director of the Office of Management and
Budget, in consultation with the appropriate interagency
groups designated by the Director (including the Presi-
dent’s Management Council for overall management improvement initiatives, the Chief Financial Officers Council for financial management initiatives, the Chief Information Officers Council for information technology initiatives, the Chief Human Capital Officers Council for human capital initiatives, and the Chief Acquisition Officers Council for procurement initiatives): Provided further, the total funds transferred or reimbursed shall not exceed $10,000,000: Provided further, such transfers or reimbursements may only be made after 15 days following notification of the Committees on Appropriations by the Director of the Office of Management and Budget.

Sec. 727. Notwithstanding any other provision of law, a woman may breastfeed her child at any location in a Federal building or on Federal property, if the woman and her child are otherwise authorized to be present at the location.

Sec. 728. Notwithstanding section 1346 of title 31, United States Code, or section 710 of this Act, funds made available for the current fiscal year by this or any other Act shall be available for the interagency funding of specific projects, workshops, studies, and similar efforts to carry out the purposes of the National Science and Technology Council (authorized by Executive Order No. 12881), which benefit multiple Federal departments,
agencies, or entities: Provided, That the Office of Management and Budget shall provide a report describing the budget of and resources connected with the National Science and Technology Council to the Committees on Appropriations, the House Committee on Science, and the Senate Committee on Commerce, Science, and Transportation 90 days after enactment of this Act.

SEC. 729. Any request for proposals, solicitation, grant application, form, notification, press release, or other publications involving the distribution of Federal funds shall indicate the agency providing the funds, the Catalog of Federal Domestic Assistance Number, as applicable, and the amount provided: Provided, That this provision shall apply to direct payments, formula funds, and grants received by a State receiving Federal funds.


SEC. 731. (a) Prohibition of Federal Agency Monitoring of Individuals' Internet Use.—None of the funds made available in this or any other Act may be used by any Federal agency—

(1) to collect, review, or create any aggregation of data, derived from any means, that includes any personally identifiable information relating to an in-
individual’s access to or use of any Federal Government Internet site of the agency; or

(2) to enter into any agreement with a third party (including another government agency) to collect, review, or obtain any aggregation of data, derived from any means, that includes any personally identifiable information relating to an individual’s access to or use of any nongovernmental Internet site.

(b) EXCEPTIONS.—The limitations established in subsection (a) shall not apply to—

(1) any record of aggregate data that does not identify particular persons;

(2) any voluntary submission of personally identifiable information;

(3) any action taken for law enforcement, regulatory, or supervisory purposes, in accordance with applicable law; or

(4) any action described in subsection (a)(1) that is a system security action taken by the operator of an Internet site and is necessarily incident to providing the Internet site services or to protecting the rights or property of the provider of the Internet site.

(c) DEFINITIONS.—For the purposes of this section:
(1) The term “regulatory” means agency actions to implement, interpret or enforce authorities provided in law.

(2) The term “supervisory” means examinations of the agency’s supervised institutions, including assessing safety and soundness, overall financial condition, management practices and policies and compliance with applicable standards as provided in law.

SEC. 732. (a) None of the funds appropriated by this Act may be used to enter into or renew a contract which includes a provision providing prescription drug coverage, except where the contract also includes a provision for contraceptive coverage.

(b) Nothing in this section shall apply to a contract with—

(1) any of the following religious plans:

(A) Personal Care’s HMO; and

(B) OSF HealthPlans, Inc.; and

(2) any existing or future plan, if the carrier for the plan objects to such coverage on the basis of religious beliefs.

(e) In implementing this section, any plan that enters into or renews a contract under this section may not subject any individual to discrimination on the basis that the
individual refuses to prescribe or otherwise provide for contraceptives because such activities would be contrary to the individual’s religious beliefs or moral convictions.

(d) Nothing in this section shall be construed to require coverage of abortion or abortion-related services.

SEC. 733. The Congress of the United States recognizes the United States Anti-Doping Agency (USADA) as the official anti-doping agency for Olympic, Pan American, and Paralympic sport in the United States.

SEC. 734. Notwithstanding any other provision of law, funds appropriated for official travel by Federal departments and agencies may be used by such departments and agencies, if consistent with Office of Management and Budget Circular A–126 regarding official travel for Government personnel, to participate in the fractional aircraft ownership pilot program.

SEC. 735. Notwithstanding any other provision of law, none of the funds appropriated or made available under this Act or any other appropriations Act may be used to implement or enforce restrictions or limitations on the Coast Guard Congressional Fellowship Program, or to implement the proposed regulations of the Office of Personnel Management to add sections 300.311 through 300.316 to part 300 of title 5 of the Code of Federal Regulations, published in the Federal Register, volume 68,
number 174, on September 9, 2003 (relating to the detail of executive branch employees to the legislative branch).

Sec. 736. Notwithstanding any other provision of law, no executive branch agency shall purchase, construct, and/or lease any additional facilities, except within or contiguous to existing locations, to be used for the purpose of conducting Federal law enforcement training without the advance approval of the Committees on Appropriations, except that the Federal Law Enforcement Training Center is authorized to obtain the temporary use of additional facilities by lease, contract, or other agreement for training which cannot be accommodated in existing Center facilities.

Sec. 737. (a) No funds shall be available for transfers or reimbursements to the E-Government Initiatives sponsored by the Office of Management and Budget prior to 15 days following submission of a report to the Committees on Appropriations by the Director of the Office of Management and Budget and receipt of approval to transfer funds by the House and Senate Committees on Appropriations.

(b) The report in (a) shall detail—

(1) the amount proposed for transfer for any department and agency by program office, bureau, or activity, as appropriate;
(2) the specific use of funds;

(3) the relevance of that use to that department or agency, and each bureau or office within, which is contributing funds; and

(4) a description of any such activities for which funds were appropriated that will not be implemented or partially implemented by the department or agency as a result of the transfer.

SEC. 738. (a) REQUIREMENT FOR PUBLIC-PRIVATE COMPETITION.—

(1) Notwithstanding any other provision of law, none of the funds appropriated by this or any other Act shall be available to convert to contractor performance an activity or function of an executive agency that, on or after the date of enactment of this Act, is performed by more than 10 Federal employees unless—

(A) the conversion is based on the result of a public-private competition that includes a most efficient and cost effective organization plan developed by such activity or function;

(B) the Competitive Sourcing Official determines that, over all performance periods stated in the solicitation of offers for performance of the activity or function, the cost of per-
formance of the activity or function by a con-
tractor would be less costly to the executive
agency by an amount that equals or exceeds the
lesser of—

(i) 10 percent of the most efficient or-
ganization’s personnel-related costs for
performance of that activity or function by
Federal employees; or

(ii) $10,000,000; and

(C) the contractor does not receive an ad-
vantage for a proposal that would reduce costs
for the Federal Government by—

(i) not making an employer-sponsored
health insurance plan available to the
workers who are to be employed in the per-
formance of that activity or function under
the contract;

(ii) offering to such workers an em-
ployer-sponsored health benefits plan that
requires the employer to contribute less to-
wards the premium or subscription share
than the amount that is paid by the Fed-
eral Government for health benefits for ci-
vilian employees under chapter 89 of title
5, United States Code; or
(iii) offering to such workers a retirement benefit that in any year costs less than the annual retirement cost factor applicable to Federal employees under chapter 84 of title 5, United States Code.

(2) This paragraph shall not apply to—

(A) the Department of Defense;

(B) section 44920 of title 49, United States Code;

(C) a commercial or industrial type function that—

(i) is included on the procurement list established pursuant to section 2 of the Javits-Wagner-O’Day Act (41 U.S.C. 47);

or

(ii) is planned to be converted to performance by a qualified nonprofit agency for the blind or by a qualified nonprofit agency for other severely handicapped individuals in accordance with that Act;

(D) depot contracts or contracts for depot maintenance as provided in sections 2469 and 2474 of title 10, United States Code; or
(E) activities that are the subject of an on-going competition that was publicly announced prior to the date of enactment of this Act.

(b) USE OF PUBLIC-PRIVATE COMPETITION.—Nothing in Office of Management and Budget Circular A–76 shall prevent the head of an executive agency from conducting a public-private competition to evaluate the benefits of converting work from contract performance to performance by Federal employees in appropriate instances. The Circular shall provide procedures and policies for these competitions that are similar to those applied to competitions that may result in the conversion of work from performance by Federal employees to performance by a contractor.

(c) BID PROTESTS BY FEDERAL EMPLOYEES IN ACTIONS UNDER OFFICE OF MANAGEMENT AND BUDGET CIRCULAR A–76.—

(1) ELIGIBILITY TO PROTEST.—

(A) Section 3551(2) of title 31, United States Code, is amended to read as follows:

“(2) The term ‘interested party’—

“(A) with respect to a contract or a solicitation or other request for offers described in paragraph (1), means an actual or prospective bidder or offeror whose direct economic interest
would be affected by the award of the contract 
or by failure to award the contract; and 

“(B) with respect to a public-private com-
petition conducted under Office of Management 
and Budget Circular A–76 regarding perform-
ance of an activity or function of a Federal 
agency, or a decision to convert a function per-
formed by Federal employees to private sector 
performance without a competition under OMB 
Circular A–76, includes—

“(i) any official who submitted the 
agency tender in such competition; and 

“(ii) any one person who, for the pur-
pose of representing them in a protest 
under this subchapter that relates to such 
competition, has been designated as their 
agent by a majority of the employees of 
such Federal agency who are engaged in 
the performance of such activity or func-
tion.”.

(B)(i) Subchapter V of chapter 35 of such 
title is amended by adding at the end the fol-
lowing new section:
§ 3557. Expedited action in protests for public-private competitions

“For protests in cases of public-private competitions conducted under Office of Management and Budget Circular A–76 regarding performance of an activity or function of Federal agencies, the Comptroller General shall administer the provisions of this subchapter in a manner best suited for expediting final resolution of such protests and final action in such competitions.”.

(ii) The chapter analysis at the beginning of such chapter is amended by inserting after the item relating to section 3556 the following new item:

“3557. Expedited action in protests for public-private competitions”.

(2) Right to intervene in civil action.—

Section 1491(b) of title 28, United States Code, is amended by adding at the end the following new paragraph:

“(5) If a private sector interested party commences an action described in paragraph (1) in the case of a public-private competition conducted under Office of Management and Budget Circular A–76 regarding performance of an activity or function of a Federal agency, or a decision to convert a function performed by Federal employees to private sector performance without a competition under Office of Management and Budget Circular A–76, then
an official or person described in section 3551(2)(B) of title 31 shall be entitled to intervene in that action.”.

(3) APPLICABILITY.—Subparagraph (B) of section 3551(2) of title 31, United States Code (as added by paragraph (1)), and paragraph (5) of section 1491(b) of title 28, United States Code (as added by paragraph (2)), shall apply to—

(A) protests and civil actions that challenge final selections of sources of performance of an activity or function of a Federal agency that are made pursuant to studies initiated under Office of Management and Budget Circular A–76 on or after January 1, 2004; and

(B) any other protests and civil actions that relate to public-private competitions initiated under Office of Management and Budget Circular A–76, or a decision to convert a function performed by Federal employees to private sector performance without a competition under Office of Management and Budget Circular A–76, on or after the date of the enactment of this Act.

(d) LIMITATION.—(1) None of the funds available in this Act may be used—
(A) by the Office of Management and Budget
to direct or require another agency to take an action
specified in paragraph (2); or
(B) by an agency to take an action specified in
paragraph (2) as a result of direction or requirement
from the Office of Management and Budget.

(2) An action specified in this paragraph is the prepa-
ration for, undertaking, continuation of, or completion of
a public-private competition or direct conversion under Of-
fice of Management and Budget Circular A–76 or any
other administrative regulation, directive, or policy.

(e) APPLICABILITY.—This section shall apply with re-
spect to fiscal year 2008 and each succeeding fiscal year.

SEC. 739. (a) The adjustment in rates of basic pay
for employees under the statutory pay systems that takes
effect in fiscal year 2008 under sections 5303 and 5304
of title 5, United States Code, shall be an increase of 3.5
percent, and this adjustment shall apply to civilian em-
ployees in the Department of Homeland Security and shall
apply to civilian employees in the Department of Defense
who are represented by a labor organization as defined
in 5 U.S.C. 7103(a)(4), and such adjustments shall be ef-
fective as of the first day of the first applicable pay period
beginning on or after January 1, 2008. Civilian employees
in the Department of Defense who are eligible to be rep-
resented by a labor organization as defined in 5 U.S.C. 7103(a)(4), but are not so represented, will receive the adjustment provided for in this section unless the positions are entitled to a pay adjustment under 5 U.S.C. 9902.

(b) Notwithstanding section 712 of this Act, the adjustment in rates of basic pay for the statutory pay systems that take place in fiscal year 2008 under sections 5344 and 5348 of title 5, United States Code, shall be no less than the percentage in paragraph (a) as employees in the same location whose rates of basic pay are adjusted pursuant to the statutory pay systems under section 5303 and 5304 of title 5, United States Code. Prevailing rate employees at locations where there are no employees whose pay is increased pursuant to sections 5303 and 5304 of title 5 and prevailing rate employees described in section 5343(a)(5) of title 5 shall be considered to be located in the pay locality designated as “Rest of US” pursuant to section 5304 of title 5 for purposes of this paragraph.

(c) Funds used to carry out this section shall be paid from appropriations, which are made to each applicable department or agency for salaries and expenses for fiscal year 2008.

Sec. 740. Unless otherwise authorized by existing law, none of the funds provided in this Act or any other Act may be used by an executive branch agency to produce
any prepackaged news story intended for broadcast or dis-
tribution in the United States, unless the story includes
a clear notification within the text or audio of the pre-
packaged news story that the prepackaged news story was
prepared or funded by that executive branch agency.

SEC. 741. None of the funds made available in this
Act may be used in contravention of section 552a of title
5, United States Code (popularly known as the Privacy
Act) or of section 552.224 of title 48 of the Code of Fed-
eral Regulations.

SEC. 742. Each executive department and agency
shall evaluate the creditworthiness of an individual before
issuing the individual a government travel charge card.
Such evaluations for individually-billed travel charge cards
shall include an assessment of the individual’s consumer
report from a consumer reporting agency as those terms
are defined in section 603 of the Fair Credit Reporting
Act (Public Law 91–508): Provided, That section
604(a)(3) of such Act shall be amended by adding to the
end the following:

“(G) executive departments and agencies
in connection with the issuance of government-
sponsored individually-billed travel charge
cards.”:
Provided further, That the department or agency may not issue a government travel charge card to an individual that either lacks a credit history or is found to have an unsatisfactory credit history as a result of this evaluation:

Provided further, That this restriction shall not preclude issuance of a restricted-use charge, debit, or stored value card made in accordance with agency procedures to: (1) an individual with an unsatisfactory credit history where such card is used to pay travel expenses and the agency determines there is no suitable alternative payment mechanism available before issuing the card; or (2) an individual who lacks a credit history. Each executive department and agency shall establish guidelines and procedures for disciplinary actions to be taken against agency personnel for improper, fraudulent, or abusive use of government charge cards, which shall include appropriate disciplinary actions for use of charge cards for purposes, and at establishments, that are inconsistent with the official business of the Department or agency or with applicable standards of conduct.

Sec. 743. Crosscut Budget.—

(a) Definitions.—For purposes of this section the following definitions apply:

(1) Great Lakes.—The terms “Great Lakes” and “Great Lakes State” have the same meanings
as such terms have in section 506 of the Water Re-
resources Development Act of 2000 (42 U.S.C.
1962d–22).

(2) Great Lakes restoration activities.—
The term “Great Lakes restoration activities”
means any Federal or State activity primarily or en-
tirely within the Great Lakes watershed that seeks
to improve the overall health of the Great Lakes eco-
ystem.

(b) Report.—Not later than 30 days after submis-
sion of the budget of the President to Congress, the Direc-
tor of the Office of Management and Budget, in coordina-
tion with the Governor of each Great Lakes State and the
Great Lakes Interagency Task Force, shall submit to the
appropriate authorizing and appropriating committees of
the Senate and the House of Representatives a financial
report, certified by the Secretary of each agency that has
budget authority for Great Lakes restoration activities,
containing—

(1) an interagency budget crosscut report
that—

(A) displays the budget proposed, including
any planned interagency or intra-agency trans-
fer, for each of the Federal agencies that car-
ries out Great Lakes restoration activities in
the upcoming fiscal year, separately reporting the amount of funding to be provided under existing laws pertaining to the Great Lakes ecosystem; and

(B) identifies all expenditures since fiscal year 2004 by the Federal Government and State governments for Great Lakes restoration activities;

(2) a detailed accounting of all funds received and obligated by all Federal agencies and, to the extent available, State agencies using Federal funds, for Great Lakes restoration activities during the current and previous fiscal years;

(3) a budget for the proposed projects (including a description of the project, authorization level, and project status) to be carried out in the upcoming fiscal year with the Federal portion of funds for activities; and

(4) a listing of all projects to be undertaken in the upcoming fiscal year with the Federal portion of funds for activities.

Sec. 744. Except as expressly provided otherwise, any reference to “this Act” contained in any title other than title IV or VIII shall not apply to such titles IV or VIII.
TITLE VIII

GENERAL PROVISIONS—DISTRICT OF COLUMBIA

(INCLUDING TRANSFER OF FUNDS)

Sec. 801. Whenever in this Act, an amount is specified within an appropriation for particular purposes or objects of expenditure, such amount, unless otherwise specified, shall be considered as the maximum amount that may be expended for said purpose or object rather than an amount set apart exclusively therefor.

Sec. 802. Appropriations in this Act shall be available for expenses of travel and for the payment of dues of organizations concerned with the work of the District of Columbia government, when authorized by the Mayor, or, in the case of the Council of the District of Columbia, funds may be expended with the authorization of the Chairman of the Council.

Sec. 803. There are appropriated from the applicable funds of the District of Columbia such sums as may be necessary for making refunds and for the payment of legal settlements or judgments that have been entered against the District of Columbia government.

Sec. 804. None of the Federal funds provided in this Act shall be used for publicity or propaganda purposes or implementation of any policy including boycott designed
to support or defeat legislation pending before Congress
or any State legislature.

SEC. 805. (a) None of the funds provided under this
Act to the agencies funded by this Act, both Federal and
District government agencies, that remain available for
obligation or expenditure in fiscal year 2008, or provided
from any accounts in the Treasury of the United States
derived by the collection of fees available to the agencies
funded by this title, shall be available for obligation or ex-
penditures for an agency through a reprogramming of
funds which—

(1) creates new programs;

(2) eliminates a program, project, or responsi-
bility center;

(3) establishes or changes allocations specifi-
cally denied, limited or increased under this Act;

(4) increases funds or personnel by any means
for any program, project, or responsibility center for
which funds have been denied or restricted;

(5) reestabishes any program or project pre-
viously deferred through reprogramming;

(6) augments any existing program, project, or
responsibility center through a reprogramming of
funds in excess of $3,000,000 or 10 percent, which-
ever is less; or
(7) increases by 20 percent or more personnel assigned to a specific program, project or responsibility center, unless in the case of federal funds, the Committees on Appropriations of the House of Representatives and Senate are notified in writing 15 days in advance of the reprogramming and in the case of local funds, the Committees on Appropriations of the House of Representatives and Senate are provided summary reports on April 1, 2008 and October 1, 2008, setting forth detailed information regarding each such local funds reprogramming conducted subject to this subsection.

(b) None of the local funds contained in this Act may be available for obligation or expenditure for an agency through a transfer of any local funds in excess of $3,000,000 from one appropriation heading to another unless the Committees on Appropriations of the House of Representatives and Senate are provided summary reports on April 1, 2008 and October 1, 2008, setting forth detailed information regarding each reprogramming conducted subject to this subsection, except that in no event may the amount of any funds transferred exceed 4 percent of the local funds in the appropriations.

(c) The District of Columbia Government is authorized to approve and execute reprogramming and transfer
requests of local funds under this title through September
30, 2008.

Sec. 806. Consistent with the provisions of section
1301(a) of title 31, United States Code, appropriations
under this Act shall be applied only to the objects for
which the appropriations were made except as otherwise
provided by law.

Sec. 807. (a) Notwithstanding any other provisions
of law, the provisions of the District of Columbia Govern-
ment Comprehensive Merit Personnel Act of 1978 (D.C.
Law 2–139; sec. 1–601.01 et seq., D.C. Official Code),
enacted pursuant to section 422(3) of the District of Co-
lumbia Home Rule Act (sec. 1–204.22(3), D.C. Official
Code), shall apply with respect to the compensation of Dis-
trict of Columbia employees. For pay purposes, employees
of the District of Columbia government shall not be sub-
ject to the provisions of title 5, United States Code.

(b) Notwithstanding section 8344(a) of title 5,
United States Code, the amendment made by section 2
of the District Government Reemployed Annuitant Offset
Elimination Amendment Act of 2004 (D.C. Law 15–207)
shall apply with respect to any individual employed in an
appointive or elective position with the District of Colum-
SEC. 808. No later than 30 days after the end of the first quarter of fiscal year 2008, the Mayor of the District of Columbia shall submit to the Council of the District of Columbia and the Committees on Appropriations of the House of Representatives and Senate the new fiscal year 2008 revenue estimates as of the end of such quarter. These estimates shall be used in the budget request for fiscal year 2009. The officially revised estimates at mid-year shall be used for the midyear report.

SEC. 809. (a) Notwithstanding any other provision of this Act, the Mayor, in consultation with the Chief Financial Officer of the District of Columbia may accept, obligate, and expend Federal, private, and other grants received by the District government that are not reflected in the amounts appropriated in this Act.

(b)(1) No such Federal, private, or other grant may be obligated, or expended pursuant to subsection (a) until—

(A) the Chief Financial Officer of the District of Columbia submits to the Council a report setting forth detailed information regarding such grant; and

(B) the Council has reviewed and approved the obligation, and expenditure of such grant.
(2) For purposes of paragraph (1)(B), the Council shall be deemed to have reviewed and approved the obligation, and expenditure of a grant if—

(A) no written notice of disapproval is filed with the Secretary of the Council within 14 calendar days of the receipt of the report from the Chief Financial Officer under paragraph (1)(A); or

(B) if such a notice of disapproval is filed within such deadline, the Council does not by resolution disapprove the obligation, or expenditure of the grant within 30 calendar days of the initial receipt of the report from the Chief Financial Officer under paragraph (1)(A).

(e) No amount may be obligated or expended from the general fund or other funds of the District of Columbia government in anticipation of the approval or receipt of a grant under subsection (b)(2) or in anticipation of the approval or receipt of a Federal, private, or other grant not subject to such subsection.

(d) The Chief Financial Officer of the District of Columbia may adjust the budget for Federal, private, and other grants received by the District government reflected in the amounts appropriated in this title, or approved and received under subsection (b)(2) to reflect a change in the actual amount of the grant.
(e) The Chief Financial Officer of the District of Columbia shall prepare a quarterly report setting forth detailed information regarding all Federal, private, and other grants subject to this section. Each such report shall be submitted to the Council of the District of Columbia, to the Committees on Appropriations of the House of Representatives and Senate, not later than 15 days after the end of the quarter covered by the report.

SEC. 810. (a) Except as otherwise provided in this section, none of the funds made available by this Act or by any other Act may be used to provide any officer or employee of the District of Columbia with an official vehicle unless the officer or employee uses the vehicle only in the performance of the officer’s or employee’s official duties. For purposes of this paragraph, the term “official duties” does not include travel between the officer’s or employee’s residence and workplace, except in the case of—

(1) an officer or employee of the Metropolitan Police Department who resides in the District of Columbia or is otherwise designated by the Chief of the Department;

(2) at the discretion of the Fire Chief, an officer or employee of the District of Columbia Fire and Emergency Medical Services Department who resides in the District of Columbia and is on call 24
hours a day or is otherwise designated by the Fire
Chief;

(3) the Mayor of the District of Columbia; and

(4) the Chairman of the Council of the District
of Columbia.

(b) The Chief Financial Officer of the District of Co-
lumbia shall submit by March 1, 2008, an inventory, as
of September 30, 2007, of all vehicles owned, leased or
operated by the District of Columbia government. The in-
ventory shall include, but not be limited to, the depart-
ment to which the vehicle is assigned; the year and make
of the vehicle; the acquisition date and cost; the general
condition of the vehicle; annual operating and mainte-
nance costs; current mileage; and whether the vehicle is
allowed to be taken home by a District officer or employee
and if so, the officer or employee’s title and resident loca-
tion.

SEC. 811. (a) None of the Federal funds contained
in this Act may be used by the District of Columbia Cor-
poration Counsel or any other officer or entity of the Dis-
trict government to provide assistance for any petition
drive or civil action which seeks to require Congress to
provide for voting representation in Congress for the Dis-
trict of Columbia.
(b) Nothing in this section bars the District of Columbia Corporation Counsel from reviewing or commenting on briefs in private lawsuits, or from consulting with officials of the District government regarding such lawsuits.

Sec. 812. None of the Federal funds contained in this Act may be used for any program of distributing sterile needles or syringes for the hypodermic injection of any illegal drug.

Sec. 813. None of the funds contained in this Act may be used after the expiration of the 60-day period that begins on the date of the enactment of this Act to pay the salary of any chief financial officer of any office of the District of Columbia government (including any independent agency of the District of Columbia) who has not filed a certification with the Mayor and the Chief Financial Officer of the District of Columbia that the officer understands the duties and restrictions applicable to the officer and the officer’s agency as a result of this Act (and the amendments made by this Act), including any duty to prepare a report requested either in the Act or in any of the reports accompanying the Act and the deadline by which each report must be submitted: Provided, That the Chief Financial Officer of the District of Columbia shall provide to the Committees on Appropriations of the House
of Representatives and Senate by April 1, 2008 and October 1, 2008, a summary list showing each report, the due date, and the date submitted to the Committees.

SEC. 814. Nothing in this Act may be construed to prevent the Council or Mayor of the District of Columbia from addressing the issue of the provision of contraceptive coverage by health insurance plans, but it is the intent of Congress that any legislation enacted on such issue should include a “conscience clause” which provides exceptions for religious beliefs and moral convictions.

SEC. 815. The Mayor of the District of Columbia shall submit to the Committees on Appropriations of the House of Representatives and Senate, the Committee on Government Reform of the House of Representatives, and the Committee on Governmental Affairs of the Senate quarterly reports addressing—

(1) crime, including the homicide rate, implementation of community policing, the number of police officers on local beats, and the closing down of open-air drug markets;

(2) access to substance and alcohol abuse treatment, including the number of treatment slots, the number of people served, the number of people on waiting lists, and the effectiveness of treatment programs;
(3) management of parolees and pre-trial violent offenders, including the number of halfway houses escapes and steps taken to improve monitoring and supervision of halfway house residents to reduce the number of escapes to be provided in consultation with the Court Services and Offender Supervision Agency for the District of Columbia; and

(4) education, including access to special education services and student achievement to be provided in consultation with the District of Columbia Public Schools and the District of Columbia public charter schools.

Sec. 816. (a) No later than 30 calendar days after the date of the enactment of this Act, the Chief Financial Officer of the District of Columbia shall submit to the appropriate committees of Congress, the Mayor, and the Council of the District of Columbia a revised appropriated funds operating budget in the format of the budget that the District of Columbia government submitted pursuant to section 442 of the District of Columbia Home Rule Act (D.C. Official Code, section 1–204.42), for all agencies of the District of Columbia government for fiscal year 2008 that is in the total amount of the approved appropriation and that realigns all budgeted data for personal services
and other-than-personal-services, respectively, with anticipated actual expenditures.

(b) This section shall apply only to an agency where the Chief Financial Officer of the District of Columbia certifies that a reallocation is required to address unanticipated changes in program requirements.

SEC. 817. (a) None of the funds contained in this Act may be made available to pay—

(1) the fees of an attorney who represents a party in an action or an attorney who defends an action brought against the District of Columbia Public Schools under the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.) in excess of $4,000 for that action; or

(2) the fees of an attorney or firm whom the Chief Financial Officer of the District of Columbia determines to have a pecuniary interest, either through an attorney, officer, or employee of the firm, in any special education diagnostic services, schools, or other special education service providers.

(b) In this section, the term “action” includes an administrative proceeding and any ensuing or related proceedings before a court of competent jurisdiction.

SEC. 818. The amount appropriated by this Act may be increased by no more than $42,000,000 from funds
identified in the comprehensive annual financial report as 
the District’s fiscal year 2007 unexpended general fund 
surplus. The District may obligate and expend these 
amounts only in accordance with the following conditions:

(1) The Chief Financial Officer of the District 
of Columbia shall certify that the use of any such 
amounts is not anticipated to have a negative impact 
on the District’s long-term financial, fiscal, and eco-
nomic vitality.

(2) The District of Columbia may only use 
these funds for the following expenditures:

   (A) One-time expenditures.

   (B) Expenditures to avoid deficit spending.

   (C) Debt reduction.

   (D) Program needs.

   (E) Expenditures to avoid revenue short-
    falls.

(3) The amounts shall be obligated and ex- 
pended in accordance with laws enacted by the 
Council in support of each such obligation or ex-
penditure.

(4) The amounts may not be used to fund the 
agencies of the District of Columbia government 
under court ordered receivership.
(5) The amounts may not be obligated or expended unless the Mayor notifies the Committees on Appropriations of the House of Representatives and Senate not fewer than 30 days in advance of the obligation or expenditure.

Sec. 819. (a) To account for an unanticipated growth of revenue collections, the amount appropriated as District of Columbia Funds pursuant to this Act may be increased—

(1) by an aggregate amount of not more than 25 percent, in the case of amounts proposed to be allocated as “Other-Type Funds” in the Fiscal Year 2008 Proposed Budget and Financial Plan submitted to Congress by the District of Columbia; and

(2) by an aggregate amount of not more than 6 percent, in the case of any other amounts proposed to be allocated in such Proposed Budget and Financial Plan.

(b) The District of Columbia may obligate and expend any increase in the amount of funds authorized under this section only in accordance with the following conditions:

(1) The Chief Financial Officer of the District of Columbia shall certify—

(A) the increase in revenue; and
(B) that the use of the amounts is not anticipated to have a negative impact on the long-term financial, fiscal, or economic health of the District.

(2) The amounts shall be obligated and expended in accordance with laws enacted by the Council of the District of Columbia in support of each such obligation and expenditure, consistent with the requirements of this Act.

(3) The amounts may not be used to fund any agencies of the District government operating under court-ordered receivership.

(4) The amounts may not be obligated or expended unless the Mayor has notified the Committees on Appropriations of the House of Representatives and Senate not fewer than 30 days in advance of the obligation or expenditure.

SEC. 820. The Chief Financial Officer for the District of Columbia may, for the purpose of cash flow management, conduct short-term borrowing from the emergency reserve fund and from the contingency reserve fund established under section 450A of the District of Columbia Home Rule Act (Public Law 98–198): Provided, That the amount borrowed shall not exceed 50 percent of the total amount of funds contained in both the emergency and con-
tingency reserve funds at the time of borrowing: Provided further, That the borrowing shall not deplete either fund by more than 50 percent: Provided further, That 100 percent of the funds borrowed shall be replenished within 9 months of the time of the borrowing or by the end of the fiscal year, whichever occurs earlier: Provided further, That in the event that short-term borrowing has been conducted and the emergency or the contingency funds are later depleted below 50 percent as a result of an emergency or contingency, an amount equal to the amount necessary to restore reserve levels to 50 percent of the total amount of funds contained in both the emergency and contingency reserve fund must be replenished from the amount borrowed within 60 days.

Sec. 821. (a) None of the funds contained in this Act may be used to enact or carry out any law, rule, or regulation to legalize or otherwise reduce penalties associated with the possession, use, or distribution of any schedule I substance under the Controlled Substances Act (21 U.S.C. 801 et seq.) or any tetrahydrocannabinols derivative.

(b) The Legalization of Marijuana for Medical Treatment Initiative of 1998, also known as Initiative 59, approved by the electors of the District of Columbia on November 3, 1998, shall not take effect.
SEC. 822. None of the funds appropriated under this Act shall be expended for any abortion except where the life of the mother would be endangered if the fetus were carried to term or where the pregnancy is the result of an act of rape or incest.

SEC. 823. (a) DIRECT APPROPRIATION.—Section 307(a) of the District of Columbia Court Reform and Criminal Procedure Act of 1970 (sec. 2–1607(a), D.C. Official Code) is amended by striking the first 2 sentences and inserting the following: “There are authorized to be appropriated to the Service in each fiscal year such funds as may be necessary to carry out this chapter.”.

(b) CONFORMING AMENDMENT.—Section 11233 of the Balanced Budget Act of 1997 (sec. 24–133, D.C. Official Code) is amended by striking subsection (f).

(c) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to fiscal year 2008 and each succeeding fiscal year.

SEC. 824. Except as expressly provided otherwise, any reference to “this Act” contained in this title or in title IV shall be treated as referring only to the provisions of this title or of title IV.
TITLE IX

ADDITIONAL GENERAL PROVISIONS

SEC. 901. None of the funds made available by this Act may be used to implement Executive Order No. 13422.

SEC. 902. None of the funds made available in this Act may be used to purchase light bulbs unless the light bulbs have the “ENERGY STAR” or “Federal Energy Management Program” designation.

SEC. 903. None of the funds made available in this Act may be used to administer, implement, or enforce the amendment made to section 515.533 of title 31, Code of Federal Regulations, that was published in the Federal Register on February 25, 2005.

SEC. 904. None of the funds appropriated or otherwise made available by this Act may be used by the Selective Service System to prepare for, plan, or execute the Area Office Mobilization Prototype Exercise.

SEC. 905. None of the funds made available under this Act may be used by the Securities and Exchange Commission to enforce the requirements of section 404 of the Sarbanes-Oxley Act with respect to non-accelerated filers under section 210.2–02T of title 17, Code of Federal Regulations.
Sec. 906. None of the funds made available in this Act to the Small Business Administration may be used for the Mitchell County Development Foundation, Inc., for the Home of the Perfect Christmas Tree project.

Sec. 907. None of the funds made available in this Act may be used to implement section 5112(n)(2)(C) of title 31, United States Code.

Sec. 908. None of the funds made available by this Act may be used by the Federal Communications Commission to implement the Fairness Doctrine, as repealed in General Fairness Doctrine Obligations of Broadcast Licensees (50 Fed. Reg. 35418 (1985)), or any other regulations having the same substance.

Sec. 909. None of the Federal funds made available in title IV or VIII may be used to implement or enforce the Health Care Benefits Expansion Act of 1992 (D.C. Law 9–114; D.C. Official Code, section 32–701 et seq.).

This Act may be cited as the “Financial Services and General Government Appropriations Act, 2008”.


Attest:

Clerk.
AN ACT

Making appropriations for Financial Services and General Government for the fiscal year ending September 30, 2008, and for other purposes.

AN ACT

H. R. 2829

110TH CONGRESS 1ST SESSION