

In the House of Representatives, U. S.,

January 30, 2018.

Resolved, That the House agree to the amendment of the Senate to the title of the bill (H.R. 695) entitled “An Act to amend the National Child Protection Act of 1993 to establish a national criminal history background check system and criminal history review program for certain individuals who, related to their employment, have access to children, the elderly, or individuals with disabilities, and for other purposes.” and be it further

Resolved, That the House agree to the amendment of the Senate to the text of the aforementioned bill, with the following

HOUSE AMENDMENT TO SENATE AMENDMENT:

In lieu of the matter proposed to be inserted by the amendment of the Senate to the text of the bill, insert the following:

1 *That the following sums are appropriated, out of any*
2 *money in the Treasury not otherwise appropriated, for the*
3 *fiscal year ending September 30, 2018, for military func-*
4 *tions administered by the Department of Defense and for*
5 *other purposes, namely:*

1

TITLE I

2

MILITARY PERSONNEL

3

MILITARY PERSONNEL, ARMY

4 *For pay, allowances, individual clothing, subsistence,*
5 *interest on deposits, gratuities, permanent change of station*
6 *travel (including all expenses thereof for organizational*
7 *movements), and expenses of temporary duty travel between*
8 *permanent duty stations, for members of the Army on active*
9 *duty (except members of reserve components provided for*
10 *elsewhere), cadets, and aviation cadets; for members of the*
11 *Reserve Officers' Training Corps; and for payments pursu-*
12 *ant to section 156 of Public Law 97-377, as amended (42*
13 *U.S.C. 402 note), and to the Department of Defense Mili-*
14 *tary Retirement Fund, \$41,427,054,000.*

15

MILITARY PERSONNEL, NAVY

16 *For pay, allowances, individual clothing, subsistence,*
17 *interest on deposits, gratuities, permanent change of station*
18 *travel (including all expenses thereof for organizational*
19 *movements), and expenses of temporary duty travel between*
20 *permanent duty stations, for members of the Navy on active*
21 *duty (except members of the Reserve provided for elsewhere),*
22 *midshipmen, and aviation cadets; for members of the Re-*
23 *serve Officers' Training Corps; and for payments pursuant*
24 *to section 156 of Public Law 97-377, as amended (42*
25 *U.S.C. 402 note), and to the Department of Defense Mili-*

1 *tary Retirement Fund, \$28,707,918,000 (reduced by*
2 *\$2,000,000) (increased by \$2,000,000).*

3 *MILITARY PERSONNEL, MARINE CORPS*

4 *For pay, allowances, individual clothing, subsistence,*
5 *interest on deposits, gratuities, permanent change of station*
6 *travel (including all expenses thereof for organizational*
7 *movements), and expenses of temporary duty travel between*
8 *permanent duty stations, for members of the Marine Corps*
9 *on active duty (except members of the Reserve provided for*
10 *elsewhere); and for payments pursuant to section 156 of*
11 *Public Law 97–377, as amended (42 U.S.C. 402 note), and*
12 *to the Department of Defense Military Retirement Fund,*
13 *\$13,165,714,000.*

14 *MILITARY PERSONNEL, AIR FORCE*

15 *For pay, allowances, individual clothing, subsistence,*
16 *interest on deposits, gratuities, permanent change of station*
17 *travel (including all expenses thereof for organizational*
18 *movements), and expenses of temporary duty travel between*
19 *permanent duty stations, for members of the Air Force on*
20 *active duty (except members of reserve components provided*
21 *for elsewhere), cadets, and aviation cadets; for members of*
22 *the Reserve Officers' Training Corps; and for payments*
23 *pursuant to section 156 of Public Law 97–377, as amended*
24 *(42 U.S.C. 402 note), and to the Department of Defense*
25 *Military Retirement Fund, \$28,738,320,000.*

1 *RESERVE PERSONNEL, ARMY*

2 *For pay, allowances, clothing, subsistence, gratuities,*
3 *travel, and related expenses for personnel of the Army Re-*
4 *serve on active duty under sections 10211, 10302, and 3038*
5 *of title 10, United States Code, or while serving on active*
6 *duty under section 12301(d) of title 10, United States Code,*
7 *in connection with performing duty specified in section*
8 *12310(a) of title 10, United States Code, or while under-*
9 *going reserve training, or while performing drills or equiva-*
10 *lent duty or other duty, and expenses authorized by section*
11 *16131 of title 10, United States Code; and for payments*
12 *to the Department of Defense Military Retirement Fund,*
13 *\$4,721,128,000.*

14 *RESERVE PERSONNEL, NAVY*

15 *For pay, allowances, clothing, subsistence, gratuities,*
16 *travel, and related expenses for personnel of the Navy Re-*
17 *serve on active duty under section 10211 of title 10, United*
18 *States Code, or while serving on active duty under section*
19 *12301(d) of title 10, United States Code, in connection with*
20 *performing duty specified in section 12310(a) of title 10,*
21 *United States Code, or while undergoing reserve training,*
22 *or while performing drills or equivalent duty, and expenses*
23 *authorized by section 16131 of title 10, United States Code;*
24 *and for payments to the Department of Defense Military*
25 *Retirement Fund, \$1,987,662,000.*

1 *RESERVE PERSONNEL, MARINE CORPS*

2 *For pay, allowances, clothing, subsistence, gratuities,*
3 *travel, and related expenses for personnel of the Marine*
4 *Corps Reserve on active duty under section 10211 of title*
5 *10, United States Code, or while serving on active duty*
6 *under section 12301(d) of title 10, United States Code, in*
7 *connection with performing duty specified in section*
8 *12310(a) of title 10, United States Code, or while under-*
9 *going reserve training, or while performing drills or equiva-*
10 *lent duty, and for members of the Marine Corps platoon*
11 *leaders class, and expenses authorized by section 16131 of*
12 *title 10, United States Code; and for payments to the De-*
13 *partment of Defense Military Retirement Fund,*
14 *\$762,793,000.*

15 *RESERVE PERSONNEL, AIR FORCE*

16 *For pay, allowances, clothing, subsistence, gratuities,*
17 *travel, and related expenses for personnel of the Air Force*
18 *Reserve on active duty under sections 10211, 10305, and*
19 *8038 of title 10, United States Code, or while serving on*
20 *active duty under section 12301(d) of title 10, United States*
21 *Code, in connection with performing duty specified in sec-*
22 *tion 12310(a) of title 10, United States Code, or while un-*
23 *dergoing reserve training, or while performing drills or*
24 *equivalent duty or other duty, and expenses authorized by*
25 *section 16131 of title 10, United States Code; and for pay-*

1 *ments to the Department of Defense Military Retirement*
2 *Fund, \$1,808,434,000.*

3 *NATIONAL GUARD PERSONNEL, ARMY*

4 *For pay, allowances, clothing, subsistence, gratuities,*
5 *travel, and related expenses for personnel of the Army Na-*
6 *tional Guard while on duty under sections 10211, 10302,*
7 *or 12402 of title 10 or section 708 of title 32, United States*
8 *Code, or while serving on duty under section 12301(d) of*
9 *title 10 or section 502(f) of title 32, United States Code,*
10 *in connection with performing duty specified in section*
11 *12310(a) of title 10, United States Code, or while under-*
12 *going training, or while performing drills or equivalent*
13 *duty or other duty, and expenses authorized by section*
14 *16131 of title 10, United States Code; and for payments*
15 *to the Department of Defense Military Retirement Fund,*
16 *\$8,252,426,000.*

17 *NATIONAL GUARD PERSONNEL, AIR FORCE*

18 *For pay, allowances, clothing, subsistence, gratuities,*
19 *travel, and related expenses for personnel of the Air Na-*
20 *tional Guard on duty under sections 10211, 10305, or*
21 *12402 of title 10 or section 708 of title 32, United States*
22 *Code, or while serving on duty under section 12301(d) of*
23 *title 10 or section 502(f) of title 32, United States Code,*
24 *in connection with performing duty specified in section*
25 *12310(a) of title 10, United States Code, or while under-*

1 *going training, or while performing drills or equivalent*
2 *duty or other duty, and expenses authorized by section*
3 *16131 of title 10, United States Code; and for payments*
4 *to the Department of Defense Military Retirement Fund,*
5 *\$3,406,137,000.*

6

TITLE II

7

OPERATION AND MAINTENANCE

8

OPERATION AND MAINTENANCE, ARMY

9

For expenses, not otherwise provided for, necessary for
10 *the operation and maintenance of the Army, as authorized*
11 *by law, \$38,483,846,000 (reduced by \$5,000,000) (reduced*
12 *by \$5,600,000) (reduced by \$6,000,000): Provided, That not*
13 *to exceed \$12,478,000 can be used for emergencies and ex-*
14 *traordinary expenses, to be expended on the approval or au-*
15 *thority of the Secretary of the Army, and payments may*
16 *be made on his certificate of necessity for confidential mili-*
17 *tary purposes.*

18

OPERATION AND MAINTENANCE, NAVY

19

For expenses, not otherwise provided for, necessary for
20 *the operation and maintenance of the Navy and the Marine*
21 *Corps, as authorized by law, \$45,980,133,000 (reduced by*
22 *\$598,000) (reduced by \$7,000,000): Provided, That not to*
23 *exceed \$15,055,000 can be used for emergencies and extraor-*
24 *dinary expenses, to be expended on the approval or author-*
25 *ity of the Secretary of the Navy, and payments may be*

1 *made on his certificate of necessity for confidential military*
2 *purposes.*

3 *OPERATION AND MAINTENANCE, MARINE CORPS*

4 *For expenses, not otherwise provided for, necessary for*
5 *the operation and maintenance of the Marine Corps, as au-*
6 *thorized by law, \$6,885,884,000.*

7 *OPERATION AND MAINTENANCE, AIR FORCE*

8 *For expenses, not otherwise provided for, necessary for*
9 *the operation and maintenance of the Air Force, as author-*
10 *ized by law, \$38,592,745,000: Provided, That not to exceed*
11 *\$7,699,000 can be used for emergencies and extraordinary*
12 *expenses, to be expended on the approval or authority of*
13 *the Secretary of the Air Force, and payments may be made*
14 *on his certificate of necessity for confidential military pur-*
15 *poses.*

16 *OPERATION AND MAINTENANCE, DEFENSE-WIDE*

17 *(INCLUDING TRANSFER OF FUNDS)*

18 *For expenses, not otherwise provided for, necessary for*
19 *the operation and maintenance of activities and agencies*
20 *of the Department of Defense (other than the military de-*
21 *partments), as authorized by law, \$33,771,769,000 (in-*
22 *creased by \$5,000,000) (reduced by \$10,000,000) (reduced*
23 *by \$100,000) (increased by \$100,000) (reduced by*
24 *\$194,897,000) (increased by \$194,897,000) (reduced by*
25 *\$26,200,000) (reduced by \$20,000,000) (reduced by*

1 \$6,000,000) (reduced by \$4,000,000) (reduced by
2 \$20,000,000) (reduced by \$1,000,000) (reduced by
3 \$10,000,000) (reduced by \$2,500,000) (reduced by
4 \$2,000,000) (reduced by \$8,000,000) (reduced by
5 \$6,250,000) (reduced by \$10,000,000) (reduced by
6 \$10,000,000) (reduced by \$30,000,000) (reduced by
7 \$34,734,000) (reduced by \$60,000,000): *Provided, That not*
8 *more than \$15,000,000 may be used for the Combatant*
9 *Commander Initiative Fund authorized under section 166a*
10 *of title 10, United States Code: Provided further, That not*
11 *to exceed \$36,000,000 can be used for emergencies and ex-*
12 *traordinary expenses, to be expended on the approval or au-*
13 *thority of the Secretary of Defense, and payments may be*
14 *made on his certificate of necessity for confidential military*
15 *purposes: Provided further, That of the funds provided*
16 *under this heading, not less than \$38,458,000 shall be made*
17 *available for the Procurement Technical Assistance Cooper-*
18 *ative Agreement Program, of which not less than \$3,600,000*
19 *shall be available for centers defined in 10 U.S.C.*
20 *2411(1)(D): Provided further, That none of the funds ap-*
21 *propriated or otherwise made available by this Act may be*
22 *used to plan or implement the consolidation of a budget*
23 *or appropriations liaison office of the Office of the Secretary*
24 *of Defense, the office of the Secretary of a military depart-*
25 *ment, or the service headquarters of one of the Armed Forces*

1 *into a legislative affairs or legislative liaison office: Pro-*
2 *vided further, That \$9,385,000, to remain available until*
3 *expended, is available only for expenses relating to certain*
4 *classified activities, and may be transferred as necessary*
5 *by the Secretary of Defense to operation and maintenance*
6 *appropriations or research, development, test and evalua-*
7 *tion appropriations, to be merged with and to be available*
8 *for the same time period as the appropriations to which*
9 *transferred: Provided further, That any ceiling on the in-*
10 *vestment item unit cost of items that may be purchased with*
11 *operation and maintenance funds shall not apply to the*
12 *funds described in the preceding proviso: Provided further,*
13 *That of the funds provided under this heading,*
14 *\$415,000,000, of which \$100,000,000 to remain available*
15 *until September 30, 2019, shall be available to provide sup-*
16 *port and assistance to foreign security forces or other groups*
17 *or individuals to conduct, support or facilitate counterter-*
18 *rorism, crisis response, or other Department of Defense se-*
19 *curity cooperation programs: Provided further, That the*
20 *transfer authority provided under this heading is in addi-*
21 *tion to any other transfer authority provided elsewhere in*
22 *this Act.*

23 *OPERATION AND MAINTENANCE, ARMY RESERVE*

24 *For expenses, not otherwise provided for, necessary for*
25 *the operation and maintenance, including training, organi-*

1 zation, and administration, of the Army Reserve; repair of
2 facilities and equipment; hire of passenger motor vehicles;
3 travel and transportation; care of the dead; recruiting; pro-
4 curement of services, supplies, and equipment; and commu-
5 nications, \$2,870,163,000.

6 *OPERATION AND MAINTENANCE, NAVY RESERVE*

7 *For expenses, not otherwise provided for, necessary for*
8 *the operation and maintenance, including training, organi-*
9 *zation, and administration, of the Navy Reserve; repair of*
10 *facilities and equipment; hire of passenger motor vehicles;*
11 *travel and transportation; care of the dead; recruiting; pro-*
12 *curement of services, supplies, and equipment; and commu-*
13 *nications, \$1,038,507,000.*

14 *OPERATION AND MAINTENANCE, MARINE CORPS RESERVE*

15 *For expenses, not otherwise provided for, necessary for*
16 *the operation and maintenance, including training, organi-*
17 *zation, and administration, of the Marine Corps Reserve;*
18 *repair of facilities and equipment; hire of passenger motor*
19 *vehicles; travel and transportation; care of the dead; recruit-*
20 *ing; procurement of services, supplies, and equipment; and*
21 *communications, \$282,337,000.*

22 *OPERATION AND MAINTENANCE, AIR FORCE RESERVE*

23 *For expenses, not otherwise provided for, necessary for*
24 *the operation and maintenance, including training, organi-*
25 *zation, and administration, of the Air Force Reserve; repair*

1 *of facilities and equipment; hire of passenger motor vehicles;*
2 *travel and transportation; care of the dead; recruiting; pro-*
3 *curement of services, supplies, and equipment; and commu-*
4 *nications, \$3,233,745,000.*

5 *OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD*

6 *For expenses of training, organizing, and admin-*
7 *istering the Army National Guard, including medical and*
8 *hospital treatment and related expenses in non-Federal hos-*
9 *pitals; maintenance, operation, and repairs to structures*
10 *and facilities; hire of passenger motor vehicles; personnel*
11 *services in the National Guard Bureau; travel expenses*
12 *(other than mileage), as authorized by law for Army per-*
13 *sonnel on active duty, for Army National Guard division,*
14 *regimental, and battalion commanders while inspecting*
15 *units in compliance with National Guard Bureau regula-*
16 *tions when specifically authorized by the Chief, National*
17 *Guard Bureau; supplying and equipping the Army Na-*
18 *tional Guard as authorized by law; and expenses of repair,*
19 *modification, maintenance, and issue of supplies and*
20 *equipment (including aircraft), \$7,275,820,000.*

21 *OPERATION AND MAINTENANCE, AIR NATIONAL GUARD*

22 *For expenses of training, organizing, and admin-*
23 *istering the Air National Guard, including medical and*
24 *hospital treatment and related expenses in non-Federal hos-*
25 *pitals; maintenance, operation, and repairs to structures*

1 *and facilities; transportation of things, hire of passenger*
2 *motor vehicles; supplying and equipping the Air National*
3 *Guard, as authorized by law; expenses for repair, modifica-*
4 *tion, maintenance, and issue of supplies and equipment,*
5 *including those furnished from stocks under the control of*
6 *agencies of the Department of Defense; travel expenses (other*
7 *than mileage) on the same basis as authorized by law for*
8 *Air National Guard personnel on active Federal duty, for*
9 *Air National Guard commanders while inspecting units in*
10 *compliance with National Guard Bureau regulations when*
11 *specifically authorized by the Chief, National Guard Bu-*
12 *reau, \$6,735,930,000.*

13 *UNITED STATES COURT OF APPEALS FOR THE ARMED*
14 *FORCES*

15 *For salaries and expenses necessary for the United*
16 *States Court of Appeals for the Armed Forces, \$14,538,000,*
17 *of which not to exceed \$5,000 may be used for official rep-*
18 *resentation purposes.*

19 *ENVIRONMENTAL RESTORATION, ARMY*
20 *(INCLUDING TRANSFER OF FUNDS)*

21 *For the Department of the Army, \$215,809,000, to re-*
22 *main available until transferred: Provided, That the Sec-*
23 *retary of the Army shall, upon determining that such funds*
24 *are required for environmental restoration, reduction and*
25 *recycling of hazardous waste, removal of unsafe buildings*

1 *and debris of the Department of the Army, or for similar*
2 *purposes, transfer the funds made available by this appro-*
3 *priation to other appropriations made available to the De-*
4 *partment of the Army, to be merged with and to be available*
5 *for the same purposes and for the same time period as the*
6 *appropriations to which transferred: Provided further, That*
7 *upon a determination that all or part of the funds trans-*
8 *ferred from this appropriation are not necessary for the*
9 *purposes provided herein, such amounts may be transferred*
10 *back to this appropriation: Provided further, That the*
11 *transfer authority provided under this heading is in addi-*
12 *tion to any other transfer authority provided elsewhere in*
13 *this Act.*

14 *ENVIRONMENTAL RESTORATION, NAVY*

15 *(INCLUDING TRANSFER OF FUNDS)*

16 *For the Department of the Navy, \$288,915,000 (in-*
17 *creased by \$34,734,000) (increased by \$30,000,000), to re-*
18 *main available until transferred: Provided, That the Sec-*
19 *retary of the Navy shall, upon determining that such funds*
20 *are required for environmental restoration, reduction and*
21 *recycling of hazardous waste, removal of unsafe buildings*
22 *and debris of the Department of the Navy, or for similar*
23 *purposes, transfer the funds made available by this appro-*
24 *priation to other appropriations made available to the De-*
25 *partment of the Navy, to be merged with and to be available*

1 *for the same purposes and for the same time period as the*
2 *appropriations to which transferred: Provided further, That*
3 *upon a determination that all or part of the funds trans-*
4 *ferred from this appropriation are not necessary for the*
5 *purposes provided herein, such amounts may be transferred*
6 *back to this appropriation: Provided further, That the*
7 *transfer authority provided under this heading is in addi-*
8 *tion to any other transfer authority provided elsewhere in*
9 *this Act.*

10 *ENVIRONMENTAL RESTORATION, AIR FORCE*

11 *(INCLUDING TRANSFER OF FUNDS)*

12 *For the Department of the Air Force, \$308,749,000*
13 *(increased by \$30,000,000), to remain available until trans-*
14 *ferred: Provided, That the Secretary of the Air Force shall,*
15 *upon determining that such funds are required for environ-*
16 *mental restoration, reduction and recycling of hazardous*
17 *waste, removal of unsafe buildings and debris of the Depart-*
18 *ment of the Air Force, or for similar purposes, transfer the*
19 *funds made available by this appropriation to other appro-*
20 *priations made available to the Department of the Air*
21 *Force, to be merged with and to be available for the same*
22 *purposes and for the same time period as the appropria-*
23 *tions to which transferred: Provided further, That upon a*
24 *determination that all or part of the funds transferred from*
25 *this appropriation are not necessary for the purposes pro-*

1 *vided herein, such amounts may be transferred back to this*
2 *appropriation: Provided further, That the transfer author-*
3 *ity provided under this heading is in addition to any other*
4 *transfer authority provided elsewhere in this Act.*

5 *ENVIRONMENTAL RESTORATION, DEFENSE-WIDE*
6 *(INCLUDING TRANSFER OF FUNDS)*

7 *For the Department of Defense, \$9,002,000 (increased*
8 *by \$10,000,000), to remain available until transferred: Pro-*
9 *vided, That the Secretary of Defense shall, upon deter-*
10 *mining that such funds are required for environmental res-*
11 *toration, reduction and recycling of hazardous waste, re-*
12 *moval of unsafe buildings and debris of the Department of*
13 *Defense, or for similar purposes, transfer the funds made*
14 *available by this appropriation to other appropriations*
15 *made available to the Department of Defense, to be merged*
16 *with and to be available for the same purposes and for the*
17 *same time period as the appropriations to which trans-*
18 *ferred: Provided further, That upon a determination that*
19 *all or part of the funds transferred from this appropriation*
20 *are not necessary for the purposes provided herein, such*
21 *amounts may be transferred back to this appropriation:*
22 *Provided further, That the transfer authority provided*
23 *under this heading is in addition to any other transfer au-*
24 *thority provided elsewhere in this Act.*

1 ENVIRONMENTAL RESTORATION, FORMERLY USED

2 DEFENSE SITES

3 (INCLUDING TRANSFER OF FUNDS)

4 For the Department of the Army, \$233,673,000, to re-
 5 main available until transferred: Provided, That the Sec-
 6 retary of the Army shall, upon determining that such funds
 7 are required for environmental restoration, reduction and
 8 recycling of hazardous waste, removal of unsafe buildings
 9 and debris at sites formerly used by the Department of De-
 10 fense, transfer the funds made available by this appropria-
 11 tion to other appropriations made available to the Depart-
 12 ment of the Army, to be merged with and to be available
 13 for the same purposes and for the same time period as the
 14 appropriations to which transferred: Provided further, That
 15 upon a determination that all or part of the funds trans-
 16 ferred from this appropriation are not necessary for the
 17 purposes provided herein, such amounts may be transferred
 18 back to this appropriation: Provided further, That the
 19 transfer authority provided under this heading is in addi-
 20 tion to any other transfer authority provided elsewhere in
 21 this Act.

22 OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AID

23 For expenses relating to the Overseas Humanitarian,
 24 Disaster, and Civic Aid programs of the Department of De-
 25 fense (consisting of the programs provided under sections

1 401, 402, 404, 407, 2557, and 2561 of title 10, United
2 States Code), \$107,900,000, to remain available until Sep-
3 tember 30, 2018.

4 *COOPERATIVE THREAT REDUCTION ACCOUNT*

5 *For assistance, including assistance provided by con-*
6 *tract or by grants, under programs and activities of the*
7 *Department of Defense Cooperative Threat Reduction Pro-*
8 *gram authorized under the Department of Defense Coopera-*
9 *tive Threat Reduction Act, \$324,600,000, to remain avail-*
10 *able until September 30, 2019.*

11 *OPERATION AND MAINTENANCE, NATIONAL DEFENSE*

12 *RESTORATION FUND*

13 *(INCLUDING TRANSFER OF FUNDS)*

14 *In addition to amounts provided elsewhere in this Act,*
15 *there is appropriated \$5,000,000,000, for the “Operation*
16 *and Maintenance, National Defense Restoration Fund”:*
17 *Provided, That such funds provided under this heading*
18 *shall only be available for programs, projects and activities*
19 *necessary to implement the 2018 National Defense Strategy:*
20 *Provided further, That such funds shall not be available for*
21 *transfer until 30 days after the Secretary has submitted,*
22 *and the congressional defense committees have approved, the*
23 *proposed allocation plan for the use of such funds to imple-*
24 *ment such strategy: Provided further, That such allocation*
25 *plan shall include a detailed justification for the use of such*

1 *funds and a description of how such investments are nec-*
2 *essary to implement the strategy: Provided further, That the*
3 *Secretary of Defense may transfer these funds only to oper-*
4 *ation and maintenance accounts: Provided further, That the*
5 *funds transferred shall be merged with and shall be avail-*
6 *able for the same purposes and for the same time period,*
7 *as the appropriation to which transferred: Provided further,*
8 *That none of the funds made available under this heading*
9 *may be transferred to any program, project, or activity spe-*
10 *cifically limited or denied by this Act: Provided further,*
11 *That the transfer authority provided under this heading is*
12 *in addition to any other transfer authority available to the*
13 *Department of Defense.*

14 *TITLE III*

15 *PROCUREMENT*

16 *AIRCRAFT PROCUREMENT, ARMY*

17 *For construction, procurement, production, modifica-*
18 *tion, and modernization of aircraft, equipment, including*
19 *ordnance, ground handling equipment, spare parts, and ac-*
20 *cessories therefor; specialized equipment and training de-*
21 *vices; expansion of public and private plants, including the*
22 *land necessary therefor, for the foregoing purposes, and such*
23 *lands and interests therein, may be acquired, and construc-*
24 *tion prosecuted thereon prior to approval of title; and pro-*
25 *curement and installation of equipment, appliances, and*

1 *machine tools in public and private plants; reserve plant*
2 *and Government and contractor-owned equipment layaway;*
3 *and other expenses necessary for the foregoing purposes,*
4 *\$4,456,533,000, to remain available for obligation until*
5 *September 30, 2020.*

6 *MISSILE PROCUREMENT, ARMY*

7 *For construction, procurement, production, modifica-*
8 *tion, and modernization of missiles, equipment, including*
9 *ordnance, ground handling equipment, spare parts, and ac-*
10 *cessories therefor; specialized equipment and training de-*
11 *vices; expansion of public and private plants, including the*
12 *land necessary therefor, for the foregoing purposes, and such*
13 *lands and interests therein, may be acquired, and construc-*
14 *tion prosecuted thereon prior to approval of title; and pro-*
15 *curement and installation of equipment, appliances, and*
16 *machine tools in public and private plants; reserve plant*
17 *and Government and contractor-owned equipment layaway;*
18 *and other expenses necessary for the foregoing purposes,*
19 *\$2,581,600,000, to remain available for obligation until*
20 *September 30, 2020.*

21 *PROCUREMENT OF WEAPONS AND TRACKED COMBAT*

22 *VEHICLES, ARMY*

23 *For construction, procurement, production, and modi-*
24 *fication of weapons and tracked combat vehicles, equipment,*
25 *including ordnance, spare parts, and accessories therefor;*

1 *specialized equipment and training devices; expansion of*
2 *public and private plants, including the land necessary*
3 *therefor, for the foregoing purposes, and such lands and in-*
4 *terests therein, may be acquired, and construction pros-*
5 *ecuted thereon prior to approval of title; and procurement*
6 *and installation of equipment, appliances, and machine*
7 *tools in public and private plants; reserve plant and Gov-*
8 *ernment and contractor-owned equipment layaway; and*
9 *other expenses necessary for the foregoing purposes,*
10 *\$3,556,175,000, to remain available for obligation until*
11 *September 30, 2020.*

12 *PROCUREMENT OF AMMUNITION, ARMY*

13 *For construction, procurement, production, and modi-*
14 *fication of ammunition, and accessories therefor; specialized*
15 *equipment and training devices; expansion of public and*
16 *private plants, including ammunition facilities, authorized*
17 *by section 2854 of title 10, United States Code, and the*
18 *land necessary therefor, for the foregoing purposes, and such*
19 *lands and interests therein, may be acquired, and construc-*
20 *tion prosecuted thereon prior to approval of title; and pro-*
21 *curement and installation of equipment, appliances, and*
22 *machine tools in public and private plants; reserve plant*
23 *and Government and contractor-owned equipment layaway;*
24 *and other expenses necessary for the foregoing purposes,*

1 \$1,811,808,000, to remain available for obligation until
2 September 30, 2020.

3 *OTHER PROCUREMENT, ARMY*

4 *For construction, procurement, production, and modi-*
5 *fication of vehicles, including tactical, support, and non-*
6 *tracked combat vehicles; the purchase of passenger motor ve-*
7 *hicles for replacement only; communications and electronic*
8 *equipment; other support equipment; spare parts, ordnance,*
9 *and accessories therefor; specialized equipment and training*
10 *devices; expansion of public and private plants, including*
11 *the land necessary therefor, for the foregoing purposes, and*
12 *such lands and interests therein, may be acquired, and con-*
13 *struction prosecuted thereon prior to approval of title; and*
14 *procurement and installation of equipment, appliances,*
15 *and machine tools in public and private plants; reserve*
16 *plant and Government and contractor-owned equipment*
17 *layaway; and other expenses necessary for the foregoing*
18 *purposes, \$6,356,044,000 (increased by \$30,000,000), to re-*
19 *main available for obligation until September 30, 2020.*

20 *AIRCRAFT PROCUREMENT, NAVY*

21 *For construction, procurement, production, modifica-*
22 *tion, and modernization of aircraft, equipment, including*
23 *ordnance, spare parts, and accessories therefor; specialized*
24 *equipment; expansion of public and private plants, includ-*
25 *ing the land necessary therefor, and such lands and inter-*

1 *ests therein, may be acquired, and construction prosecuted*
2 *thereon prior to approval of title; and procurement and in-*
3 *stallation of equipment, appliances, and machine tools in*
4 *public and private plants; reserve plant and Government*
5 *and contractor-owned equipment layaway,*
6 *\$17,908,270,000, to remain available for obligation until*
7 *September 30, 2020.*

8 *WEAPONS PROCUREMENT, NAVY*

9 *For construction, procurement, production, modifica-*
10 *tion, and modernization of missiles, torpedoes, other weap-*
11 *ons, and related support equipment including spare parts,*
12 *and accessories therefor; expansion of public and private*
13 *plants, including the land necessary therefor, and such*
14 *lands and interests therein, may be acquired, and construc-*
15 *tion prosecuted thereon prior to approval of title; and pro-*
16 *curement and installation of equipment, appliances, and*
17 *machine tools in public and private plants; reserve plant*
18 *and Government and contractor-owned equipment layaway,*
19 *\$3,387,826,000 (increased by \$26,200,000), to remain*
20 *available for obligation until September 30, 2020.*

21 *PROCUREMENT OF AMMUNITION, NAVY AND MARINE*

22 *CORPS*

23 *For construction, procurement, production, and modi-*
24 *fication of ammunition, and accessories therefor; specialized*
25 *equipment and training devices; expansion of public and*

1 *private plants, including ammunition facilities, authorized*
2 *by section 2854 of title 10, United States Code, and the*
3 *land necessary therefor, for the foregoing purposes, and such*
4 *lands and interests therein, may be acquired, and construc-*
5 *tion prosecuted thereon prior to approval of title; and pro-*
6 *curement and installation of equipment, appliances, and*
7 *machine tools in public and private plants; reserve plant*
8 *and Government and contractor-owned equipment layaway;*
9 *and other expenses necessary for the foregoing purposes,*
10 *\$735,651,000, to remain available for obligation until Sep-*
11 *tember 30, 2020.*

12 *SHIPBUILDING AND CONVERSION, NAVY*

13 *For expenses necessary for the construction, acquisi-*
14 *tion, or conversion of vessels as authorized by law, includ-*
15 *ing armor and armament thereof, plant equipment, appli-*
16 *ances, and machine tools and installation thereof in public*
17 *and private plants; reserve plant and Government and con-*
18 *tractor-owned equipment layaway; procurement of critical,*
19 *long lead time components and designs for vessels to be con-*
20 *structed or converted in the future; and expansion of public*
21 *and private plants, including land necessary therefor, and*
22 *such lands and interests therein, may be acquired, and con-*
23 *struction prosecuted thereon prior to approval of title, as*
24 *follows:*

1 *Ohio Replacement Submarine (AP),*
2 *\$842,853,000;*
3 *Carrier Replacement Program, \$1,869,646,000;*
4 *Carrier Replacement Program (AP),*
5 *\$2,561,058,000;*
6 *Virginia Class Submarine, \$3,305,315,000;*
7 *Virginia Class Submarine (AP), \$1,920,596,000;*
8 *CVN Refueling Overhauls, \$1,569,669,000;*
9 *CVN Refueling Overhauls (AP), \$75,897,000;*
10 *DDG–1000 Program, \$164,976,000;*
11 *DDG–51 Destroyer, \$3,499,079,000;*
12 *DDG–51 Destroyer (AP), \$90,336,000;*
13 *Littoral Combat Ship, \$1,566,971,000;*
14 *Expeditionary Sea Base, \$635,000,000;*
15 *LHA Replacement, \$1,695,077,000;*
16 *TAO Fleet Oiler, \$449,415,000;*
17 *TAO Fleet Oiler (AP), \$75,068,000;*
18 *Ship to Shore Connector, \$390,554,000;*
19 *Service Craft, \$23,994,000;*
20 *Towing, Salvage, and Rescue Ship, \$76,204,000;*
21 *LCU 1700, \$31,850,000;*
22 *For outfitting, post delivery, conversions, and*
23 *first destination transportation, \$542,626,000; and*
24 *Completion of Prior Year Shipbuilding Pro-*
25 *grams, \$117,542,000.*

1 *In all: \$21,503,726,000, to remain available for obliga-*
2 *tion until September 30, 2022: Provided, That additional*
3 *obligations may be incurred after September 30, 2022, for*
4 *engineering services, tests, evaluations, and other such budg-*
5 *eted work that must be performed in the final stage of ship*
6 *construction: Provided further, That none of the funds pro-*
7 *vided under this heading for the construction or conversion*
8 *of any naval vessel to be constructed in shipyards in the*
9 *United States shall be expended in foreign facilities for the*
10 *construction of major components of such vessel: Provided*
11 *further, That none of the funds provided under this heading*
12 *shall be used for the construction of any naval vessel in*
13 *foreign shipyards: Provided further, That funds appro-*
14 *priated or otherwise made available by this Act for produc-*
15 *tion of the common missile compartment of nuclear-powered*
16 *vessels may be available for multiyear procurement of crit-*
17 *ical components to support continuous production of such*
18 *compartments only in accordance with the provisions of*
19 *subsection (i) of section 2218a of title 10, United States*
20 *Code (as added by section 1023 of the National Defense Au-*
21 *thorization Act for Fiscal Year 2017 (Public Law 114–*
22 *328)).*

23 *OTHER PROCUREMENT, NAVY*

24 *For procurement, production, and modernization of*
25 *support equipment and materials not otherwise provided*

1 *for, Navy ordnance (except ordnance for new aircraft, new*
2 *ships, and ships authorized for conversion); the purchase*
3 *of passenger motor vehicles for replacement only; expansion*
4 *of public and private plants, including the land necessary*
5 *therefor, and such lands and interests therein, may be ac-*
6 *quired, and construction prosecuted thereon prior to ap-*
7 *proval of title; and procurement and installation of equip-*
8 *ment, appliances, and machine tools in public and private*
9 *plants; reserve plant and Government and contractor-owned*
10 *equipment layaway, \$7,852,952,000, to remain available*
11 *for obligation until September 30, 2020.*

12 *PROCUREMENT, MARINE CORPS*

13 *For expenses necessary for the procurement, manufac-*
14 *ture, and modification of missiles, armament, military*
15 *equipment, spare parts, and accessories therefor; plant*
16 *equipment, appliances, and machine tools, and installation*
17 *thereof in public and private plants; reserve plant and Gov-*
18 *ernment and contractor-owned equipment layaway; vehicles*
19 *for the Marine Corps, including the purchase of passenger*
20 *motor vehicles for replacement only; and expansion of pub-*
21 *lic and private plants, including land necessary therefor,*
22 *and such lands and interests therein, may be acquired, and*
23 *construction prosecuted thereon prior to approval of title,*
24 *\$1,818,846,000 (increased by \$20,000,000), to remain*
25 *available for obligation until September 30, 2020.*

1 *AIRCRAFT PROCUREMENT, AIR FORCE*

2 *For construction, procurement, and modification of*
3 *aircraft and equipment, including armor and armament,*
4 *specialized ground handling equipment, and training de-*
5 *vices, spare parts, and accessories therefor; specialized*
6 *equipment; expansion of public and private plants, Govern-*
7 *ment-owned equipment and installation thereof in such*
8 *plants, erection of structures, and acquisition of land, for*
9 *the foregoing purposes, and such lands and interests therein,*
10 *may be acquired, and construction prosecuted thereon prior*
11 *to approval of title; reserve plant and Government and con-*
12 *tractor-owned equipment layaway; and other expenses nec-*
13 *essary for the foregoing purposes including rents and trans-*
14 *portation of things, \$16,553,196,000 (increased by*
15 *\$16,000,000), to remain available for obligation until Sep-*
16 *tember 30, 2020.*

17 *MISSILE PROCUREMENT, AIR FORCE*

18 *For construction, procurement, and modification of*
19 *missiles, rockets, and related equipment, including spare*
20 *parts and accessories therefor; ground handling equipment,*
21 *and training devices; expansion of public and private*
22 *plants, Government-owned equipment and installation*
23 *thereof in such plants, erection of structures, and acquisi-*
24 *tion of land, for the foregoing purposes, and such lands and*
25 *interests therein, may be acquired, and construction pros-*

1 *ecuted thereon prior to approval of title; reserve plant and*
2 *Government and contractor-owned equipment layaway; and*
3 *other expenses necessary for the foregoing purposes includ-*
4 *ing rents and transportation of things, \$2,203,101,000, to*
5 *remain available for obligation until September 30, 2020.*

6 *SPACE PROCUREMENT, AIR FORCE*

7 *For construction, procurement, and modification of*
8 *spacecraft, rockets, and related equipment, including spare*
9 *parts and accessories therefor; ground handling equipment,*
10 *and training devices; expansion of public and private*
11 *plants, Government-owned equipment and installation*
12 *thereof in such plants, erection of structures, and acquisi-*
13 *tion of land, for the foregoing purposes, and such lands and*
14 *interests therein, may be acquired, and construction pros-*
15 *ecuted thereon prior to approval of title; reserve plant and*
16 *Government and contractor-owned equipment layaway; and*
17 *other expenses necessary for the foregoing purposes includ-*
18 *ing rents and transportation of things, \$3,210,355,000, to*
19 *remain available for obligation until September 30, 2020.*

20 *PROCUREMENT OF AMMUNITION, AIR FORCE*

21 *For construction, procurement, production, and modi-*
22 *fication of ammunition, and accessories therefor; specialized*
23 *equipment and training devices; expansion of public and*
24 *private plants, including ammunition facilities, authorized*
25 *by section 2854 of title 10, United States Code, and the*

1 *land necessary therefor, for the foregoing purposes, and such*
2 *lands and interests therein, may be acquired, and construc-*
3 *tion prosecuted thereon prior to approval of title; and pro-*
4 *curement and installation of equipment, appliances, and*
5 *machine tools in public and private plants; reserve plant*
6 *and Government and contractor-owned equipment layaway;*
7 *and other expenses necessary for the foregoing purposes,*
8 *\$1,316,977,000, to remain available for obligation until*
9 *September 30, 2020.*

10 *OTHER PROCUREMENT, AIR FORCE*

11 *For procurement and modification of equipment (in-*
12 *cluding ground guidance and electronic control equipment,*
13 *and ground electronic and communication equipment), and*
14 *supplies, materials, and spare parts therefor, not otherwise*
15 *provided for; the purchase of passenger motor vehicles for*
16 *replacement only; lease of passenger motor vehicles; and ex-*
17 *pansion of public and private plants, Government-owned*
18 *equipment and installation thereof in such plants, erection*
19 *of structures, and acquisition of land, for the foregoing pur-*
20 *poses, and such lands and interests therein, may be ac-*
21 *quired, and construction prosecuted thereon, prior to ap-*
22 *proval of title; reserve plant and Government and con-*
23 *tractor-owned equipment layaway, \$19,318,814,000, to re-*
24 *main available for obligation until September 30, 2020.*

1 *PROCUREMENT, DEFENSE-WIDE*

2 *For expenses of activities and agencies of the Depart-*
3 *ment of Defense (other than the military departments) nec-*
4 *essary for procurement, production, and modification of*
5 *equipment, supplies, materials, and spare parts therefor,*
6 *not otherwise provided for; the purchase of passenger motor*
7 *vehicles for replacement only; expansion of public and pri-*
8 *vate plants, equipment, and installation thereof in such*
9 *plants, erection of structures, and acquisition of land for*
10 *the foregoing purposes, and such lands and interests therein,*
11 *may be acquired, and construction prosecuted thereon prior*
12 *to approval of title; reserve plant and Government and con-*
13 *tractor-owned equipment layaway, \$5,239,239,000 (reduced*
14 *by \$10,000,000), to remain available for obligation until*
15 *September 30, 2020.*

16 *DEFENSE PRODUCTION ACT PURCHASES*

17 *For activities by the Department of Defense pursuant*
18 *to sections 108, 301, 302, and 303 of the Defense Production*
19 *Act of 1950 (50 U.S.C. 4518, 4531, 4532, and 4533),*
20 *\$67,401,000, to remain available until expended.*

21 *PROCUREMENT, NATIONAL DEFENSE RESTORATION FUND*

22 *(INCLUDING TRANSFER OF FUNDS)*

23 *In addition to amounts provided elsewhere in this Act,*
24 *there is appropriated \$12,622,931,000, for the “Procure-*
25 *ment, National Defense Restoration Fund”: Provided, That*

1 *such funds provided under this heading shall only be avail-*
2 *able for programs, projects and activities necessary to im-*
3 *plement the 2018 National Defense Strategy: Provided fur-*
4 *ther, That such funds shall not be available for transfer*
5 *until 30 days after the Secretary has submitted, and the*
6 *congressional defense committees have approved, the pro-*
7 *posed allocation plan for the use of such funds to implement*
8 *such strategy: Provided further, That such allocation plan*
9 *shall include a detailed justification for the use of such*
10 *funds and a description of how such investments are nec-*
11 *essary to implement the strategy: Provided further, That the*
12 *Secretary of Defense may transfer these funds only to pro-*
13 *curement accounts: Provided further, That the funds trans-*
14 *ferred shall be merged with and shall be available for the*
15 *same purposes and for the same time period, as the appro-*
16 *priation to which transferred: Provided further, That none*
17 *of the funds made available under this heading may be*
18 *transferred to any program, project, or activity specifically*
19 *limited or denied by this Act, except for missile defense re-*
20 *quirements resulting from urgent or emergent operational*
21 *needs: Provided further, That the transfer authority pro-*
22 *vided under this heading is in addition to any other trans-*
23 *fer authority available to the Department of Defense.*

1 *TITLE IV*
2 *RESEARCH, DEVELOPMENT, TEST AND*
3 *EVALUATION*

4 *RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY*
5 *For expenses necessary for basic and applied scientific*
6 *research, development, test and evaluation, including main-*
7 *tenance, rehabilitation, lease, and operation of facilities*
8 *and equipment, \$9,674,222,000 (increased by \$6,000,000)*
9 *(increased by \$4,000,000) (increased by \$12,000,000) (in-*
10 *creased by \$5,000,000), to remain available for obligation*
11 *until September 30, 2019.*

12 *RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY*
13 *For expenses necessary for basic and applied scientific*
14 *research, development, test and evaluation, including main-*
15 *tenance, rehabilitation, lease, and operation of facilities*
16 *and equipment, \$17,196,521,000 (increased by \$598,000)*
17 *(increased by \$20,000,000) (reduced by \$2,500,000) (in-*
18 *creased by \$24,000,000), to remain available for obligation*
19 *until September 30, 2019: Provided, That funds appro-*
20 *priated in this paragraph which are available for the V-*
21 *22 may be used to meet unique operational requirements*
22 *of the Special Operations Forces.*

1 *RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR*
 2 *FORCE*

3 *For expenses necessary for basic and applied scientific*
 4 *research, development, test and evaluation, including main-*
 5 *tenance, rehabilitation, lease, and operation of facilities*
 6 *and equipment, \$33,874,980,000 (increased by \$5,000,000)*
 7 *(increased by \$6,000,000) (increased by \$10,000,000) (re-*
 8 *duced by \$30,000,000) (increased by \$30,000,000), to re-*
 9 *main available for obligation until September 30, 2019.*

10 *RESEARCH, DEVELOPMENT, TEST AND EVALUATION,*
 11 *DEFENSE-WIDE*
 12 *(INCLUDING TRANSFER OF FUNDS)*

13 *For expenses of activities and agencies of the Depart-*
 14 *ment of Defense (other than the military departments), nec-*
 15 *essary for basic and applied scientific research, develop-*
 16 *ment, test and evaluation; advanced research projects as*
 17 *may be designated and determined by the Secretary of De-*
 18 *fense, pursuant to law; maintenance, rehabilitation, lease,*
 19 *and operation of facilities and equipment, \$20,698,353,000*
 20 *(reduced by \$16,000,000) (reduced by \$12,000,000) (reduced*
 21 *by \$2,500,000) (reduced by \$12,500,000) (increased by*
 22 *\$20,000,000) (reduced by \$20,000,000) (reduced by*
 23 *\$4,135,000) (increased by \$4,135,000) (reduced by*
 24 *\$27,500,000) (increased by \$10,000,000), to remain avail-*
 25 *able for obligation until September 30, 2019: Provided,*

1 *That, of the funds made available in this paragraph,*
2 *\$250,000,000 for the Defense Rapid Innovation Program*
3 *shall only be available for expenses, not otherwise provided*
4 *for, to include program management and oversight, to con-*
5 *duct research, development, test and evaluation to include*
6 *proof of concept demonstration; engineering, testing, and*
7 *validation; and transition to full-scale production: Provided*
8 *further, That the Secretary of Defense may transfer funds*
9 *provided herein for the Defense Rapid Innovation Program*
10 *to appropriations for research, development, test and eval-*
11 *uation to accomplish the purpose provided herein: Provided*
12 *further, That this transfer authority is in addition to any*
13 *other transfer authority available to the Department of De-*
14 *fense: Provided further, That the Secretary of Defense shall,*
15 *not fewer than 30 days prior to making transfers from this*
16 *appropriation, notify the congressional defense committees*
17 *in writing of the details of any such transfer.*

18 *OPERATIONAL TEST AND EVALUATION, DEFENSE*

19 *For expenses, not otherwise provided for, necessary for*
20 *the independent activities of the Director, Operational Test*
21 *and Evaluation, in the direction and supervision of oper-*
22 *ational test and evaluation, including initial operational*
23 *test and evaluation which is conducted prior to, and in sup-*
24 *port of, production decisions; joint operational testing and*
25 *evaluation; and administrative expenses in connection*

1 *therewith, \$210,900,000, to remain available for obligation*
2 *until September 30, 2019.*

3 *RESEARCH, DEVELOPMENT, TEST AND EVALUATION,*
4 *NATIONAL DEFENSE RESTORATION FUND*
5 *(INCLUDING TRANSFER OF FUNDS)*

6 *In addition to amounts provided elsewhere in this Act,*
7 *there is appropriated \$1,000,000,000, for the “Research, De-*
8 *velopment, Test and Evaluation, National Defense Restora-*
9 *tion Fund”: Provided, That such funds provided under this*
10 *heading shall only be available for programs, projects and*
11 *activities necessary to implement the 2018 National Defense*
12 *Strategy: Provided further, That such funds shall not be*
13 *available for transfer until 30 days after the Secretary has*
14 *submitted, and the congressional defense committees have*
15 *approved, the proposed allocation plan for the use of such*
16 *funds to implement such strategy: Provided further, That*
17 *such allocation plan shall include a detailed justification*
18 *for the use of such funds and a description of how such*
19 *investments are necessary to implement the strategy: Pro-*
20 *vided further, That the Secretary of Defense may transfer*
21 *these funds only to research, development, test and evalua-*
22 *tion accounts: Provided further, That the funds transferred*
23 *shall be merged with and shall be available for the same*
24 *purposes and for the same time period, as the appropriation*
25 *to which transferred: Provided further, That none of the*

1 *funds made available under this heading may be trans-*
 2 *ferred to any program, project, or activity specifically lim-*
 3 *ited or denied by this Act, except for missile defense require-*
 4 *ments resulting from urgent or emergent operational needs:*
 5 *Provided further, That the transfer authority provided*
 6 *under this heading is in addition to any other transfer au-*
 7 *thority available to the Department of Defense.*

8

TITLE V

9

REVOLVING AND MANAGEMENT FUNDS

10

DEFENSE WORKING CAPITAL FUNDS

11

For the Defense Working Capital Funds,

12

\$1,586,596,000.

13

TITLE VI

14

OTHER DEPARTMENT OF DEFENSE PROGRAMS

15

DEFENSE HEALTH PROGRAM

16

For expenses, not otherwise provided for, for medical

17

and health care programs of the Department of Defense as

18

authorized by law, \$33,931,566,000 (increased by

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\$7,000,000) (increased by \$1,000,000) (increased by

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\$10,000,000) (increased by \$2,000,000) (increased by

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\$2,000,000) (increased by \$10,000,000) (increased by

22

\$5,000,000) (increased by \$10,000,000); of which

23

\$31,735,923,000 (increased by \$2,000,000) (increased by

24

\$5,000,000) shall be for operation and maintenance, of

25

which not to exceed one percent shall remain available for

1 obligation until September 30, 2019, and of which up to
2 \$15,349,700,000 may be available for contracts entered into
3 under the TRICARE program; of which \$895,328,000, to
4 remain available for obligation until September 30, 2020,
5 shall be for procurement; and of which \$1,300,315,000 (in-
6 creased by \$7,000,000) (increased by \$1,000,000) (increased
7 by \$10,000,000) (increased by \$2,000,000) (increased by
8 \$10,000,000) (increased by \$10,000,000), to remain avail-
9 able for obligation until September 30, 2019, shall be for
10 research, development, test and evaluation: Provided, That,
11 notwithstanding any other provision of law, of the amount
12 made available under this heading for research, develop-
13 ment, test and evaluation, not less than \$8,000,000 shall
14 be available for HIV prevention educational activities un-
15 dertaken in connection with United States military train-
16 ing, exercises, and humanitarian assistance activities con-
17 ducted primarily in African nations: Provided further,
18 That of the funds provided under this heading for research,
19 development, test and evaluation, not less than
20 \$627,100,000 shall be made available to the United States
21 Army Medical Research and Materiel Command to carry
22 out the congressionally directed medical research programs.

1 *CHEMICAL AGENTS AND MUNITIONS DESTRUCTION,*
2 *DEFENSE*

3 *For expenses, not otherwise provided for, necessary for*
4 *the destruction of the United States stockpile of lethal chem-*
5 *ical agents and munitions in accordance with the provi-*
6 *sions of section 1412 of the Department of Defense Author-*
7 *ization Act, 1986 (50 U.S.C. 1521), and for the destruction*
8 *of other chemical warfare materials that are not in the*
9 *chemical weapon stockpile, \$961,732,000, of which*
10 *\$104,237,000 shall be for operation and maintenance, of*
11 *which no less than \$49,401,000 shall be for the Chemical*
12 *Stockpile Emergency Preparedness Program, consisting of*
13 *\$21,045,000 for activities on military installations and*
14 *\$28,356,000, to remain available until September 30, 2019,*
15 *to assist State and local governments; \$18,081,000 shall be*
16 *for procurement, to remain available until September 30,*
17 *2020, of which \$18,081,000 shall be for the Chemical Stock-*
18 *pile Emergency Preparedness Program to assist State and*
19 *local governments; and \$839,414,000, to remain available*
20 *until September 30, 2019, shall be for research, develop-*
21 *ment, test and evaluation, of which \$750,700,000 shall only*
22 *be for the Assembled Chemical Weapons Alternatives pro-*
23 *gram.*

1 *DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES,*
2 *DEFENSE*
3 *(INCLUDING TRANSFER OF FUNDS)*

4 *For drug interdiction and counter-drug activities of*
5 *the Department of Defense, for transfer to appropriations*
6 *available to the Department of Defense for military per-*
7 *sonnel of the reserve components serving under the provi-*
8 *sions of title 10 and title 32, United States Code; for oper-*
9 *ation and maintenance; for procurement; and for research,*
10 *development, test and evaluation, \$854,814,000, of which*
11 *\$532,648,000 shall be for counter-narcotics support;*
12 *\$120,813,000 shall be for the drug demand reduction pro-*
13 *gram; and \$201,353,000 shall be for the National Guard*
14 *counter-drug program: Provided, That the funds appro-*
15 *priated under this heading shall be available for obligation*
16 *for the same time period and for the same purpose as the*
17 *appropriation to which transferred: Provided further, That*
18 *upon a determination that all or part of the funds trans-*
19 *ferred from this appropriation are not necessary for the*
20 *purposes provided herein, such amounts may be transferred*
21 *back to this appropriation: Provided further, That the*
22 *transfer authority provided under this heading is in addi-*
23 *tion to any other transfer authority contained elsewhere in*
24 *this Act.*

1 *OFFICE OF THE INSPECTOR GENERAL*

2 *For expenses and activities of the Office of the Inspec-*
3 *tor General in carrying out the provisions of the Inspector*
4 *General Act of 1978, as amended, \$336,887,000, of which*
5 *\$334,087,000 shall be for operation and maintenance, of*
6 *which not to exceed \$700,000 is available for emergencies*
7 *and extraordinary expenses to be expended on the approval*
8 *or authority of the Inspector General, and payments may*
9 *be made on the Inspector General's certificate of necessity*
10 *for confidential military purposes; and of which \$2,800,000,*
11 *to remain available until September 30, 2019, shall be for*
12 *research, development, test and evaluation.*

13 *TITLE VII*14 *RELATED AGENCIES*15 *CENTRAL INTELLIGENCE AGENCY RETIREMENT AND*16 *DISABILITY SYSTEM FUND*

17 *For payment to the Central Intelligence Agency Retire-*
18 *ment and Disability System Fund, to maintain the proper*
19 *funding level for continuing the operation of the Central*
20 *Intelligence Agency Retirement and Disability System,*
21 *\$514,000,000.*

22 *INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT*

23 *For necessary expenses of the Intelligence Community*
24 *Management Account, \$522,100,000.*

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TITLE VIII

GENERAL PROVISIONS

SEC. 8001. No part of any appropriation contained in this Act shall be used for publicity or propaganda purposes not authorized by the Congress.

SEC. 8002. During the current fiscal year, provisions of law prohibiting the payment of compensation to, or employment of, any person not a citizen of the United States shall not apply to personnel of the Department of Defense:

Provided, That salary increases granted to direct and indirect hire foreign national employees of the Department of Defense funded by this Act shall not be at a rate in excess of the percentage increase authorized by law for civilian employees of the Department of Defense whose pay is computed under the provisions of section 5332 of title 5, United States Code, or at a rate in excess of the percentage increase provided by the appropriate host nation to its own employees, whichever is higher: Provided further, That this section shall not apply to Department of Defense foreign service national employees serving at United States diplomatic missions whose pay is set by the Department of State under the Foreign Service Act of 1980: Provided further, That the limitations of this provision shall not apply to foreign national employees of the Department of Defense in the Republic of Turkey.

1 *SEC. 8003. No part of any appropriation contained*
2 *in this Act shall remain available for obligation beyond the*
3 *current fiscal year, unless expressly so provided herein.*

4 *SEC. 8004. No more than 20 percent of the appropria-*
5 *tions in this Act which are limited for obligation during*
6 *the current fiscal year shall be obligated during the last 2*
7 *months of the fiscal year: Provided, That this section shall*
8 *not apply to obligations for support of active duty training*
9 *of reserve components or summer camp training of the Re-*
10 *serve Officers' Training Corps.*

11 *(TRANSFER OF FUNDS)*

12 *SEC. 8005. Upon determination by the Secretary of*
13 *Defense that such action is necessary in the national inter-*
14 *est, he may, with the approval of the Office of Management*
15 *and Budget, transfer not to exceed \$4,500,000,000 of work-*
16 *ing capital funds of the Department of Defense or funds*
17 *made available in this Act to the Department of Defense*
18 *for military functions (except military construction) be-*
19 *tween such appropriations or funds or any subdivision*
20 *thereof, to be merged with and to be available for the same*
21 *purposes, and for the same time period, as the appropria-*
22 *tion or fund to which transferred: Provided, That such au-*
23 *thority to transfer may not be used unless for higher pri-*
24 *ority items, based on unforeseen military requirements,*
25 *than those for which originally appropriated and in no case*

1 *where the item for which funds are requested has been de-*
2 *ned by the Congress: Provided further, That the Secretary*
3 *of Defense shall notify the Congress promptly of all transfers*
4 *made pursuant to this authority or any other authority in*
5 *this Act: Provided further, That no part of the funds in*
6 *this Act shall be available to prepare or present a request*
7 *to the Committees on Appropriations for reprogramming*
8 *of funds, unless for higher priority items, based on unfore-*
9 *seen military requirements, than those for which originally*
10 *appropriated and in no case where the item for which re-*
11 *programming is requested has been denied by the Congress:*
12 *Provided further, That a request for multiple*
13 *reprogrammings of funds using authority provided in this*
14 *section shall be made prior to June 30, 2017: Provided fur-*
15 *ther, That transfers among military personnel appropria-*
16 *tions shall not be taken into account for purposes of the*
17 *limitation on the amount of funds that may be transferred*
18 *under this section.*

19 *SEC. 8006. (a) With regard to the list of specific pro-*
20 *grams, projects, and activities (and the dollar amounts and*
21 *adjustments to budget activities corresponding to such pro-*
22 *grams, projects, and activities) contained in the tables titled*
23 *Explanation of Project Level Adjustments in the explana-*
24 *tory statement regarding this Act, the obligation and ex-*
25 *penditure of amounts appropriated or otherwise made*

1 *available in this Act for those programs, projects, and ac-*
2 *tivities for which the amounts appropriated exceed the*
3 *amounts requested are hereby required by law to be carried*
4 *out in the manner provided by such tables to the same ex-*
5 *tent as if the tables were included in the text of this Act.*

6 *(b) Amounts specified in the referenced tables described*
7 *in subsection (a) shall not be treated as subdivisions of ap-*
8 *propriations for purposes of section 8005 of this Act: Pro-*
9 *vided, That section 8005 shall apply when transfers of the*
10 *amounts described in subsection (a) occur between appro-*
11 *priation accounts.*

12 *SEC. 8007. (a) Not later than 60 days after enactment*
13 *of this Act, the Department of Defense shall submit a report*
14 *to the congressional defense committees to establish the base-*
15 *line for application of reprogramming and transfer au-*
16 *thorities for fiscal year 2018: Provided, That the report*
17 *shall include—*

18 *(1) a table for each appropriation with a sepa-*
19 *rate column to display the President's budget request,*
20 *adjustments made by Congress, adjustments due to*
21 *enacted rescissions, if appropriate, and the fiscal year*
22 *enacted level;*

23 *(2) a delineation in the table for each appropria-*
24 *tion both by budget activity and program, project,*
25 *and activity as detailed in the Budget Appendix; and*

1 (3) *an identification of items of special congressional*
2 *interest.*

3 (b) *Notwithstanding section 8005 of this Act, none of*
4 *the funds provided in this Act shall be available for re-*
5 *programming or transfer until the report identified in sub-*
6 *section (a) is submitted to the congressional defense commit-*
7 *tees, unless the Secretary of Defense certifies in writing to*
8 *the congressional defense committees that such reprogram-*
9 *ming or transfer is necessary as an emergency requirement:*
10 *Provided, That this subsection shall not apply to transfers*
11 *from the following appropriations accounts:*

- 12 (1) *“Environmental Restoration, Army”;*
- 13 (2) *“Environmental Restoration, Navy” ;*
- 14 (3) *“Environmental Restoration, Air Force”;*
- 15 (4) *“Environmental Restoration, Defense-Wide”*
- 16 (5) *“Environmental Restoration, Formerly Used*
17 *Defense Sites”;* and
- 18 (6) *“Drug Interdiction and Counter-drug Activi-*
19 *ties, Defense”.*

20 *(TRANSFER OF FUNDS)*

21 *SEC. 8008. During the current fiscal year, cash bal-*
22 *ances in working capital funds of the Department of De-*
23 *fense established pursuant to section 2208 of title 10, United*
24 *States Code, may be maintained in only such amounts as*
25 *are necessary at any time for cash disbursements to be made*

1 *from such funds: Provided, That transfers may be made be-*
2 *tween such funds: Provided further, That transfers may be*
3 *made between working capital funds and the “Foreign Cur-*
4 *rency Fluctuations, Defense” appropriation and the “Oper-*
5 *ation and Maintenance” appropriation accounts in such*
6 *amounts as may be determined by the Secretary of Defense,*
7 *with the approval of the Office of Management and Budget,*
8 *except that such transfers may not be made unless the Sec-*
9 *retary of Defense has notified the Congress of the proposed*
10 *transfer: Provided further, That except in amounts equal*
11 *to the amounts appropriated to working capital funds in*
12 *this Act, no obligations may be made against a working*
13 *capital fund to procure or increase the value of war reserve*
14 *material inventory, unless the Secretary of Defense has no-*
15 *tified the Congress prior to any such obligation.*

16 *SEC. 8009. Funds appropriated by this Act may not*
17 *be used to initiate a special access program without prior*
18 *notification 30 calendar days in advance to the congres-*
19 *sional defense committees.*

20 *SEC. 8010. None of the funds provided in this Act shall*
21 *be available to initiate: (1) a multiyear contract that em-*
22 *ployes economic order quantity procurement in excess of*
23 *\$20,000,000 in any one year of the contract or that includes*
24 *an unfunded contingent liability in excess of \$20,000,000;*
25 *or (2) a contract for advance procurement leading to a*

1 *multiyear contract that employs economic order quantity*
2 *procurement in excess of \$20,000,000 in any one year, un-*
3 *less the congressional defense committees have been notified*
4 *at least 30 days in advance of the proposed contract award:*
5 *Provided, That no part of any appropriation contained in*
6 *this Act shall be available to initiate a multiyear contract*
7 *for which the economic order quantity advance procurement*
8 *is not funded at least to the limits of the Government's li-*
9 *ability: Provided further, That no part of any appropria-*
10 *tion contained in this Act shall be available to initiate*
11 *multiyear procurement contracts for any systems or compo-*
12 *nent thereof if the value of the multiyear contract would*
13 *exceed \$500,000,000 unless specifically provided in this Act:*
14 *Provided further, That no multiyear procurement contract*
15 *can be terminated without 30-day prior notification to the*
16 *congressional defense committees: Provided further, That the*
17 *execution of multiyear authority shall require the use of a*
18 *present value analysis to determine lowest cost compared*
19 *to an annual procurement: Provided further, That none of*
20 *the funds provided in this Act may be used for a multiyear*
21 *contract executed after the date of the enactment of this Act*
22 *unless in the case of any such contract—*

23 (1) *the Secretary of Defense has submitted to*
24 *Congress a budget request for full funding of units to*
25 *be procured through the contract and, in the case of*

1 *a contract for procurement of aircraft, that includes,*
2 *for any aircraft unit to be procured through the con-*
3 *tract for which procurement funds are requested in*
4 *that budget request for production beyond advance*
5 *procurement activities in the fiscal year covered by*
6 *the budget, full funding of procurement of such unit*
7 *in that fiscal year;*

8 *(2) cancellation provisions in the contract do not*
9 *include consideration of recurring manufacturing*
10 *costs of the contractor associated with the production*
11 *of unfunded units to be delivered under the contract;*

12 *(3) the contract provides that payments to the*
13 *contractor under the contract shall not be made in*
14 *advance of incurred costs on funded units; and*

15 *(4) the contract does not provide for a price ad-*
16 *justment based on a failure to award a follow-on con-*
17 *tract.*

18 *Funds appropriated in title III of this Act may be used,*
19 *subject to section 2306b of title 10 , United States Code,*
20 *for multiyear procurement contracts as follows: V-22 Os-*
21 *prey aircraft variants; up to 13 SSN Virginia Class Sub-*
22 *marines and Government-furnished equipment; and DDG-*
23 *51 Arleigh Burke class Flight III guided missile destroyers,*
24 *the MK 41 Vertical Launching Systems, and associated*
25 *Government-furnished systems and subsystems.*

1 *SEC. 8011. Within the funds appropriated for the oper-*
2 *ation and maintenance of the Armed Forces, funds are here-*
3 *by appropriated pursuant to section 401 of title 10, United*
4 *States Code, for humanitarian and civic assistance costs*
5 *under chapter 20 of title 10, United States Code. Such funds*
6 *may also be obligated for humanitarian and civic assist-*
7 *ance costs incidental to authorized operations and pursuant*
8 *to authority granted in section 401 of chapter 20 of title*
9 *10, United States Code, and these obligations shall be re-*
10 *ported as required by section 401(d) of title 10, United*
11 *States Code: Provided, That funds available for operation*
12 *and maintenance shall be available for providing humani-*
13 *tarian and similar assistance by using Civic Action Teams*
14 *in the Trust Territories of the Pacific Islands and freely*
15 *associated states of Micronesia, pursuant to the Compact*
16 *of Free Association as authorized by Public Law 99–239:*
17 *Provided further, That upon a determination by the Sec-*
18 *retary of the Army that such action is beneficial for grad-*
19 *uate medical education programs conducted at Army med-*
20 *ical facilities located in Hawaii, the Secretary of the Army*
21 *may authorize the provision of medical services at such fa-*
22 *cilities and transportation to such facilities, on a nonreim-*
23 *bursable basis, for civilian patients from American Samoa,*
24 *the Commonwealth of the Northern Mariana Islands, the*

1 *Marshall Islands, the Federated States of Micronesia,*
2 *Palau, and Guam.*

3 *SEC. 8012. (a) During the current fiscal year, the ci-*
4 *vilian personnel of the Department of Defense may not be*
5 *managed on the basis of any end-strength, and the manage-*
6 *ment of such personnel during that fiscal year shall not be*
7 *subject to any constraint or limitation (known as an end-*
8 *strength) on the number of such personnel who may be em-*
9 *ployed on the last day of such fiscal year.*

10 *(b) The fiscal year 2019 budget request for the Depart-*
11 *ment of Defense as well as all justification material and*
12 *other documentation supporting the fiscal year 2019 De-*
13 *partment of Defense budget request shall be prepared and*
14 *submitted to the Congress as if subsections (a) and (b) of*
15 *this provision were effective with regard to fiscal year 2019.*

16 *(c) As required by section 1107 of the National Defense*
17 *Authorization Act for Fiscal Year 2014 (Public Law 113–*
18 *66; 10 U.S.C. 2358 note) civilian personnel at the Depart-*
19 *ment of Army Science and Technology Reinvention Labora-*
20 *tories may not be managed on the basis of the Table of Dis-*
21 *tribution and Allowances, and the management of the work-*
22 *force strength shall be done in a manner consistent with*
23 *the budget available with respect to such Laboratories.*

24 *(d) Nothing in this section shall be construed to apply*
25 *to military (civilian) technicians.*

1 *this provision or any other transfer authority contained in*
2 *this Act.*

3 *SEC. 8016. None of the funds in this Act may be avail-*
4 *able for the purchase by the Department of Defense (and*
5 *its departments and agencies) of welded shipboard anchor*
6 *and mooring chain 4 inches in diameter and under unless*
7 *the anchor and mooring chain are manufactured in the*
8 *United States from components which are substantially*
9 *manufactured in the United States: Provided, That for the*
10 *purpose of this section, the term “manufactured” shall in-*
11 *clude cutting, heat treating, quality control, testing of chain*
12 *and welding (including the forging and shot blasting proc-*
13 *ess): Provided further, That for the purpose of this section*
14 *substantially all of the components of anchor and mooring*
15 *chain shall be considered to be produced or manufactured*
16 *in the United States if the aggregate cost of the components*
17 *produced or manufactured in the United States exceeds the*
18 *aggregate cost of the components produced or manufactured*
19 *outside the United States: Provided further, That when ade-*
20 *quate domestic supplies are not available to meet Depart-*
21 *ment of Defense requirements on a timely basis, the Sec-*
22 *retary of the service responsible for the procurement may*
23 *wave this restriction on a case-by-case basis by certifying*
24 *in writing to the Committees on Appropriations that such*

1 *an acquisition must be made in order to acquire capability*
2 *for national security purposes.*

3 *SEC. 8017. None of the funds available to the Depart-*
4 *ment of Defense may be used to demilitarize or dispose of*
5 *M-1 Carbines, M-1 Garand rifles, M-14 rifles, .22 caliber*
6 *rifles, .30 caliber rifles, or M-1911 pistols, or to demili-*
7 *tarize or destroy small arms ammunition or ammunition*
8 *components that are not otherwise prohibited from commer-*
9 *cial sale under Federal law, unless the small arms ammuni-*
10 *tion or ammunition components are certified by the Sec-*
11 *retary of the Army or designee as unserviceable or unsafe*
12 *for further use.*

13 *SEC. 8018. No more than \$500,000 of the funds appro-*
14 *priated or made available in this Act shall be used during*
15 *a single fiscal year for any single relocation of an organiza-*
16 *tion, unit, activity or function of the Department of Defense*
17 *into or within the National Capital Region: Provided, That*
18 *the Secretary of Defense may waive this restriction on a*
19 *case-by-case basis by certifying in writing to the congres-*
20 *sional defense committees that such a relocation is required*
21 *in the best interest of the Government.*

22 *SEC. 8019. Of the funds made available in this Act,*
23 *\$20,000,000 shall be available for incentive payments au-*
24 *thorized by section 504 of the Indian Financing Act of 1974*
25 *(25 U.S.C. 1544): Provided, That a prime contractor or a*

1 *subcontractor at any tier that makes a subcontract award*
2 *to any subcontractor or supplier as defined in section 1544*
3 *of title 25, United States Code, or a small business owned*
4 *and controlled by an individual or individuals defined*
5 *under section 4221(9) of title 25, United States Code, shall*
6 *be considered a contractor for the purposes of being allowed*
7 *additional compensation under section 504 of the Indian*
8 *Financing Act of 1974 (25 U.S.C. 1544) whenever the*
9 *prime contract or subcontract amount is over \$500,000 and*
10 *involves the expenditure of funds appropriated by an Act*
11 *making appropriations for the Department of Defense with*
12 *respect to any fiscal year: Provided further, That notwith-*
13 *standing section 1906 of title 41, United States Code, this*
14 *section shall be applicable to any Department of Defense*
15 *acquisition of supplies or services, including any contract*
16 *and any subcontract at any tier for acquisition of commer-*
17 *cial items produced or manufactured, in whole or in part,*
18 *by any subcontractor or supplier defined in section 1544*
19 *of title 25, United States Code, or a small business owned*
20 *and controlled by an individual or individuals defined*
21 *under section 4221(9) of title 25, United States Code.*

22 *SEC. 8020. Funds appropriated by this Act for the De-*
23 *fense Media Activity shall not be used for any national or*
24 *international political or psychological activities.*

1 *SEC. 8021. During the current fiscal year, the Depart-*
2 *ment of Defense is authorized to incur obligations of not*
3 *to exceed \$350,000,000 for purposes specified in section*
4 *2350j(c) of title 10, United States Code, in anticipation of*
5 *receipt of contributions, only from the Government of Ku-*
6 *wait, under that section: Provided, That, upon receipt, such*
7 *contributions from the Government of Kuwait shall be cred-*
8 *ited to the appropriations or fund which incurred such obli-*
9 *gations.*

10 *SEC. 8022. (a) Of the funds made available in this*
11 *Act, not less than \$43,100,000 shall be available for the*
12 *Civil Air Patrol Corporation, of which—*

13 (1) *\$30,800,000 shall be available from “Oper-*
14 *ation and Maintenance, Air Force” to support Civil*
15 *Air Patrol Corporation operation and maintenance,*
16 *readiness, counter-drug activities, and drug demand*
17 *reduction activities involving youth programs;*

18 (2) *\$10,600,000 shall be available from “Aircraft*
19 *Procurement, Air Force”;* and

20 (3) *\$1,700,000 shall be available from “Other*
21 *Procurement, Air Force” for vehicle procurement.*

22 (b) *The Secretary of the Air Force should waive reim-*
23 *bursement for any funds used by the Civil Air Patrol for*
24 *counter-drug activities in support of Federal, State, and*
25 *local government agencies.*

1 *SEC. 8023. (a) None of the funds appropriated in this*
2 *Act are available to establish a new Department of Defense*
3 *(department) federally funded research and development*
4 *center (FFRDC), either as a new entity, or as a separate*
5 *entity administrated by an organization managing another*
6 *FFRDC, or as a nonprofit membership corporation con-*
7 *sisting of a consortium of other FFRDCs and other non-*
8 *profit entities.*

9 *(b) No member of a Board of Directors, Trustees, Over-*
10 *seers, Advisory Group, Special Issues Panel, Visiting Com-*
11 *mittee, or any similar entity of a defense FFRDC, and no*
12 *paid consultant to any defense FFRDC, except when acting*
13 *in a technical advisory capacity, may be compensated for*
14 *his or her services as a member of such entity, or as a paid*
15 *consultant by more than one FFRDC in a fiscal year: Pro-*
16 *vided, That a member of any such entity referred to pre-*
17 *viously in this subsection shall be allowed travel expenses*
18 *and per diem as authorized under the Federal Joint Travel*
19 *Regulations, when engaged in the performance of member-*
20 *ship duties.*

21 *(c) Notwithstanding any other provision of law, none*
22 *of the funds available to the department from any source*
23 *during the current fiscal year may be used by a defense*
24 *FFRDC, through a fee or other payment mechanism, for*
25 *construction of new buildings not located on a military in-*

1 stallation, for payment of cost sharing for projects funded
2 by Government grants, for absorption of contract overruns,
3 or for certain charitable contributions, not to include em-
4 ployee participation in community service and/or develop-
5 ment.

6 (d) Notwithstanding any other provision of law, of the
7 funds available to the department during fiscal year 2018,
8 not more than 6,000 staff years of technical effort (staff
9 years) may be funded for defense FFRDCs: Provided, That,
10 of the specific amount referred to previously in this sub-
11 section, not more than 1,180 staff years may be funded for
12 the defense studies and analysis FFRDCs: Provided further,
13 That this subsection shall not apply to staff years funded
14 in the National Intelligence Program (NIP) and the Mili-
15 tary Intelligence Program (MIP).

16 (e) The Secretary of Defense shall, with the submission
17 of the department's fiscal year 2019 budget request, submit
18 a report presenting the specific amounts of staff years of
19 technical effort to be allocated for each defense FFRDC dur-
20 ing that fiscal year and the associated budget estimates.

21 (f) Notwithstanding any other provision of this Act,
22 the total amount appropriated in this Act for FFRDCs is
23 hereby reduced by \$210,000,000.

24 SEC. 8024. None of the funds appropriated or made
25 available in this Act shall be used to procure carbon, alloy,

1 *or armor steel plate for use in any Government-owned facil-*
2 *ity or property under the control of the Department of De-*
3 *fense which were not melted and rolled in the United States*
4 *or Canada: Provided, That these procurement restrictions*
5 *shall apply to any and all Federal Supply Class 9515,*
6 *American Society of Testing and Materials (ASTM) or*
7 *American Iron and Steel Institute (AISI) specifications of*
8 *carbon, alloy or armor steel plate: Provided further, That*
9 *the Secretary of the military department responsible for the*
10 *procurement may waive this restriction on a case-by-case*
11 *basis by certifying in writing to the Committees on Appro-*
12 *priations of the House of Representatives and the Senate*
13 *that adequate domestic supplies are not available to meet*
14 *Department of Defense requirements on a timely basis and*
15 *that such an acquisition must be made in order to acquire*
16 *capability for national security purposes: Provided further,*
17 *That these restrictions shall not apply to contracts which*
18 *are in being as of the date of the enactment of this Act.*

19 *SEC. 8025. For the purposes of this Act, the term “con-*
20 *gressional defense committees” means the Armed Services*
21 *Committee of the House of Representatives, the Armed Serv-*
22 *ices Committee of the Senate, the Subcommittee on Defense*
23 *of the Committee on Appropriations of the Senate, and the*
24 *Subcommittee on Defense of the Committee on Appropria-*
25 *tions of the House of Representatives.*

1 *SEC. 8026. During the current fiscal year, the Depart-*
2 *ment of Defense may acquire the modification, depot main-*
3 *tenance and repair of aircraft, vehicles and vessels as well*
4 *as the production of components and other Defense-related*
5 *articles, through competition between Department of De-*
6 *fense depot maintenance activities and private firms: Pro-*
7 *vided, That the Senior Acquisition Executive of the military*
8 *department or Defense Agency concerned, with power of del-*
9 *egation, shall certify that successful bids include comparable*
10 *estimates of all direct and indirect costs for both public and*
11 *private bids: Provided further, That Office of Management*
12 *and Budget Circular A-76 shall not apply to competitions*
13 *conducted under this section.*

14 *SEC. 8027. (a)(1) If the Secretary of Defense, after con-*
15 *sultation with the United States Trade Representative, de-*
16 *termines that a foreign country which is party to an agree-*
17 *ment described in paragraph (2) has violated the terms of*
18 *the agreement by discriminating against certain types of*
19 *products produced in the United States that are covered by*
20 *the agreement, the Secretary of Defense shall rescind the*
21 *Secretary's blanket waiver of the Buy American Act with*
22 *respect to such types of products produced in that foreign*
23 *country.*

24 *(2) An agreement referred to in paragraph (1) is any*
25 *reciprocal defense procurement memorandum of under-*

1 *standing, between the United States and a foreign country*
2 *pursuant to which the Secretary of Defense has prospec-*
3 *tively waived the Buy American Act for certain products*
4 *in that country.*

5 *(b) The Secretary of Defense shall submit to the Con-*
6 *gress a report on the amount of Department of Defense pur-*
7 *chases from foreign entities in fiscal year 2018. Such report*
8 *shall separately indicate the dollar value of items for which*
9 *the Buy American Act was waived pursuant to any agree-*
10 *ment described in subsection (a)(2), the Trade Agreement*
11 *Act of 1979 (19 U.S.C. 2501 et seq.), or any international*
12 *agreement to which the United States is a party.*

13 *(c) For purposes of this section, the term Buy Amer-*
14 *ican Act means chapter 83 of title 41, United States Code.*

15 *SEC. 8028. During the current fiscal year, amounts*
16 *contained in the Department of Defense Overseas Military*
17 *Facility Investment Recovery Account established by section*
18 *2921(c)(1) of the National Defense Authorization Act of*
19 *1991 (Public Law 101–510; 10 U.S.C. 2687 note) shall be*
20 *available until expended for the payments specified by sec-*
21 *tion 2921(c)(2) of that Act.*

22 *SEC. 8029. (a) Notwithstanding any other provision*
23 *of law, the Secretary of the Air Force may convey at no*
24 *cost to the Air Force, without consideration, to Indian*
25 *tribes located in the States of Nevada, Idaho, North Dakota,*

1 *South Dakota, Montana, Oregon, Minnesota, and Wash-*
2 *ington relocatable military housing units located at Grand*
3 *Forks Air Force Base, Malmstrom Air Force Base, Moun-*
4 *tain Home Air Force Base, Ellsworth Air Force Base, and*
5 *Minot Air Force Base that are excess to the needs of the*
6 *Air Force.*

7 **(b)** *The Secretary of the Air Force shall convey, at no*
8 *cost to the Air Force, military housing units under sub-*
9 *section (a) in accordance with the request for such units*
10 *that are submitted to the Secretary by the Operation Walk-*
11 *ing Shield Program on behalf of Indian tribes located in*
12 *the States of Nevada, Idaho, North Dakota, South Dakota,*
13 *Montana, Oregon, Minnesota, and Washington. Any such*
14 *conveyance shall be subject to the condition that the housing*
15 *units shall be removed within a reasonable period of time,*
16 *as determined by the Secretary.*

17 **(c)** *The Operation Walking Shield Program shall re-*
18 *solve any conflicts among requests of Indian tribes for hous-*
19 *ing units under subsection (a) before submitting requests*
20 *to the Secretary of the Air Force under subsection (b).*

21 **(d)** *In this section, the term Indian tribe means any*
22 *recognized Indian tribe included on the current list pub-*
23 *lished by the Secretary of the Interior under section 104*
24 *of the Federally Recognized Indian Tribe Act of 1994 (Pub-*
25 *lic Law 103–454; 108 Stat. 4792; 25 U.S.C. 479a–1).*

1 *SEC. 8030. During the current fiscal year, appropri-*
2 *ations which are available to the Department of Defense for*
3 *operation and maintenance may be used to purchase items*
4 *having an investment item unit cost of not more than*
5 *\$250,000.*

6 *SEC. 8031. None of the funds made available by this*
7 *Act may be used to—*

8 (1) *disestablish, or prepare to disestablish, a*
9 *Senior Reserve Officers' Training Corps program in*
10 *accordance with Department of Defense Instruction*
11 *Number 1215.08, dated June 26, 2006; or*

12 (2) *close, downgrade from host to extension cen-*
13 *ter, or place on probation a Senior Reserve Officers'*
14 *Training Corps program in accordance with the in-*
15 *formation paper of the Department of the Army titled*
16 *“Army Senior Reserve Officers' Training Corps*
17 *(SROTC) Program Review and Criteria”, dated Jan-*
18 *uary 27, 2014.*

19 *SEC. 8032. The Secretary of Defense shall issue regula-*
20 *tions to prohibit the sale of any tobacco or tobacco-related*
21 *products in military resale outlets in the United States, its*
22 *territories and possessions at a price below the most com-*
23 *petitive price in the local community: Provided, That such*
24 *regulations shall direct that the prices of tobacco or tobacco-*
25 *related products in overseas military retail outlets shall be*

1 *within the range of prices established for military retail*
2 *system stores located in the United States.*

3 *SEC. 8033. (a) During the current fiscal year, none*
4 *of the appropriations or funds available to the Department*
5 *of Defense Working Capital Funds shall be used for the pur-*
6 *chase of an investment item for the purpose of acquiring*
7 *a new inventory item for sale or anticipated sale during*
8 *the current fiscal year or a subsequent fiscal year to cus-*
9 *tomers of the Department of Defense Working Capital*
10 *Funds if such an item would not have been chargeable to*
11 *the Department of Defense Business Operations Fund dur-*
12 *ing fiscal year 1994 and if the purchase of such an invest-*
13 *ment item would be chargeable during the current fiscal*
14 *year to appropriations made to the Department of Defense*
15 *for procurement.*

16 *(b) The fiscal year 2019 budget request for the Depart-*
17 *ment of Defense as well as all justification material and*
18 *other documentation supporting the fiscal year 2019 De-*
19 *partment of Defense budget shall be prepared and submitted*
20 *to the Congress on the basis that any equipment which was*
21 *classified as an end item and funded in a procurement ap-*
22 *propriation contained in this Act shall be budgeted for in*
23 *a proposed fiscal year 2019 procurement appropriation and*
24 *not in the supply management business area or any other*

1 *area or category of the Department of Defense Working*
2 *Capital Funds.*

3 *SEC. 8034. None of the funds appropriated by this Act*
4 *for programs of the Central Intelligence Agency shall re-*
5 *main available for obligation beyond the current fiscal year,*
6 *except for funds appropriated for the Reserve for Contin-*
7 *gencies, which shall remain available until September 30,*
8 *2019: Provided, That funds appropriated, transferred, or*
9 *otherwise credited to the Central Intelligence Agency Cen-*
10 *tral Services Working Capital Fund during this or any*
11 *prior or subsequent fiscal year shall remain available until*
12 *expended: Provided further, That any funds appropriated*
13 *or transferred to the Central Intelligence Agency for ad-*
14 *vanced research and development acquisition, for agent op-*
15 *erations, and for covert action programs authorized by the*
16 *President under section 503 of the National Security Act*
17 *of 1947 (50 U.S.C. 3093) shall remain available until Sep-*
18 *tember 30, 2019.*

19 *SEC. 8035. Notwithstanding any other provision of*
20 *law, funds made available in this Act and hereafter for the*
21 *Defense Intelligence Agency may be used for the design, de-*
22 *velopment, and deployment of General Defense Intelligence*
23 *Program intelligence communications and intelligence in-*
24 *formation systems for the Services, the Unified and Specifi-*
25 *ed Commands, and the component commands.*

1 *SEC. 8036. Of the funds appropriated to the Depart-*
2 *ment of Defense under the heading “Operation and Mainte-*
3 *nance, Defense-Wide”, not less than \$12,000,000 shall be*
4 *made available only for the mitigation of environmental*
5 *impacts, including training and technical assistance to*
6 *tribes, related administrative support, the gathering of in-*
7 *formation, documenting of environmental damage, and de-*
8 *veloping a system for prioritization of mitigation and cost*
9 *to complete estimates for mitigation, on Indian lands re-*
10 *sulting from Department of Defense activities.*

11 *SEC. 8037. (a) None of the funds appropriated in this*
12 *Act may be expended by an entity of the Department of*
13 *Defense unless the entity, in expending the funds, complies*
14 *with the Buy American Act. For purposes of this subsection,*
15 *the term Buy American Act means chapter 83 of title 41,*
16 *United States Code.*

17 *(b) If the Secretary of Defense determines that a person*
18 *has been convicted of intentionally affixing a label bearing*
19 *a “Made in America” inscription to any product sold in*
20 *or shipped to the United States that is not made in Amer-*
21 *ica, the Secretary shall determine, in accordance with sec-*
22 *tion 2410f of title 10, United States Code, whether the per-*
23 *son should be debarred from contracting with the Depart-*
24 *ment of Defense.*

1 (c) *In the case of any equipment or products purchased*
2 *with appropriations provided under this Act, it is the sense*
3 *of the Congress that any entity of the Department of De-*
4 *fense, in expending the appropriation, purchase only Amer-*
5 *ican-made equipment and products, provided that Amer-*
6 *ican-made equipment and products are cost-competitive,*
7 *quality competitive, and available in a timely fashion.*

8 SEC. 8038. (a) *Except as provided in subsections (b)*
9 *and (c), none of the funds made available by this Act may*
10 *be used—*

11 (1) *to establish a field operating agency; or*

12 (2) *to pay the basic pay of a member of the*
13 *Armed Forces or civilian employee of the department*
14 *who is transferred or reassigned from a headquarters*
15 *activity if the member or employee's place of duty re-*
16 *mains at the location of that headquarters.*

17 (b) *The Secretary of Defense or Secretary of a military*
18 *department may waive the limitations in subsection (a),*
19 *on a case-by-case basis, if the Secretary determines, and cer-*
20 *tifies to the Committees on Appropriations of the House of*
21 *Representatives and the Senate that the granting of the*
22 *waiver will reduce the personnel requirements or the finan-*
23 *cial requirements of the department.*

24 (c) *This section does not apply to—*

1 (1) *field operating agencies funded within the*
2 *National Intelligence Program;*

3 (2) *an Army field operating agency established*
4 *to eliminate, mitigate, or counter the effects of impro-*
5 *vised explosive devices, and, as determined by the Sec-*
6 *retary of the Army, other similar threats;*

7 (3) *an Army field operating agency established*
8 *to improve the effectiveness and efficiencies of biomet-*
9 *ric activities and to integrate common biometric tech-*
10 *nologies throughout the Department of Defense; or*

11 (4) *an Air Force field operating agency estab-*
12 *lished to administer the Air Force Mortuary Affairs*
13 *Program and Mortuary Operations for the Depart-*
14 *ment of Defense and authorized Federal entities.*

15 SEC. 8039. (a) *None of the funds appropriated by this*
16 *Act shall be available to convert to contractor performance*
17 *an activity or function of the Department of Defense that,*
18 *on or after the date of the enactment of this Act, is per-*
19 *formed by Department of Defense civilian employees un-*
20 *less—*

21 (1) *the conversion is based on the result of a pub-*
22 *lic-private competition that includes a most efficient*
23 *and cost effective organization plan developed by such*
24 *activity or function;*

1 (2) *the Competitive Sourcing Official determines*
2 *that, over all performance periods stated in the solici-*
3 *tation of offers for performance of the activity or*
4 *function, the cost of performance of the activity or*
5 *function by a contractor would be less costly to the*
6 *Department of Defense by an amount that equals or*
7 *exceeds the lesser of—*

8 (A) *10 percent of the most efficient organi-*
9 *zation's personnel-related costs for performance*
10 *of that activity or function by Federal employ-*
11 *ees; or*

12 (B) *\$10,000,000; and*

13 (3) *the contractor does not receive an advantage*
14 *for a proposal that would reduce costs for the Depart-*
15 *ment of Defense by—*

16 (A) *not making an employer-sponsored*
17 *health insurance plan available to the workers*
18 *who are to be employed in the performance of*
19 *that activity or function under the contract; or*

20 (B) *offering to such workers an employer-*
21 *sponsored health benefits plan that requires the*
22 *employer to contribute less towards the premium*
23 *or subscription share than the amount that is*
24 *paid by the Department of Defense for health*

1 *benefits for civilian employees under chapter 89*
2 *of title 5, United States Code.*

3 **(b)(1)** *The Department of Defense, without regard to*
4 *subsection (a) of this section or subsection (a), (b), or (c)*
5 *of section 2461 of title 10, United States Code, and notwith-*
6 *standing any administrative regulation, requirement, or*
7 *policy to the contrary shall have full authority to enter into*
8 *a contract for the performance of any commercial or indus-*
9 *trial type function of the Department of Defense that—*

10 **(A)** *is included on the procurement list estab-*
11 *lished pursuant to section 2 of the Javits-Wagner-*
12 *O'Day Act (section 8503 of title 41, United States*
13 *Code);*

14 **(B)** *is planned to be converted to performance by*
15 *a qualified nonprofit agency for the blind or by a*
16 *qualified nonprofit agency for other severely handi-*
17 *capped individuals in accordance with that Act; or*

18 **(C)** *is planned to be converted to performance by*
19 *a qualified firm under at least 51 percent ownership*
20 *by an Indian tribe, as defined in section 4(e) of the*
21 *Indian Self-Determination and Education Assistance*
22 *Act (25 U.S.C. 450b(e)), or a Native Hawaiian Orga-*
23 *nization, as defined in section 8(a)(15) of the Small*
24 *Business Act (15 U.S.C. 637(a)(15)).*

1 *“Aircraft Procurement, Air Force”*, 2016/2018,
2 \$82,700,000;

3 *“Missile Procurement, Army”*, 2017/2019,
4 \$19,319,000;

5 *“Procurement of Weapons and Tracked Combat*
6 *Vehicles, Army”*, 2017/2019, \$9,764,000;

7 *“Other Procurement, Army”*, 2017/2019,
8 \$10,000,000;

9 *“Aircraft Procurement, Navy”*, 2017/2019,
10 \$105,600,000;

11 *“Weapons Procurement, Navy”*, 2017/2019,
12 \$54,122,000;

13 *“Shipbuilding and Conversion, Navy”*, 2017/
14 2021, \$45,116,000;

15 *“Aircraft Procurement, Air Force”*, 2017/2019,
16 \$63,293,000;

17 *“Missile Procurement, Air Force”*, 2017/2019,
18 \$31,639,000;

19 *“Space Procurement, Air Force”*, 2017/2019,
20 \$15,000,000;

21 *“Other Procurement, Air Force”*, 2017/2019,
22 \$105,000,000;

23 *“Research, Development, Test and Evaluation,*
24 *Navy”*, 2017/2018, \$34,128,000;

1 *“Research, Development, Test and Evaluation,*
2 *Air Force”*, 2017/2018, \$41,700,000.

3 *SEC. 8041. None of the funds available in this Act may*
4 *be used to reduce the authorized positions for military tech-*
5 *nicians (dual status) of the Army National Guard, Air Na-*
6 *tional Guard, Army Reserve and Air Force Reserve for the*
7 *purpose of applying any administratively imposed civilian*
8 *personnel ceiling, freeze, or reduction on military techni-*
9 *cians (dual status), unless such reductions are a direct re-*
10 *sult of a reduction in military force structure.*

11 *SEC. 8042. None of the funds appropriated or other-*
12 *wise made available in this Act may be obligated or ex-*
13 *pended for assistance to the Democratic People’s Republic*
14 *of Korea unless specifically appropriated for that purpose.*

15 *SEC. 8043. Funds appropriated in this Act for oper-*
16 *ation and maintenance of the Military Departments, Com-*
17 *batant Commands and Defense Agencies shall be available*
18 *for reimbursement of pay, allowances and other expenses*
19 *which would otherwise be incurred against appropriations*
20 *for the National Guard and Reserve when members of the*
21 *National Guard and Reserve provide intelligence or coun-*
22 *terintelligence support to Combatant Commands, Defense*
23 *Agencies and Joint Intelligence Activities, including the ac-*
24 *tivities and programs included within the National Intel-*
25 *ligence Program and the Military Intelligence Program:*

1 *Provided, That nothing in this section authorizes deviation*
2 *from established Reserve and National Guard personnel and*
3 *training procedures.*

4 *SEC. 8044. (a) None of the funds available to the De-*
5 *partment of Defense for any fiscal year for drug interdic-*
6 *tion or counter-drug activities may be transferred to any*
7 *other department or agency of the United States except as*
8 *specifically provided in an appropriations law.*

9 *(b) None of the funds available to the Central Intel-*
10 *ligence Agency for any fiscal year for drug interdiction or*
11 *counter-drug activities may be transferred to any other de-*
12 *partment or agency of the United States except as specifi-*
13 *cally provided in an appropriations law.*

14 *SEC. 8045. None of the funds appropriated by this Act*
15 *may be used for the procurement of ball and roller bearings*
16 *other than those produced by a domestic source and of do-*
17 *mestic origin: Provided, That the Secretary of the military*
18 *department responsible for such procurement may waive*
19 *this restriction on a case-by-case basis by certifying in writ-*
20 *ing to the Committees on Appropriations of the House of*
21 *Representatives and the Senate, that adequate domestic*
22 *supplies are not available to meet Department of Defense*
23 *requirements on a timely basis and that such an acquisition*
24 *must be made in order to acquire capability for national*
25 *security purposes: Provided further, That this restriction*

1 shall not apply to the purchase of “commercial items”, as
2 defined by section 103 of title 41, United States Code, except
3 that the restriction shall apply to ball or roller bearings
4 purchased as end items.

5 *SEC. 8046. None of the funds made available by this*
6 *Act for Evolved Expendable Launch Vehicle service competi-*
7 *tive procurements may be used unless the competitive pro-*
8 *curements are open for award to all certified providers of*
9 *Evolved Expendable Launch Vehicle-class systems: Pro-*
10 *vided, That the award shall be made to the provider that*
11 *offers the best value to the government.*

12 *SEC. 8047. In addition to the amounts appropriated*
13 *or otherwise made available elsewhere in this Act,*
14 *\$44,000,000 is hereby appropriated to the Department of*
15 *Defense: Provided, That upon the determination of the Sec-*
16 *retary of Defense that it shall serve the national interest,*
17 *the Secretary shall make grants in the amounts specified*
18 *as follows: \$20,000,000 to the United Service Organizations*
19 *and \$24,000,000 to the Red Cross.*

20 *SEC. 8048. None of the funds in this Act may be used*
21 *to purchase any supercomputer which is not manufactured*
22 *in the United States, unless the Secretary of Defense cer-*
23 *tifies to the congressional defense committees that such an*
24 *acquisition must be made in order to acquire capability for*

1 *national security purposes that is not available from*
2 *United States manufacturers.*

3 *SEC. 8049. Notwithstanding any other provision in*
4 *this Act, the Small Business Innovation Research program*
5 *and the Small Business Technology Transfer program set-*
6 *asides shall be taken proportionally from all programs,*
7 *projects, or activities to the extent they contribute to the*
8 *extramural budget.*

9 *SEC. 8050. None of the funds available to the Depart-*
10 *ment of Defense under this Act shall be obligated or ex-*
11 *pended to pay a contractor under a contract with the De-*
12 *partment of Defense for costs of any amount paid by the*
13 *contractor to an employee when—*

14 *(1) such costs are for a bonus or otherwise in ex-*
15 *cess of the normal salary paid by the contractor to the*
16 *employee; and*

17 *(2) such bonus is part of restructuring costs asso-*
18 *ciated with a business combination.*

19 *(INCLUDING TRANSFER OF FUNDS)*

20 *SEC. 8051. During the current fiscal year, no more*
21 *than \$30,000,000 of appropriations made in this Act under*
22 *the heading “Operation and Maintenance, Defense-Wide”*
23 *may be transferred to appropriations available for the pay*
24 *of military personnel, to be merged with, and to be available*
25 *for the same time period as the appropriations to which*

1 transferred, to be used in support of such personnel in con-
2 nection with support and services for eligible organizations
3 and activities outside the Department of Defense pursuant
4 to section 2012 of title 10, United States Code.

5 *SEC. 8052. During the current fiscal year, in the case*
6 *of an appropriation account of the Department of Defense*
7 *for which the period of availability for obligation has ex-*
8 *pired or which has closed under the provisions of section*
9 *1552 of title 31, United States Code, and which has a nega-*
10 *tive unliquidated or unexpended balance, an obligation or*
11 *an adjustment of an obligation may be charged to any cur-*
12 *rent appropriation account for the same purpose as the ex-*
13 *pired or closed account if—*

14 (1) *the obligation would have been properly*
15 *chargeable (except as to amount) to the expired or*
16 *closed account before the end of the period of avail-*
17 *ability or closing of that account;*

18 (2) *the obligation is not otherwise properly*
19 *chargeable to any current appropriation account of*
20 *the Department of Defense; and*

21 (3) *in the case of an expired account, the obliga-*
22 *tion is not chargeable to a current appropriation of*
23 *the Department of Defense under the provisions of sec-*
24 *tion 1405(b)(8) of the National Defense Authorization*
25 *Act for Fiscal Year 1991, Public Law 101-510, as*

1 *amended (31 U.S.C. 1551 note): Provided, That in*
2 *the case of an expired account, if subsequent review*
3 *or investigation discloses that there was not in fact a*
4 *negative unliquidated or unexpended balance in the*
5 *account, any charge to a current account under the*
6 *authority of this section shall be reversed and re-*
7 *corded against the expired account: Provided further,*
8 *That the total amount charged to a current appro-*
9 *priation under this section may not exceed an*
10 *amount equal to 1 percent of the total appropriation*
11 *for that account.*

12 *SEC. 8053. (a) Notwithstanding any other provision*
13 *of law, the Chief of the National Guard Bureau may permit*
14 *the use of equipment of the National Guard Distance Learn-*
15 *ing Project by any person or entity on a space-available,*
16 *reimbursable basis. The Chief of the National Guard Bu-*
17 *reau shall establish the amount of reimbursement for such*
18 *use on a case-by-case basis.*

19 *(b) Amounts collected under subsection (a) shall be*
20 *credited to funds available for the National Guard Distance*
21 *Learning Project and be available to defray the costs associ-*
22 *ated with the use of equipment of the project under that*
23 *subsection. Such funds shall be available for such purposes*
24 *without fiscal year limitation.*

1 *SEC. 8054. None of the funds available to the Depart-*
2 *ment of Defense may be obligated to modify command and*
3 *control relationships to give Fleet Forces Command oper-*
4 *ational and administrative control of United States Navy*
5 *forces assigned to the Pacific fleet: Provided, That the com-*
6 *mand and control relationships which existed on October*
7 *1, 2004, shall remain in force until a written modification*
8 *has been proposed to the House and Senate Appropriations*
9 *Committees: Provided further, That the proposed modifica-*
10 *tion may be implemented 30 days after the notification un-*
11 *less an objection is received from either the House or Senate*
12 *Appropriations Committees: Provided further, That any*
13 *proposed modification shall not preclude the ability of the*
14 *commander of United States Pacific Command to meet*
15 *operational requirements.*

16 *(INCLUDING TRANSFER OF FUNDS)*

17 *SEC. 8055. Of the funds appropriated in this Act*
18 *under the heading “Operation and Maintenance, Defense-*
19 *Wide”, \$25,000,000 (increased by \$10,000,000) shall be for*
20 *continued implementation and expansion of the Sexual As-*
21 *sault Special Victims’ Counsel Program: Provided, That the*
22 *funds are made available for transfer to the Department*
23 *of the Army, the Department of the Navy, and the Depart-*
24 *ment of the Air Force: Provided further, That funds trans-*
25 *ferred shall be merged with and available for the same pur-*

1 *poses and for the same time period as the appropriations*
2 *to which the funds are transferred: Provided further, That*
3 *this transfer authority is in addition to any other transfer*
4 *authority provided in this Act.*

5 *SEC. 8056. None of the funds appropriated in title IV*
6 *of this Act may be used to procure end-items for delivery*
7 *to military forces for operational training, operational use*
8 *or inventory requirements: Provided, That this restriction*
9 *does not apply to end-items used in development, proto-*
10 *typing, and test activities preceding and leading to accept-*
11 *ance for operational use: Provided further, That this restric-*
12 *tion does not apply to programs funded within the National*
13 *Intelligence Program: Provided further, That the Secretary*
14 *of Defense may waive this restriction on a case-by-case basis*
15 *by certifying in writing to the Committees on Appropria-*
16 *tions of the House of Representatives and the Senate that*
17 *it is in the national security interest to do so.*

18 *SEC. 8057. (a) The Secretary of Defense may, on a*
19 *case-by-case basis, waive with respect to a foreign country*
20 *each limitation on the procurement of defense items from*
21 *foreign sources provided in law if the Secretary determines*
22 *that the application of the limitation with respect to that*
23 *country would invalidate cooperative programs entered into*
24 *between the Department of Defense and the foreign country,*
25 *or would invalidate reciprocal trade agreements for the pro-*

1 *curement of defense items entered into under section 2531*
2 *of title 10, United States Code, and the country does not*
3 *discriminate against the same or similar defense items pro-*
4 *duced in the United States for that country.*

5 *(b) Subsection (a) applies with respect to—*

6 *(1) contracts and subcontracts entered into on or*
7 *after the date of the enactment of this Act; and*

8 *(2) options for the procurement of items that are*
9 *exercised after such date under contracts that are en-*
10 *tered into before such date if the option prices are ad-*
11 *justed for any reason other than the application of a*
12 *waiver granted under subsection (a).*

13 *(c) Subsection (a) does not apply to a limitation re-*
14 *garding construction of public vessels, ball and roller bear-*
15 *ings, food, and clothing or textile materials as defined by*
16 *section XI (chapters 50–65) of the Harmonized Tariff*
17 *Schedule of the United States and products classified under*
18 *headings 4010, 4202, 4203, 6401 through 6406, 6505, 7019,*
19 *7218 through 7229, 7304.41 through 7304.49, 7306.40, 7502*
20 *through 7508, 8105, 8108, 8109, 8211, 8215, and 9404.*

21 *SEC. 8058. None of the funds appropriated or other-*
22 *wise made available by this or other Department of Defense*
23 *Appropriations Acts may be obligated or expended for the*
24 *purpose of performing repairs or maintenance to military*
25 *family housing units of the Department of Defense, includ-*

1 *ing areas in such military family housing units that may*
2 *be used for the purpose of conducting official Department*
3 *of Defense business.*

4 *SEC. 8059. Notwithstanding any other provision of*
5 *law, funds appropriated in this Act under the heading “Re-*
6 *search, Development, Test and Evaluation, Defense-Wide”*
7 *for any new start advanced concept technology demonstra-*
8 *tion project or joint capability demonstration project may*
9 *only be obligated 45 days after a report, including a de-*
10 *scription of the project, the planned acquisition and transi-*
11 *tion strategy and its estimated annual and total cost, has*
12 *been provided in writing to the congressional defense com-*
13 *mittees: Provided, That the Secretary of Defense may waive*
14 *this restriction on a case-by-case basis by certifying to the*
15 *congressional defense committees that it is in the national*
16 *interest to do so.*

17 *SEC. 8060. The Secretary of Defense shall continue to*
18 *provide a classified quarterly report to the House and Sen-*
19 *ate Appropriations Committees, Subcommittees on Defense*
20 *on certain matters as directed in the classified annex ac-*
21 *companying this Act.*

22 *SEC. 8061. Notwithstanding section 12310(b) of title*
23 *10, United States Code, a Reserve who is a member of the*
24 *National Guard serving on full-time National Guard duty*
25 *under section 502(f) of title 32, United States Code, may*

1 *perform duties in support of the ground-based elements of*
2 *the National Ballistic Missile Defense System.*

3 *SEC. 8062. None of the funds provided in this Act may*
4 *be used to transfer to any nongovernmental entity ammuni-*
5 *tion held by the Department of Defense that has a center-*
6 *fire cartridge and a United States military nomenclature*
7 *designation of “armor penetrator”, “armor piercing (AP)”,*
8 *“armor piercing incendiary (API)”, or “armor-piercing in-*
9 *cendiary tracer (API-T)”, except to an entity performing*
10 *demilitarization services for the Department of Defense*
11 *under a contract that requires the entity to demonstrate to*
12 *the satisfaction of the Department of Defense that armor*
13 *piercing projectiles are either:*

14 *(1) rendered incapable of reuse by the demili-*
15 *tarization process; or*

16 *(2) used to manufacture ammunition pursuant*
17 *to a contract with the Department of Defense or the*
18 *manufacture of ammunition for export pursuant to a*
19 *License for Permanent Export of Unclassified Mili-*
20 *tary Articles issued by the Department of State.*

21 *SEC. 8063. Notwithstanding any other provision of*
22 *law, the Chief of the National Guard Bureau, or his des-*
23 *ignee, may waive payment of all or part of the consider-*
24 *ation that otherwise would be required under section 2667*
25 *of title 10, United States Code, in the case of a lease of*

1 *personal property for a period not in excess of 1 year to*
2 *any organization specified in section 508(d) of title 32,*
3 *United States Code, or any other youth, social, or fraternal*
4 *nonprofit organization as may be approved by the Chief*
5 *of the National Guard Bureau, or his designee, on a case-*
6 *by-case basis.*

7 *(INCLUDING TRANSFER OF FUNDS)*

8 *SEC. 8064. Of the amounts appropriated in this Act*
9 *under the heading “Operation and Maintenance, Army”,*
10 *\$66,881,780 shall remain available until expended: Pro-*
11 *vided, That, notwithstanding any other provision of law,*
12 *the Secretary of Defense is authorized to transfer such funds*
13 *to other activities of the Federal Government: Provided fur-*
14 *ther, That the Secretary of Defense is authorized to enter*
15 *into and carry out contracts for the acquisition of real*
16 *property, construction, personal services, and operations re-*
17 *lated to projects carrying out the purposes of this section:*
18 *Provided further, That contracts entered into under the au-*
19 *thority of this section may provide for such indemnification*
20 *as the Secretary determines to be necessary: Provided fur-*
21 *ther, That projects authorized by this section shall comply*
22 *with applicable Federal, State, and local law to the max-*
23 *imum extent consistent with the national security, as deter-*
24 *mined by the Secretary of Defense.*

1 *SEC. 8065. (a) None of the funds appropriated in this*
2 *or any other Act may be used to take any action to mod-*
3 *ify—*

4 *(1) the appropriations account structure for the*
5 *National Intelligence Program budget, including*
6 *through the creation of a new appropriation or new*
7 *appropriation account;*

8 *(2) how the National Intelligence Program budg-*
9 *et request is presented in the unclassified P-1, R-1,*
10 *and O-1 documents supporting the Department of*
11 *Defense budget request;*

12 *(3) the process by which the National Intelligence*
13 *Program appropriations are apportioned to the exe-*
14 *cuting agencies; or*

15 *(4) the process by which the National Intelligence*
16 *Program appropriations are allotted, obligated and*
17 *disbursed.*

18 *(b) Nothing in section (a) shall be construed to prohibit*
19 *the merger of programs or changes to the National Intel-*
20 *ligence Program budget at or below the Expenditure Center*
21 *level, provided such change is otherwise in accordance with*
22 *paragraphs (a)(1)–(3).*

23 *(c) The Director of National Intelligence and the Sec-*
24 *retary of Defense may jointly, only for the purposes of*
25 *achieving auditable financial statements and improving fis-*

1 *cal reporting, study and develop detailed proposals for al-*
2 *ternative financial management processes. Such study shall*
3 *include a comprehensive counterintelligence risk assessment*
4 *to ensure that none of the alternative processes will ad-*
5 *versely affect counterintelligence.*

6 *(d) Upon development of the detailed proposals defined*
7 *under subsection (c), the Director of National Intelligence*
8 *and the Secretary of Defense shall—*

9 *(1) provide the proposed alternatives to all af-*
10 *ected agencies;*

11 *(2) receive certification from all affected agencies*
12 *attesting that the proposed alternatives will help*
13 *achieve auditability, improve fiscal reporting, and*
14 *will not adversely affect counterintelligence; and*

15 *(3) not later than 30 days after receiving all nec-*
16 *essary certifications under paragraph (2), present the*
17 *proposed alternatives and certifications to the con-*
18 *gressional defense and intelligence committees.*

19 *SEC. 8066. In addition to amounts provided elsewhere*
20 *in this Act, \$5,000,000 (increased by \$5,000,000) is hereby*
21 *appropriated to the Department of Defense, to remain*
22 *available for obligation until expended: Provided, That not-*
23 *withstanding any other provision of law, that upon the de-*
24 *termination of the Secretary of Defense that it shall serve*
25 *the national interest, these funds shall be available only for*

1 a grant to the Fisher House Foundation, Inc., only for the
2 construction and furnishing of additional Fisher Houses to
3 meet the needs of military family members when confronted
4 with the illness or hospitalization of an eligible military
5 beneficiary.

6 (INCLUDING TRANSFER OF FUNDS)

7 SEC. 8067. Of the amounts appropriated in this Act
8 under the headings “Procurement, Defense-Wide” and “Re-
9 search, Development, Test and Evaluation, Defense-Wide”,
10 \$705,800,000 shall be for the Israeli Cooperative Programs:
11 Provided, That of this amount, \$92,000,000 shall be for the
12 Secretary of Defense to provide to the Government of Israel
13 for the procurement of the Iron Dome defense system to
14 counter short-range rocket threats, subject to the U.S.-Israel
15 Iron Dome Procurement Agreement, as amended;
16 \$221,500,000 shall be for the Short Range Ballistic Missile
17 Defense (SRBMD) program, including cruise missile de-
18 fense research and development under the SRBMD pro-
19 gram, of which \$120,000,000 shall be for co-production ac-
20 tivities of SRBMD missiles in the United States and in
21 Israel to meet Israel’s defense requirements consistent with
22 each nation’s laws, regulations, and procedures, subject to
23 the U.S.-Israeli co-production agreement for SRBMD, as
24 amended; \$205,000,000 shall be for an upper-tier compo-
25 nent to the Israeli Missile Defense Architecture, of which

1 \$120,000,000 shall be for co-production activities of Arrow
2 3 Upper Tier missiles in the United States and in Israel
3 to meet Israel's defense requirements consistent with each
4 nation's laws, regulations, and procedures, subject to the
5 U.S.-Israeli co-production agreement for Arrow 3 Upper
6 Tier, as amended; \$105,000,000 shall be for testing of the
7 upper-tier component to the Israeli Missile Defense Archi-
8 tecture in the United States; and \$82,300,000 shall be for
9 the Arrow System Improvement Program including devel-
10 opment of a long range, ground and airborne, detection
11 suite: Provided further, That the transfer authority pro-
12 vided under this provision is in addition to any other
13 transfer authority contained in this Act.

14 (INCLUDING TRANSFER OF FUNDS)

15 SEC. 8068. Of the amounts appropriated in this Act
16 under the heading "Shipbuilding and Conversion, Navy",
17 \$117,542,000 shall be available until September 30, 2018,
18 to fund prior year shipbuilding cost increases: Provided,
19 That upon enactment of this Act, the Secretary of the Navy
20 shall transfer funds to the following appropriations in the
21 amounts specified: Provided further, That the amounts
22 transferred shall be merged with and be available for the
23 same purposes as the appropriations to which transferred
24 to:

1 (1) *Under the heading “Shipbuilding and Con-*
2 *version, Navy”, 2012/2018: Carrier Replacement Pro-*
3 *gram \$20,000,000;*

4 (2) *Under the heading “Shipbuilding and Con-*
5 *version, Navy”, 2008/2018: DDG–51 Destroyer*
6 *\$19,436,000;*

7 (3) *Under the heading “Shipbuilding and Con-*
8 *version, Navy”, 2012/2018: Littoral Combat Ship*
9 *\$6,394,000;*

10 (4) *Under the heading “Shipbuilding and Con-*
11 *version, Navy”, 2012/2018: LHA Replacement*
12 *\$14,200,000;*

13 (5) *Under the heading “Shipbuilding and Con-*
14 *version, Navy”, 2013/2018: DDG–51 Destroyer*
15 *\$31,941,000;*

16 (6) *Under the heading “Shipbuilding and Con-*
17 *version, Navy”, 2014/2018: Littoral Combat Ship*
18 *\$20,471,000; and*

19 (7) *Under the heading “Shipbuilding and Con-*
20 *version, Navy”, 2015/2018: LCAC \$5,100,000.*

21 *SEC. 8069. Funds appropriated by this Act, or made*
22 *available by the transfer of funds in this Act, for intelligence*
23 *activities are deemed to be specifically authorized by the*
24 *Congress for purposes of section 504 of the National Secu-*
25 *rity Act of 1947 (50 U.S.C. 3094) during fiscal year 2018*

1 *until the enactment of the Intelligence Authorization Act*
2 *for Fiscal Year 2018.*

3 *SEC. 8070. None of the funds provided in this Act shall*
4 *be available for obligation or expenditure through a re-*
5 *programming of funds that creates or initiates a new pro-*
6 *gram, project, or activity unless such program, project, or*
7 *activity must be undertaken immediately in the interest of*
8 *national security and only after written prior notification*
9 *to the congressional defense committees.*

10 *SEC. 8071. The budget of the President for fiscal year*
11 *2018 submitted to the Congress pursuant to section 1105*
12 *of title 31, United States Code, shall include separate budget*
13 *justification documents for costs of United States Armed*
14 *Forces' participation in contingency operations for the*
15 *Military Personnel accounts, the Operation and Mainte-*
16 *nance accounts, the Procurement accounts, and the Re-*
17 *search, Development, Test and Evaluation accounts: Pro-*
18 *vided, That these documents shall include a description of*
19 *the funding requested for each contingency operation, for*
20 *each military service, to include all Active and Reserve*
21 *components, and for each appropriations account: Provided*
22 *further, That these documents shall include estimated costs*
23 *for each element of expense or object class, a reconciliation*
24 *of increases and decreases for each contingency operation,*
25 *and programmatic data including, but not limited to, troop*

1 *strength for each Active and Reserve component, and esti-*
2 *mates of the major weapons systems deployed in support*
3 *of each contingency: Provided further, That these documents*
4 *shall include budget exhibits OP-5 and OP-32 (as defined*
5 *in the Department of Defense Financial Management Regu-*
6 *lation) for all contingency operations for the budget year*
7 *and the two preceding fiscal years.*

8 *SEC. 8072. None of the funds in this Act may be used*
9 *for research, development, test, evaluation, procurement or*
10 *deployment of nuclear armed interceptors of a missile de-*
11 *fense system.*

12 *SEC. 8073. Notwithstanding any other provision of*
13 *this Act, to reflect savings due to favorable foreign exchange*
14 *rates, the total amount appropriated in this Act is hereby*
15 *reduced by \$289,000,000.*

16 *SEC. 8074. None of the funds appropriated or made*
17 *available in this Act shall be used to reduce or disestablish*
18 *the operation of the 53rd Weather Reconnaissance Squad-*
19 *ron of the Air Force Reserve, if such action would reduce*
20 *the WC-130 Weather Reconnaissance mission below the lev-*
21 *els funded in this Act: Provided, That the Air Force shall*
22 *allow the 53rd Weather Reconnaissance Squadron to per-*
23 *form other missions in support of national defense require-*
24 *ments during the non-hurricane season.*

1 *SEC. 8075. None of the funds provided in this Act shall*
2 *be available for integration of foreign intelligence informa-*
3 *tion unless the information has been lawfully collected and*
4 *processed during the conduct of authorized foreign intel-*
5 *ligence activities: Provided, That information pertaining to*
6 *United States persons shall only be handled in accordance*
7 *with protections provided in the Fourth Amendment of the*
8 *United States Constitution as implemented through Execu-*
9 *tive Order No. 12333.*

10 *SEC. 8076. (a) None of the funds appropriated by this*
11 *Act may be used to transfer research and development, ac-*
12 *quisition, or other program authority relating to current*
13 *tactical unmanned aerial vehicles (TUAVs) from the Army.*

14 *(b) The Army shall retain responsibility for and oper-*
15 *ational control of the MQ-1C Gray Eagle Unmanned Aerial*
16 *Vehicle (UAV) in order to support the Secretary of Defense*
17 *in matters relating to the employment of unmanned aerial*
18 *vehicles.*

19 *SEC. 8077. None of the funds appropriated by this Act*
20 *for programs of the Office of the Director of National Intel-*
21 *ligence shall remain available for obligation beyond the cur-*
22 *rent fiscal year, except for funds appropriated for research*
23 *and technology, which shall remain available until Sep-*
24 *tember 30, 2019.*

1 *SEC. 8078. For purposes of section 1553(b) of title 31,*
2 *United States Code, any subdivision of appropriations*
3 *made in this Act under the heading “Shipbuilding and*
4 *Conversion, Navy” shall be considered to be for the same*
5 *purpose as any subdivision under the heading “Ship-*
6 *building and Conversion, Navy” appropriations in any*
7 *prior fiscal year, and the 1 percent limitation shall apply*
8 *to the total amount of the appropriation.*

9 *SEC. 8079. (a) Not later than 60 days after the date*
10 *of enactment of this Act, the Director of National Intel-*
11 *ligence shall submit a report to the congressional intel-*
12 *ligence committees to establish the baseline for application*
13 *of reprogramming and transfer authorities for fiscal year*
14 *2018: Provided, That the report shall include—*

15 *(1) a table for each appropriation with a sepa-*
16 *rate column to display the President’s budget request,*
17 *adjustments made by Congress, adjustments due to*
18 *enacted rescissions, if appropriate, and the fiscal year*
19 *enacted level;*

20 *(2) a delineation in the table for each appropria-*
21 *tion by Expenditure Center and project; and*

22 *(3) an identification of items of special congres-*
23 *sional interest.*

24 *(b) None of the funds provided for the National Intel-*
25 *ligence Program in this Act shall be available for re-*

1 *programming or transfer until the report identified in sub-*
2 *section (a) is submitted to the congressional intelligence*
3 *committees, unless the Director of National Intelligence cer-*
4 *tifies in writing to the congressional intelligence committees*
5 *that such reprogramming or transfer is necessary as an*
6 *emergency requirement.*

7 *SEC. 8080. None of the funds made available by this*
8 *Act may be used to eliminate, restructure, or realign Army*
9 *Contracting Command—New Jersey or make dispropor-*
10 *tionate personnel reductions at any Army Contracting*
11 *Command—New Jersey sites without 30-day prior notifica-*
12 *tion to the congressional defense committees.*

13 *(RESCISSION)*

14 *SEC. 8081. Of the unobligated balances available to the*
15 *Department of Defense, the following funds are permanently*
16 *rescinded from the following accounts and programs in the*
17 *specified amounts to reflect excess cash balances in the De-*
18 *partment of Defense Acquisition Workforce Development*
19 *Fund:*

20 *From “Department of Defense Acquisition Work-*
21 *force Development Fund, Defense”, \$10,000,000.*

22 *SEC. 8082. None of the funds made available by this*
23 *Act for excess defense articles, assistance under section 333*
24 *of title 10, United States Code, or peacekeeping operations*
25 *for the countries designated annually to be in violation of*

1 *the standards of the Child Soldiers Prevention Act of 2008*
2 *(Public Law 110–457; 22 U.S.C. 2370c–1) may be used to*
3 *support any military training or operation that includes*
4 *child soldiers, as defined by the Child Soldiers Prevention*
5 *Act of 2008, unless such assistance is otherwise permitted*
6 *under section 404 of the Child Soldiers Prevention Act of*
7 *2008.*

8 *SEC. 8083. (a) None of the funds provided for the Na-*
9 *tional Intelligence Program in this or any prior appropria-*
10 *tions Act shall be available for obligation or expenditure*
11 *through a reprogramming or transfer of funds in accord-*
12 *ance with section 102A(d) of the National Security Act of*
13 *1947 (50 U.S.C. 3024(d)) that—*

14 *(1) creates a new start effort;*

15 *(2) terminates a program with appropriated*
16 *funding of \$10,000,000 or more;*

17 *(3) transfers funding into or out of the National*
18 *Intelligence Program; or*

19 *(4) transfers funding between appropriations,*
20 *unless the congressional intelligence committees are*
21 *notified 30 days in advance of such reprogramming*
22 *of funds; this notification period may be reduced for*
23 *urgent national security requirements.*

24 *(b) None of the funds provided for the National Intel-*
25 *ligence Program in this or any prior appropriations Act*

1 *shall be available for obligation or expenditure through a*
2 *reprogramming or transfer of funds in accordance with sec-*
3 *tion 102A(d) of the National Security Act of 1947 (50*
4 *U.S.C. 3024(d)) that results in a cumulative increase or*
5 *decrease of the levels specified in the classified annex accom-*
6 *panying the Act unless the congressional intelligence com-*
7 *mittees are notified 30 days in advance of such reprogram-*
8 *ming of funds; this notification period may be reduced for*
9 *urgent national security requirements.*

10 *SEC. 8084. The Director of National Intelligence shall*
11 *submit to Congress each year, at or about the time that*
12 *the President's budget is submitted to Congress that year*
13 *under section 1105(a) of title 31, United States Code, a fu-*
14 *ture-years intelligence program (including associated an-*
15 *nexes) reflecting the estimated expenditures and proposed*
16 *appropriations included in that budget. Any such future-*
17 *years intelligence program shall cover the fiscal year with*
18 *respect to which the budget is submitted and at least the*
19 *four succeeding fiscal years.*

20 *SEC. 8085. For the purposes of this Act, the term "con-*
21 *gressional intelligence committees" means the Permanent*
22 *Select Committee on Intelligence of the House of Represent-*
23 *atives, the Select Committee on Intelligence of the Senate,*
24 *the Subcommittee on Defense of the Committee on Appro-*
25 *priations of the House of Representatives, and the Sub-*

1 *committee on Defense of the Committee on Appropriations*
2 *of the Senate.*

3 *(INCLUDING TRANSFER OF FUNDS)*

4 *SEC. 8086. During the current fiscal year, not to ex-*
5 *ceed \$11,000,000 from each of the appropriations made in*
6 *title II of this Act for “Operation and Maintenance, Army”,*
7 *“Operation and Maintenance, Navy”, and “Operation and*
8 *Maintenance, Air Force” may be transferred by the mili-*
9 *tary department concerned to its central fund established*
10 *for Fisher Houses and Suites pursuant to section 2493(d)*
11 *of title 10, United States Code.*

12 *(INCLUDING TRANSFER OF FUNDS)*

13 *SEC. 8087. Not to exceed \$500,000,000 appropriated*
14 *by this Act for operation and maintenance may be available*
15 *for the purpose of making remittances and transfer to the*
16 *Defense Acquisition Workforce Development Fund in ac-*
17 *cordance with section 1705 of title 10, United States Code.*

18 *SEC. 8088. (a) Any agency receiving funds made*
19 *available in this Act, shall, subject to subsections (b) and*
20 *(c), post on the public website of that agency any report*
21 *required to be submitted by the Congress in this or any*
22 *other Act, upon the determination by the head of the agency*
23 *that it shall serve the national interest.*

24 *(b) Subsection (a) shall not apply to a report if—*

1 (1) *the public posting of the report compromises*
2 *national security; or*

3 (2) *the report contains proprietary information.*

4 (c) *The head of the agency posting such report shall*
5 *do so only after such report has been made available to the*
6 *requesting Committee or Committees of Congress for no less*
7 *than 45 days.*

8 SEC. 8089. (a) *None of the funds appropriated or oth-*
9 *erwise made available by this Act may be expended for any*
10 *Federal contract for an amount in excess of \$1,000,000, un-*
11 *less the contractor agrees not to—*

12 (1) *enter into any agreement with any of its em-*
13 *ployees or independent contractors that requires, as a*
14 *condition of employment, that the employee or inde-*
15 *pendent contractor agree to resolve through arbitra-*
16 *tion any claim under title VII of the Civil Rights Act*
17 *of 1964 or any tort related to or arising out of sexual*
18 *assault or harassment, including assault and battery,*
19 *intentional infliction of emotional distress, false im-*
20 *prisonment, or negligent hiring, supervision, or reten-*
21 *tion; or*

22 (2) *take any action to enforce any provision of*
23 *an existing agreement with an employee or inde-*
24 *pendent contractor that mandates that the employee*
25 *or independent contractor resolve through arbitration*

1 *any claim under title VII of the Civil Rights Act of*
2 *1964 or any tort related to or arising out of sexual*
3 *assault or harassment, including assault and battery,*
4 *intentional infliction of emotional distress, false im-*
5 *prisonment, or negligent hiring, supervision, or reten-*
6 *tion.*

7 *(b) None of the funds appropriated or otherwise made*
8 *available by this Act may be expended for any Federal con-*
9 *tract unless the contractor certifies that it requires each cov-*
10 *ered subcontractor to agree not to enter into, and not to*
11 *take any action to enforce any provision of, any agreement*
12 *as described in paragraphs (1) and (2) of subsection (a),*
13 *with respect to any employee or independent contractor per-*
14 *forming work related to such subcontract. For purposes of*
15 *this subsection, a “covered subcontractor” is an entity that*
16 *has a subcontract in excess of \$1,000,000 on a contract sub-*
17 *ject to subsection (a).*

18 *(c) The prohibitions in this section do not apply with*
19 *respect to a contractor’s or subcontractor’s agreements with*
20 *employees or independent contractors that may not be en-*
21 *forced in a court of the United States.*

22 *(d) The Secretary of Defense may waive the applica-*
23 *tion of subsection (a) or (b) to a particular contractor or*
24 *subcontractor for the purposes of a particular contract or*
25 *subcontract if the Secretary or the Deputy Secretary per-*

1 *sonally determines that the waiver is necessary to avoid*
2 *harm to national security interests of the United States,*
3 *and that the term of the contract or subcontract is not*
4 *longer than necessary to avoid such harm. The determina-*
5 *tion shall set forth with specificity the grounds for the waiv-*
6 *er and for the contract or subcontract term selected, and*
7 *shall state any alternatives considered in lieu of a waiver*
8 *and the reasons each such alternative would not avoid harm*
9 *to national security interests of the United States. The Sec-*
10 *retary of Defense shall transmit to Congress, and simulta-*
11 *neously make public, any determination under this sub-*
12 *section not less than 15 business days before the contract*
13 *or subcontract addressed in the determination may be*
14 *awarded.*

15 *(INCLUDING TRANSFER OF FUNDS)*

16 *SEC. 8090. From within the funds appropriated for*
17 *operation and maintenance for the Defense Health Program*
18 *in this Act, up to \$115,519,000, shall be available for trans-*
19 *fer to the Joint Department of Defense-Department of Vet-*
20 *erans Affairs Medical Facility Demonstration Fund in ac-*
21 *cordance with the provisions of section 1704 of the National*
22 *Defense Authorization Act for Fiscal Year 2010, Public Law*
23 *111–84: Provided, That for purposes of section 1704(b), the*
24 *facility operations funded are operations of the integrated*
25 *Captain James A. Lovell Federal Health Care Center, con-*

1 *sisting of the North Chicago Veterans Affairs Medical Cen-*
2 *ter, the Navy Ambulatory Care Center, and supporting fa-*
3 *cilities designated as a combined Federal medical facility*
4 *as described by section 706 of Public Law 110–417: Pro-*
5 *vided further, That additional funds may be transferred*
6 *from funds appropriated for operation and maintenance for*
7 *the Defense Health Program to the Joint Department of De-*
8 *fense-Department of Veterans Affairs Medical Facility*
9 *Demonstration Fund upon written notification by the Sec-*
10 *retary of Defense to the Committees on Appropriations of*
11 *the House of Representatives and the Senate.*

12 *SEC. 8091. None of the funds appropriated or other-*
13 *wise made available by this Act may be used by the Depart-*
14 *ment of Defense or a component thereof in contravention*
15 *of the provisions of section 130h of title 10, United States*
16 *Code.*

17 *SEC. 8092. Appropriations available to the Depart-*
18 *ment of Defense may be used for the purchase of heavy and*
19 *light armored vehicles for the physical security of personnel*
20 *or for force protection purposes up to a limit of \$450,000*
21 *per vehicle, notwithstanding price or other limitations ap-*
22 *plicable to the purchase of passenger carrying vehicles.*

23 *(INCLUDING TRANSFER OF FUNDS)*

24 *SEC. 8093. Upon a determination by the Director of*
25 *National Intelligence that such action is necessary and in*

1 *the national interest, the Director may, with the approval*
2 *of the Office of Management and Budget, transfer not to*
3 *exceed \$1,500,000,000 of the funds made available in this*
4 *Act for the National Intelligence Program: Provided, That*
5 *such authority to transfer may not be used unless for higher*
6 *priority items, based on unforeseen intelligence require-*
7 *ments, than those for which originally appropriated and*
8 *in no case where the item for which funds are requested*
9 *has been denied by the Congress: Provided further, That a*
10 *request for multiple reprogrammings of funds using author-*
11 *ity provided in this section shall be made prior to June*
12 *30, 2017.*

13 *SEC. 8094. None of the funds appropriated or other-*
14 *wise made available in this or any other Act may be used*
15 *to transfer, release, or assist in the transfer or release to*
16 *or within the United States, its territories, or possessions*
17 *Khalid Sheikh Mohammed or any other detainee who—*

18 *(1) is not a United States citizen or a member*
19 *of the Armed Forces of the United States; and*

20 *(2) is or was held on or after June 24, 2009, at*
21 *United States Naval Station, Guantánamo Bay,*
22 *Cuba, by the Department of Defense.*

23 *SEC. 8095. (a) None of the funds appropriated or oth-*
24 *erwise made available in this or any other Act may be used*
25 *to construct, acquire, or modify any facility in the United*

1 *States, its territories, or possessions to house any individual*
2 *described in subsection (c) for the purposes of detention or*
3 *imprisonment in the custody or under the effective control*
4 *of the Department of Defense.*

5 *(b) The prohibition in subsection (a) shall not apply*
6 *to any modification of facilities at United States Naval*
7 *Station, Guantánamo Bay, Cuba.*

8 *(c) An individual described in this subsection is any*
9 *individual who, as of June 24, 2009, is located at United*
10 *States Naval Station, Guantánamo Bay, Cuba, and who—*

11 *(1) is not a citizen of the United States or a*
12 *member of the Armed Forces of the United States; and*

13 *(2) is—*

14 *(A) in the custody or under the effective*
15 *control of the Department of Defense; or*

16 *(B) otherwise under detention at United*
17 *States Naval Station, Guantánamo Bay, Cuba.*

18 *SEC. 8096. None of the funds appropriated or other-*
19 *wise made available in this Act may be used to transfer*
20 *any individual detained at United States Naval Station*
21 *Guantánamo Bay, Cuba, to the custody or control of the*
22 *individual's country of origin, any other foreign country,*
23 *or any other foreign entity except in accordance with sec-*
24 *tion 1034 of the National Defense Authorization Act for Fis-*
25 *cal Year 2016 (Public Law 114–92) and section 1034 of*

1 *the National Defense Authorization Act for Fiscal Year*
2 *2017 (Public Law 114–328).*

3 *SEC. 8097. None of the funds made available by this*
4 *Act may be used in contravention of the War Powers Reso-*
5 *lution (50 U.S.C. 1541 et seq.).*

6 *SEC. 8098. (a) None of the funds appropriated or oth-*
7 *erwise made available by this or any other Act may be used*
8 *by the Secretary of Defense, or any other official or officer*
9 *of the Department of Defense, to enter into a contract,*
10 *memorandum of understanding, or cooperative agreement*
11 *with, or make a grant to, or provide a loan or loan guar-*
12 *antee to Rosoboronexport or any subsidiary of*
13 *Rosoboronexport.*

14 *(b) The Secretary of Defense may waive the limitation*
15 *in subsection (a) if the Secretary, in consultation with the*
16 *Secretary of State and the Director of National Intelligence,*
17 *determines that it is in the vital national security interest*
18 *of the United States to do so, and certifies in writing to*
19 *the congressional defense committees that, to the best of the*
20 *Secretary’s knowledge:*

21 *(1) Rosoboronexport has ceased the transfer of le-*
22 *thal military equipment to, and the maintenance of*
23 *existing lethal military equipment for, the Govern-*
24 *ment of the Syrian Arab Republic;*

1 (2) *The armed forces of the Russian Federation*
2 *have withdrawn from Crimea, other than armed*
3 *forces present on military bases subject to agreements*
4 *in force between the Government of the Russian Fed-*
5 *eration and the Government of Ukraine; and*

6 (3) *Agents of the Russian Federation have ceased*
7 *taking active measures to destabilize the control of the*
8 *Government of Ukraine over eastern Ukraine.*

9 (c) *The Inspector General of the Department of Defense*
10 *shall conduct a review of any action involving*
11 *Rosoboronexport with respect to a waiver issued by the Sec-*
12 *retary of Defense pursuant to subsection (b), and not later*
13 *than 90 days after the date on which such a waiver is issued*
14 *by the Secretary of Defense, the Inspector General shall sub-*
15 *mit to the congressional defense committees a report con-*
16 *taining the results of the review conducted with respect to*
17 *such waiver.*

18 SEC. 8099. *None of the funds made available in this*
19 *Act may be used for the purchase or manufacture of a flag*
20 *of the United States unless such flags are treated as covered*
21 *items under section 2533a(b) of title 10, United States*
22 *Code.*

23 SEC. 8100. (a) *Of the funds appropriated in this Act*
24 *for the Department of Defense, amounts may be made avail-*
25 *able, under such regulations as the Secretary of Defense*

1 *may prescribe, to local military commanders appointed by*
2 *the Secretary, or by an officer or employee designated by*
3 *the Secretary, to provide at their discretion ex gratia pay-*
4 *ments in amounts consistent with subsection (d) of this sec-*
5 *tion for damage, personal injury, or death that is incident*
6 *to combat operations of the Armed Forces in a foreign coun-*
7 *try.*

8 *(b) An ex gratia payment under this section may be*
9 *provided only if—*

10 *(1) the prospective foreign civilian recipient is*
11 *determined by the local military commander to be*
12 *friendly to the United States;*

13 *(2) a claim for damages would not be compen-*
14 *sable under chapter 163 of title 10, United States*
15 *Code (commonly known as the “Foreign Claims*
16 *Act”); and*

17 *(3) the property damage, personal injury, or*
18 *death was not caused by action by an enemy.*

19 *(c) NATURE OF PAYMENTS.—Any payments provided*
20 *under a program under subsection (a) shall not be consid-*
21 *ered an admission or acknowledgement of any legal obliga-*
22 *tion to compensate for any damage, personal injury, or*
23 *death.*

24 *(d) AMOUNT OF PAYMENTS.—If the Secretary of De-*
25 *fense determines a program under subsection (a) to be ap-*

1 *appropriate in a particular setting, the amounts of payments,*
2 *if any, to be provided to civilians determined to have suf-*
3 *fered harm incident to combat operations of the Armed*
4 *Forces under the program should be determined pursuant*
5 *to regulations prescribed by the Secretary and based on an*
6 *assessment, which should include such factors as cultural*
7 *appropriateness and prevailing economic conditions.*

8 *(e) LEGAL ADVICE.—Local military commanders shall*
9 *receive legal advice before making ex gratia payments under*
10 *this subsection. The legal advisor, under regulations of the*
11 *Department of Defense, shall advise on whether an ex gratia*
12 *payment is proper under this section and applicable De-*
13 *partment of Defense regulations.*

14 *(f) WRITTEN RECORD.—A written record of any ex*
15 *gratia payment offered or denied shall be kept by the local*
16 *commander and on a timely basis submitted to the appro-*
17 *priate office in the Department of Defense as determined*
18 *by the Secretary of Defense.*

19 *(g) REPORT.—The Secretary of Defense shall report to*
20 *the congressional defense committees on an annual basis the*
21 *efficacy of the ex gratia payment program including the*
22 *number of types of cases considered, amounts offered, the*
23 *response from ex gratia payment recipients, and any rec-*
24 *ommended modifications to the program.*

1 *SEC. 8101. None of the funds available in this Act to*
2 *the Department of Defense, other than appropriations made*
3 *for necessary or routine refurbishments, upgrades or main-*
4 *tenance activities, shall be used to reduce or to prepare to*
5 *reduce the number of deployed and non-deployed strategic*
6 *delivery vehicles and launchers below the levels set forth in*
7 *the report submitted to Congress in accordance with section*
8 *1042 of the National Defense Authorization Act for Fiscal*
9 *Year 2012.*

10 *SEC. 8102. The Secretary of Defense shall post grant*
11 *awards on a public Website in a searchable format.*

12 *SEC. 8103. None of the funds made available by this*
13 *Act may be used to fund the performance of a flight dem-*
14 *onstration team at a location outside of the United States:*
15 *Provided, That this prohibition applies only if a perform-*
16 *ance of a flight demonstration team at a location within*
17 *the United States was canceled during the current fiscal*
18 *year due to insufficient funding.*

19 *SEC. 8104. None of the funds made available by this*
20 *Act may be used by the National Security Agency to—*

21 *(1) conduct an acquisition pursuant to section*
22 *702 of the Foreign Intelligence Surveillance Act of*
23 *1978 for the purpose of targeting a United States per-*
24 *son; or*

1 (2) *acquire, monitor, or store the contents (as*
2 *such term is defined in section 2510(8) of title 18,*
3 *United States Code) of any electronic communication*
4 *of a United States person from a provider of elec-*
5 *tronic communication services to the public pursuant*
6 *to section 501 of the Foreign Intelligence Surveillance*
7 *Act of 1978.*

8 *SEC. 8105. None of the funds made available by this*
9 *Act may be obligated or expended to implement the Arms*
10 *Trade Treaty until the Senate approves a resolution of rati-*
11 *fication for the Treaty.*

12 *SEC. 8106. None of the funds made available in this*
13 *or any other Act may be used to pay the salary of any*
14 *officer or employee of any agency funded by this Act who*
15 *approves or implements the transfer of administrative re-*
16 *sponsibilities or budgetary resources of any program,*
17 *project, or activity financed by this Act to the jurisdiction*
18 *of another Federal agency not financed by this Act unless*
19 *explicitly provided for in a Defense Appropriations Act:*
20 *Provided, That this limitation shall not apply to transfers*
21 *of funds expressly provided for in Defense Appropriations*
22 *Acts, or provisions of Acts providing supplemental appro-*
23 *priations for the Department of Defense.*

24 *SEC. 8107. None of the funds made available in this*
25 *Act may be obligated for activities authorized under section*

1 1208 of the Ronald W. Reagan National Defense Authoriza-
2 tion Act for Fiscal Year 2005 (Public Law 112–81; 125
3 Stat. 1621) to initiate support for, or expand support to,
4 foreign forces, irregular forces, groups, or individuals unless
5 the congressional defense committees are notified in accord-
6 ance with the direction contained in the classified annex
7 accompanying this Act, not less than 15 days before initi-
8 ating such support: Provided, That none of the funds made
9 available in this Act may be used under section 1208 for
10 any activity that is not in support of an ongoing military
11 operation being conducted by United States Special Oper-
12 ations Forces to combat terrorism: Provided further, That
13 the Secretary of Defense may waive the prohibitions in this
14 section if the Secretary determines that such waiver is re-
15 quired by extraordinary circumstances and, by not later
16 than 72 hours after making such waiver, notifies the con-
17 gressional defense committees of such waiver.

18 SEC. 8108. None of the funds made available by this
19 Act may be used with respect to Iraq in contravention of
20 the War Powers Resolution (50 U.S.C. 1541 et seq.), includ-
21 ing for the introduction of United States armed forces into
22 hostilities in Iraq, into situations in Iraq where imminent
23 involvement in hostilities is clearly indicated by the cir-
24 cumstances, or into Iraqi territory, airspace, or waters
25 while equipped for combat, in contravention of the congres-

1 sional consultation and reporting requirements of sections
2 3 and 4 of such Resolution (50 U.S.C. 1542 and 1543).

3 *SEC. 8109. None of the funds provided in this Act for*
4 *the T-AO Fleet Oiler or the Towing, Salvage, and Rescue*
5 *Ship programs shall be used to award a new contract that*
6 *provides for the acquisition of the following components un-*
7 *less those components are manufactured in the United*
8 *States: Auxiliary equipment (including pumps) for ship-*
9 *board services; propulsion equipment (including engines,*
10 *reduction gears, and propellers); shipboard cranes; and*
11 *spreaders for shipboard cranes.*

12 *SEC. 8110. The amount appropriated in title II of this*
13 *Act for “Operation and Maintenance, Army” is hereby re-*
14 *duced by \$75,000,000 to reflect excess cash balances in De-*
15 *partment of Defense Working Capital Funds.*

16 *SEC. 8111. Notwithstanding any other provision of*
17 *this Act, to reflect savings due to lower than anticipated*
18 *fuel costs, the total amount appropriated in title II of this*
19 *Act is hereby reduced by \$1,007,267,000.*

20 *SEC. 8112. None of the funds made available by this*
21 *Act may be used for Government Travel Charge Card ex-*
22 *penses by military or civilian personnel of the Department*
23 *of Defense for gaming, or for entertainment that includes*
24 *topless or nude entertainers or participants, as prohibited*
25 *by Department of Defense FMR, Volume 9, Chapter 3 and*

1 *Department of Defense Instruction 1015.10 (enclosure 3,*
2 *14a and 14b).*

3 *SEC. 8113. None of the funds made available by this*
4 *Act may be used to propose, plan for, or execute a new or*
5 *additional Base Realignment and Closure (BRAC) round.*

6 *SEC. 8114. Of the amounts appropriated in this Act*
7 *for “Operation and Maintenance, Navy”, \$289,255,000, to*
8 *remain available until expended, may be used for any pur-*
9 *poses related to the National Defense Reserve Fleet estab-*
10 *lished under section 11 of the Merchant Ship Sales Act of*
11 *1946 (50 U.S.C. 4405): Provided, That such amounts are*
12 *available for reimbursements to the Ready Reserve Force,*
13 *Maritime Administration account of the United States De-*
14 *partment of Transportation for programs, projects, activi-*
15 *ties, and expenses related to the National Defense Reserve*
16 *Fleet.*

17 *SEC. 8115. None of the funds made available by this*
18 *Act for the Joint Surveillance Target Attack Radar System*
19 *recapitalization program may be obligated or expended for*
20 *pre-milestone B activities after March 31, 2018, except for*
21 *source selection and other activities necessary to enter the*
22 *engineering and manufacturing development phase.*

23 *SEC. 8116. None of the funds made available by this*
24 *Act may be used to carry out the closure or realignment*

1 *of the United States Naval Station, Guantánamo Bay,*
2 *Cuba.*

3 *(INCLUDING TRANSFER OF FUNDS)*

4 *SEC. 8117. Additional readiness funds made available*
5 *in title II of this Act for “Operation and Maintenance,*
6 *Army”, “Operation and Maintenance, Navy”, “Operation*
7 *and Maintenance, Marine Corps”, and “Operation and*
8 *Maintenance, Air Force” may be transferred to and merged*
9 *with any appropriation of the Department of Defense for*
10 *activities related to the Zika virus in order to provide*
11 *health support for the full range of military operations and*
12 *sustain the health of the members of the Armed Forces, civil-*
13 *ian employees of the Department of Defense, and their fami-*
14 *lies, to include: research and development, disease surveil-*
15 *lance, vaccine development, rapid detection, vector controls*
16 *and surveillance, training, and outbreak response: Pro-*
17 *vided, That the authority provided in this section is subject*
18 *to the same terms and conditions as the authority provided*
19 *in section 8005 of this Act.*

20 *SEC. 8118. (a) None of the funds made available in*
21 *this Act may be used to maintain or establish a computer*
22 *network unless such network is designed to block access to*
23 *pornography websites.*

24 *(b) Nothing in subsection (a) shall limit the use of*
25 *funds necessary for any Federal, State, tribal, or local law*

1 *enforcement agency or any other entity carrying out crimi-*
2 *nal investigations, prosecution, or adjudication activities,*
3 *or for any activity necessary for the national defense, in-*
4 *cluding intelligence activities.*

5 *SEC. 8119. Notwithstanding any other provision of*
6 *law, any transfer of funds appropriated or otherwise made*
7 *available by this Act to the Global Engagement Center pur-*
8 *suant to section 1287 of the National Defense Authorization*
9 *Act for Fiscal Year 2017 (Public Law 114–328) shall be*
10 *made in accordance with section 8005 or 9002 of this Act,*
11 *as applicable.*

12 *SEC. 8120. No amounts credited or otherwise made*
13 *available in this or any other Act to the Department of De-*
14 *fense Acquisition Workforce Development Fund may be*
15 *transferred to:*

16 (1) *the Rapid Prototyping Fund established*
17 *under section 804(d) of the National Defense Author-*
18 *ization Act for Fiscal Year 2016 (10 U.S.C. 2302*
19 *note); or*

20 (2) *credited to a military-department specific*
21 *fund established under section 804(d)(2) of the Na-*
22 *tional Defense Authorization Act for Fiscal Year 2016*
23 *(as amended by section 897 of the National Defense*
24 *Authorization Act for Fiscal Year 2017).*

1 (INCLUDING TRANSFER FUND)

2 SEC. 8121. In addition to amounts provided elsewhere
3 in this Act for military personnel pay, including active
4 duty, reserve and National Guard personnel, \$206,400,000
5 is hereby appropriated to the Department of Defense and
6 made available for transfer only to military personnel ac-
7 counts: Provided, That the transfer authority provided
8 under this heading is in addition to any other transfer au-
9 thority provided elsewhere in this Act.

10 SEC. 8122. In addition to amounts provided elsewhere
11 in this Act, there is appropriated \$235,000,000, for an ad-
12 ditional amount for “Operation and Maintenance, Defense-
13 Wide”, to remain available until expended: Provided, That
14 such funds shall only be available to the Secretary of De-
15 fense, acting through the Office of Economic Adjustment of
16 the Department of Defense, or for transfer to the Secretary
17 of Education, notwithstanding any other provision of law,
18 to make grants, conclude cooperative agreements, or supple-
19 ment other Federal funds to construct, renovate, repair, or
20 expand elementary and secondary public schools on mili-
21 tary installations in order to address capacity or facility
22 condition deficiencies at such schools: Provided further,
23 That in making such funds available, the Office of Eco-
24 nomic Adjustment or the Secretary of Education shall give
25 priority consideration to those military installations with

1 *schools having the most serious capacity or facility condi-*
2 *tion deficiencies as determined by the Secretary of Defense:*
3 *Provided further, That as a condition of receiving funds*
4 *under this section a local educational agency or State shall*
5 *provide a matching share as described in the notice titled*
6 *“Department of Defense Program for Construction, Renova-*
7 *tion, Repair or Expansion of Public Schools Located on*
8 *Military Installations” published by the Department of De-*
9 *fense in the Federal Register on September 9, 2011 (76 Fed.*
10 *Reg. 55883 et seq.): Provided further, That these provisions*
11 *apply to funds provided under this section, and to funds*
12 *previously provided by Congress to construct, renovate, re-*
13 *pair, or expand elementary and secondary public schools*
14 *on military installations in order to address capacity or*
15 *facility condition deficiencies at such schools to the extent*
16 *such funds remain unobligated on the date of enactment of*
17 *this section.*

18 *SEC. 8123. None of the funds made available by this*
19 *Act may be used to carry out the changes to the Joint Travel*
20 *Regulations of the Department of Defense described in the*
21 *memorandum of the Per Diem Travel and Transportation*
22 *Allowance Committee titled “UTD/CTD for MAP 118–13/*
23 *CAP 118–13 - Flat Rate Per Diem for Long Term TDY”*
24 *and dated October 1, 2014.*

1 *SEC. 8124. In carrying out the program described in*
2 *the memorandum on the subject of “Policy for Assisted Re-*
3 *productive Services for the Benefit of Seriously or Severely*
4 *Ill/Injured (Category II or III) Active Duty Service Mem-*
5 *bers” issued by the Assistant Secretary of Defense for*
6 *Health Affairs on April 3, 2012, and the guidance issued*
7 *to implement such memorandum, the Secretary of Defense*
8 *shall apply such policy and guidance, except that—*

9 *(1) the limitation on periods regarding embryo*
10 *cryopreservation and storage set forth in part III(G)*
11 *and in part IV(H) of such memorandum shall not*
12 *apply; and*

13 *(2) the term “assisted reproductive technology”*
14 *shall include embryo cryopreservation and storage*
15 *without limitation on the duration of such*
16 *cryopreservation and storage.*

17 *TITLE IX*

18 *OVERSEAS CONTINGENCY OPERATIONS/GLOBAL*

19 *WAR ON TERRORISM*

20 *MILITARY PERSONNEL*

21 *MILITARY PERSONNEL, ARMY*

22 *For an additional amount for “Military Personnel,*
23 *Army”, \$2,635,317,000: Provided, That such amount is des-*
24 *ignated by the Congress for Overseas Contingency Oper-*
25 *ations/Global War on Terrorism pursuant to section*

1 *251(b)(2)(A)(ii) of the Balanced Budget and Emergency*
2 *Deficit Control Act of 1985.*

3 *MILITARY PERSONNEL, NAVY*

4 *For an additional amount for “Military Personnel,*
5 *Navy”, \$377,857,000: Provided, That such amount is des-*
6 *ignated by the Congress for Overseas Contingency Oper-*
7 *ations/Global War on Terrorism pursuant to section*
8 *251(b)(2)(A)(ii) of the Balanced Budget and Emergency*
9 *Deficit Control Act of 1985.*

10 *MILITARY PERSONNEL, MARINE CORPS*

11 *For an additional amount for “Military Personnel,*
12 *Marine Corps”, \$103,800,000: Provided, That such amount*
13 *is designated by the Congress for Overseas Contingency Op-*
14 *erations/Global War on Terrorism pursuant to section*
15 *251(b)(2)(A)(ii) of the Balanced Budget and Emergency*
16 *Deficit Control Act of 1985.*

17 *MILITARY PERSONNEL, AIR FORCE*

18 *For an additional amount for “Military Personnel,*
19 *Air Force”, \$912,779,000: Provided, That such amount is*
20 *designated by the Congress for Overseas Contingency Oper-*
21 *ations/Global War on Terrorism pursuant to section*
22 *251(b)(2)(A)(ii) of the Balanced Budget and Emergency*
23 *Deficit Control Act of 1985.*

1 *RESERVE PERSONNEL, ARMY*

2 *For an additional amount for “Reserve Personnel,*
3 *Army”, \$24,942,000: Provided, That such amount is des-*
4 *ignated by the Congress for Overseas Contingency Oper-*
5 *ations/Global War on Terrorism pursuant to section*
6 *251(b)(2)(A)(ii) of the Balanced Budget and Emergency*
7 *Deficit Control Act of 1985.*

8 *RESERVE PERSONNEL, NAVY*

9 *For an additional amount for “Reserve Personnel,*
10 *Navy”, \$9,091,000: Provided, That such amount is des-*
11 *ignated by the Congress for Overseas Contingency Oper-*
12 *ations/Global War on Terrorism pursuant to section*
13 *251(b)(2)(A)(ii) of the Balanced Budget and Emergency*
14 *Deficit Control Act of 1985.*

15 *RESERVE PERSONNEL, MARINE CORPS*

16 *For an additional amount for “Reserve Personnel, Ma-*
17 *rine Corps”, \$2,328,000: Provided, That such amount is*
18 *designated by the Congress for Overseas Contingency Oper-*
19 *ations/Global War on Terrorism pursuant to section*
20 *251(b)(2)(A)(ii) of the Balanced Budget and Emergency*
21 *Deficit Control Act of 1985.*

22 *RESERVE PERSONNEL, AIR FORCE*

23 *For an additional amount for “Reserve Personnel, Air*
24 *Force”, \$20,569,000: Provided, That such amount is des-*
25 *ignated by the Congress for Overseas Contingency Oper-*

1 *ations/Global War on Terrorism pursuant to section*
2 *251(b)(2)(A)(ii) of the Balanced Budget and Emergency*
3 *Deficit Control Act of 1985.*

4 *NATIONAL GUARD PERSONNEL, ARMY*

5 *For an additional amount for “National Guard Per-*
6 *sonnel, Army”, \$184,589,000: Provided, That such amount*
7 *is designated by the Congress for Overseas Contingency Op-*
8 *erations/Global War on Terrorism pursuant to section*
9 *251(b)(2)(A)(ii) of the Balanced Budget and Emergency*
10 *Deficit Control Act of 1985.*

11 *NATIONAL GUARD PERSONNEL, AIR FORCE*

12 *For an additional amount for “National Guard Per-*
13 *sonnel, Air Force”, \$5,004,000: Provided, That such*
14 *amount is designated by the Congress for Overseas Contin-*
15 *gency Operations/Global War on Terrorism pursuant to sec-*
16 *tion 251(b)(2)(A)(ii) of the Balanced Budget and Emer-*
17 *gency Deficit Control Act of 1985.*

18 *MILITARY PERSONNEL, NATIONAL DEFENSE RESTORATION*

19 *FUND*

20 *(INCLUDING TRANSFER OF FUNDS)*

21 *In addition to amounts provided elsewhere in this Act,*
22 *there is appropriated \$1,000,000,000, for the “Military Per-*
23 *sonnel, National Defense Restoration Fund”:* *Provided,*
24 *That such funds provided under this heading shall only be*
25 *available for programs, projects and activities necessary to*

1 *implement the 2018 National Defense Strategy: Provided*
2 *further, That such funds shall not be available for transfer*
3 *until 30 days after the Secretary has submitted, and the*
4 *congressional defense committees have approved, the pro-*
5 *posed allocation plan for the use of such funds to implement*
6 *such strategy: Provided further, That such allocation plan*
7 *shall include a detailed justification for the use of such*
8 *funds and a description of how such investments are nec-*
9 *essary to implement the strategy: Provided further, That the*
10 *Secretary of Defense may transfer these funds only to mili-*
11 *tary personnel accounts: Provided further, That the funds*
12 *transferred shall be merged with and shall be available for*
13 *the same purposes and for the same time period, as the ap-*
14 *propriation to which transferred: Provided further, That*
15 *none of the funds made available under this heading may*
16 *be transferred to any program, project, or activity specifi-*
17 *cally limited or denied by this Act: Provided further, That*
18 *the transfer authority provided under this heading is in ad-*
19 *dition to any other transfer authority available to the De-*
20 *partment of Defense: Provided further, That such amount*
21 *is designated by the Congress for Overseas Contingency Op-*
22 *erations/Global War on Terrorism pursuant to section*
23 *251(b)(2)(A)(ii) of the Balanced Budget and Emergency*
24 *Deficit Control Act of 1985.*

1 *OPERATION AND MAINTENANCE*2 *OPERATION AND MAINTENANCE, ARMY*

3 *For an additional amount for “Operation and Maintenance, Army”, \$16,126,403,000: Provided, That such*
4 *amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section*
5 *251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.*

9 *OPERATION AND MAINTENANCE, NAVY*

10 *For an additional amount for “Operation and Maintenance, Navy”, \$5,875,015,000, of which up to \$161,885,000*
11 *may be transferred to the Coast Guard “Operating Expenses” account: Provided, That such amount is designated*
12 *by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section*
13 *251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act*
14 *of 1985.*

18 *OPERATION AND MAINTENANCE, MARINE CORPS*

19 *For an additional amount for “Operation and Maintenance, Marine Corps”, \$1,116,640,000: Provided, That such*
20 *amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section*
21 *251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.*

1 *OPERATION AND MAINTENANCE, AIR FORCE*

2 *For an additional amount for “Operation and Mainte-*
3 *nance, Air Force”, \$10,266,295,000: Provided, That such*
4 *amount is designated by the Congress for Overseas Contin-*
5 *gency Operations/Global War on Terrorism pursuant to sec-*
6 *tion 251(b)(2)(A)(ii) of the Balanced Budget and Emer-*
7 *gency Deficit Control Act of 1985.*

8 *OPERATION AND MAINTENANCE, DEFENSE-WIDE*

9 *For an additional amount for “Operation and Mainte-*
10 *nance, Defense-Wide”, \$6,944,201,000: Provided, That of*
11 *the funds provided under this heading, not to exceed*
12 *\$900,000,000, to remain available until September 30,*
13 *2019, shall be for payments to reimburse key cooperating*
14 *nations for logistical, military, and other support, includ-*
15 *ing access, provided to United States military and stability*
16 *operations in Afghanistan and to counter the Islamic State*
17 *of Iraq and the Levant: Provided further, That such reim-*
18 *bursement payments may be made in such amounts as the*
19 *Secretary of Defense, with the concurrence of the Secretary*
20 *of State, and in consultation with the Director of the Office*
21 *of Management and Budget, may determine, based on docu-*
22 *mentation determined by the Secretary of Defense to ade-*
23 *quately account for the support provided, and such deter-*
24 *mination is final and conclusive upon the accounting offi-*
25 *cers of the United States, and 15 days following notification*

1 *to the appropriate congressional committees: Provided fur-*
2 *ther, That funds provided under this heading may be used*
3 *for the purpose of providing specialized training and pro-*
4 *curing supplies and specialized equipment and providing*
5 *such supplies and loaning such equipment on a non-reim-*
6 *bursable basis to coalition forces supporting United States*
7 *military and stability operations in Afghanistan and to*
8 *counter the Islamic State of Iraq and the Levant, and 15*
9 *days following notification to the appropriate congressional*
10 *committees: Provided further, That funds provided under*
11 *this heading may be used to support the Government of Jor-*
12 *dan, in such amounts as the Secretary of Defense may de-*
13 *termine, to enhance the ability of the armed forces of Jordan*
14 *to increase or sustain security along its borders, upon 15*
15 *days prior written notification to the congressional defense*
16 *committees outlining the amounts intended to be provided*
17 *and the nature of the expenses incurred: Provided further,*
18 *That of the funds provided under this heading, not to exceed*
19 *\$750,000,000, to remain available until September 30,*
20 *2019, shall be available to provide support and assistance*
21 *to foreign security forces or other groups or individuals to*
22 *conduct, support, or facilitate counterterrorism, crisis re-*
23 *sponse, or other Department of Defense security cooperation*
24 *programs: Provided further, That such amount is des-*
25 *ignated by the Congress for Overseas Contingency Oper-*

1 *ations/Global War on Terrorism pursuant to section*
2 *251(b)(2)(A)(ii) of the Balanced Budget and Emergency*
3 *Deficit Control Act of 1985.*

4 *OPERATION AND MAINTENANCE, ARMY RESERVE*

5 *For an additional amount for “Operation and Mainte-*
6 *nance, Army Reserve”, \$24,699,000: Provided, That such*
7 *amount is designated by the Congress for Overseas Contin-*
8 *gency Operations/Global War on Terrorism pursuant to sec-*
9 *tion 251(b)(2)(A)(ii) of the Balanced Budget and Emer-*
10 *gency Deficit Control Act of 1985.*

11 *OPERATION AND MAINTENANCE, NAVY RESERVE*

12 *For an additional amount for “Operation and Mainte-*
13 *nance, Navy Reserve”, \$23,980,000: Provided, That such*
14 *amount is designated by the Congress for Overseas Contin-*
15 *gency Operations/Global War on Terrorism pursuant to sec-*
16 *tion 251(b)(2)(A)(ii) of the Balanced Budget and Emer-*
17 *gency Deficit Control Act of 1985.*

18 *OPERATION AND MAINTENANCE, MARINE CORPS RESERVE*

19 *For an additional amount for “Operation and Mainte-*
20 *nance, Marine Corps Reserve”, \$3,367,000: Provided, That*
21 *such amount is designated by the Congress for Overseas*
22 *Contingency Operations/Global War on Terrorism pursu-*
23 *ant to section 251(b)(2)(A)(ii) of the Balanced Budget and*
24 *Emergency Deficit Control Act of 1985.*

1 *OPERATION AND MAINTENANCE, AIR FORCE RESERVE*

2 *For an additional amount for “Operation and Mainte-*
3 *nance, Air Force Reserve”, \$58,523,000: Provided, That*
4 *such amount is designated by the Congress for Overseas*
5 *Contingency Operations/Global War on Terrorism pursu-*
6 *ant to section 251(b)(2)(A)(ii) of the Balanced Budget and*
7 *Emergency Deficit Control Act of 1985.*

8 *OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD*

9 *For an additional amount for “Operation and Mainte-*
10 *nance, Army National Guard”, \$108,111,000: Provided,*
11 *That such amount is designated by the Congress for Over-*
12 *seas Contingency Operations/Global War on Terrorism pur-*
13 *suant to section 251(b)(2)(A)(ii) of the Balanced Budget*
14 *and Emergency Deficit Control Act of 1985.*

15 *OPERATION AND MAINTENANCE, AIR NATIONAL GUARD*

16 *For an additional amount for “Operation and Mainte-*
17 *nance, Air National Guard”, \$15,400,000: Provided, That*
18 *such amount is designated by the Congress for Overseas*
19 *Contingency Operations/Global War on Terrorism pursu-*
20 *ant to section 251(b)(2)(A)(ii) of the Balanced Budget and*
21 *Emergency Deficit Control Act of 1985.*

1 *OPERATION AND MAINTENANCE, NATIONAL DEFENSE*

2 *RESTORATION FUND*

3 *(INCLUDING TRANSFER OF FUNDS)*

4 *In addition to amounts provided elsewhere in this Act,*
5 *there is appropriated \$2,000,000,000, for the “Operation*
6 *and Maintenance, National Defense Restoration Fund”:*
7 *Provided, That such funds provided under this heading*
8 *shall only be available for programs, projects and activities*
9 *necessary to implement the 2018 National Defense Strategy:*
10 *Provided further, That such funds shall not be available for*
11 *transfer until 30 days after the Secretary has submitted,*
12 *and the congressional defense committees have approved, the*
13 *proposed allocation plan for the use of such funds to imple-*
14 *ment such strategy: Provided further, That such allocation*
15 *plan shall include a detailed justification for the use of such*
16 *funds and a description of how such investments are nec-*
17 *essary to implement the strategy: Provided further, That the*
18 *Secretary of Defense may transfer these funds only to oper-*
19 *ation and maintenance accounts: Provided further, That the*
20 *funds transferred shall be merged with and shall be avail-*
21 *able for the same purposes and for the same time period,*
22 *as the appropriation to which transferred: Provided further,*
23 *That none of the funds made available under this heading*
24 *may be transferred to any program, project, or activity spe-*
25 *cifically limited or denied by this Act: Provided further,*

1 *That the transfer authority provided under this heading is*
2 *in addition to any other transfer authority available to the*
3 *Department of Defense: Provided further, That such amount*
4 *is designated by the Congress for Overseas Contingency Op-*
5 *erations/Global War on Terrorism pursuant to section*
6 *251(b)(2)(A)(ii) of the Balanced Budget and Emergency*
7 *Deficit Control Act of 1985.*

8 *AFGHANISTAN SECURITY FORCES FUND*
9 *For the “Afghanistan Security Forces Fund”,*
10 *\$4,937,515,000 (reduced by \$12,000,000), to remain avail-*
11 *able until September 30, 2019: Provided, That such funds*
12 *shall be available to the Secretary of Defense, notwith-*
13 *standing any other provision of law, for the purpose of al-*
14 *lowing the Commander, Combined Security Transition*
15 *Command—Afghanistan, or the Secretary’s designee, to*
16 *provide assistance, with the concurrence of the Secretary of*
17 *State, to the security forces of Afghanistan, including the*
18 *provision of equipment, supplies, services, training, facility*
19 *and infrastructure repair, renovation, construction, and*
20 *funding: Provided further, That the Secretary of Defense*
21 *may obligate and expend funds made available to the De-*
22 *partment of Defense in this title for additional costs associ-*
23 *ated with existing projects previously funded with amounts*
24 *provided under the heading “Afghanistan Infrastructure*
25 *Fund” in prior Acts: Provided further, That such costs shall*

1 *be limited to contract changes resulting from inflation,*
2 *market fluctuation, rate adjustments, and other necessary*
3 *contract actions to complete existing projects, and associ-*
4 *ated supervision and administration costs and costs for de-*
5 *sign during construction: Provided further, That the Sec-*
6 *retary may not use more than \$50,000,000 under the au-*
7 *thority provided in this section: Provided further, That the*
8 *Secretary shall notify in advance such contract changes and*
9 *adjustments in annual reports to the congressional defense*
10 *committees: Provided further, That the authority to provide*
11 *assistance under this heading is in addition to any other*
12 *authority to provide assistance to foreign nations: Provided*
13 *further, That contributions of funds for the purposes pro-*
14 *vided herein from any person, foreign government, or inter-*
15 *national organization may be credited to this Fund, to re-*
16 *main available until expended, and used for such purposes:*
17 *Provided further, That the Secretary of Defense shall notify*
18 *the congressional defense committees in writing upon the*
19 *receipt and upon the obligation of any contribution, delin-*
20 *eating the sources and amounts of the funds received and*
21 *the specific use of such contributions: Provided further, That*
22 *the Secretary of Defense shall, not fewer than 15 days prior*
23 *to obligating from this appropriation account, notify the*
24 *congressional defense committees in writing of the details*
25 *of any such obligation: Provided further, That the Secretary*

1 of Defense shall notify the congressional defense committees
2 of any proposed new projects or transfer of funds between
3 budget sub-activity groups in excess of \$20,000,000: Pro-
4 vided further, That the United States may accept equip-
5 ment procured using funds provided under this heading in
6 this or prior Acts that was transferred to the security forces
7 of Afghanistan and returned by such forces to the United
8 States: Provided further, That equipment procured using
9 funds provided under this heading in this or prior Acts,
10 and not yet transferred to the security forces of Afghanistan
11 or transferred to the security forces of Afghanistan and re-
12 turned by such forces to the United States, may be treated
13 as stocks of the Department of Defense upon written notifi-
14 cation to the congressional defense committees: Provided
15 further, That of the funds provided under this heading, not
16 less than \$10,000,000 shall be for recruitment and retention
17 of women in the Afghanistan National Security Forces, and
18 the recruitment and training of female security personnel:
19 Provided further, That such amount is designated by the
20 Congress for Overseas Contingency Operations/Global War
21 on Terrorism pursuant to section 251(b)(2)(A)(ii) of the
22 Balanced Budget and Emergency Deficit Control Act of
23 1985.

1 *COUNTER-ISIL TRAIN AND EQUIP FUND*

2 *For the “Counter-Islamic State of Iraq and the Levant*
3 *Train and Equip Fund”, \$1,769,000,000, to remain avail-*
4 *able until September 30, 2019: Provided, That such funds*
5 *shall be available to the Secretary of Defense in coordina-*
6 *tion with the Secretary of State, to provide assistance, in-*
7 *cluding training; equipment; logistics support, supplies,*
8 *and services; stipends; infrastructure repair and renova-*
9 *tion; and sustainment, to foreign security forces, irregular*
10 *forces, groups, or individuals participating, or preparing*
11 *to participate in activities to counter the Islamic State of*
12 *Iraq and the Levant, and their affiliated or associated*
13 *groups: Provided further, That these funds may be used in*
14 *such amounts as the Secretary of Defense may determine*
15 *to enhance the border security of nations adjacent to conflict*
16 *areas including Jordan, Lebanon, Egypt, and Tunisia re-*
17 *sulting from actions of the Islamic State of Iraq and the*
18 *Levant: Provided further, That amounts made available*
19 *under this heading shall be available to provide assistance*
20 *only for activities in a country designated by the Secretary*
21 *of Defense, in coordination with the Secretary of State, as*
22 *having a security mission to counter the Islamic State of*
23 *Iraq and the Levant, and following written notification to*
24 *the congressional defense committees of such designation:*
25 *Provided further, That the Secretary of Defense shall ensure*

1 *that prior to providing assistance to elements of any forces*
2 *or individuals, such elements or individuals are appro-*
3 *priately vetted, including at a minimum, assessing such ele-*
4 *ments for associations with terrorist groups or groups asso-*
5 *ciated with the Government of Iran; and receiving commit-*
6 *ments from such elements to promote respect for human*
7 *rights and the rule of law: Provided further, That the Sec-*
8 *retary of Defense shall, not fewer than 15 days prior to obli-*
9 *gating from this appropriation account, notify the congres-*
10 *sional defense committees in writing of the details of any*
11 *such obligation: Provided further, That the Secretary of De-*
12 *fense may accept and retain contributions, including assist-*
13 *ance in-kind, from foreign governments, including the Gov-*
14 *ernment of Iraq and other entities, to carry out assistance*
15 *authorized under this heading: Provided further, That con-*
16 *tributions of funds for the purposes provided herein from*
17 *any foreign government or other entity may be credited to*
18 *this Fund, to remain available until expended, and used*
19 *for such purposes: Provided further, That the Secretary of*
20 *Defense may waive a provision of law relating to the acqui-*
21 *sition of items and support services or sections 40 and 40A*
22 *of the Arms Export Control Act (22 U.S.C. 2780 and 2785)*
23 *if the Secretary determines that such provision of law would*
24 *prohibit, restrict, delay or otherwise limit the provision of*
25 *such assistance and a notice of and justification for such*

1 *waiver is submitted to the congressional defense committees,*
2 *the Committees on Appropriations and Foreign Relations*
3 *of the Senate and the Committees on Appropriations and*
4 *Foreign Affairs of the House of Representatives: Provided*
5 *further, That the United States may accept equipment pro-*
6 *cured using funds provided under this heading, or under*
7 *the heading, “Iraq Train and Equip Fund” in prior Acts,*
8 *that was transferred to security forces, irregular forces, or*
9 *groups participating, or preparing to participate in activi-*
10 *ties to counter the Islamic State of Iraq and the Levant*
11 *and returned by such forces or groups to the United States,*
12 *may be treated as stocks of the Department of Defense upon*
13 *written notification to the congressional defense committees:*
14 *Provided further, That equipment procured using funds*
15 *provided under this heading, or under the heading, “Iraq*
16 *Train and Equip Fund” in prior Acts, and not yet trans-*
17 *ferred to security forces, irregular forces, or groups partici-*
18 *pating, or preparing to participate in activities to counter*
19 *the Islamic State of Iraq and the Levant may be treated*
20 *as stocks of the Department of Defense when determined by*
21 *the Secretary to no longer be required for transfer to such*
22 *forces or groups and upon written notification to the con-*
23 *gressional defense committees: Provided further, That the*
24 *Secretary of Defense shall provide quarterly reports to the*
25 *congressional defense committees on the use of funds pro-*

1 *vided under this heading, including, but not limited to, the*
2 *number of individuals trained, the nature and scope of sup-*
3 *port and sustainment provided to each group or individual,*
4 *the area of operations for each group, and the contributions*
5 *of other countries, groups, or individuals: Provided further,*
6 *That such amount is designated by the Congress for Over-*
7 *seas Contingency Operations/ Global War on Terrorism*
8 *pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget*
9 *and Emergency Deficit Control Act of 1985.*

10 *PROCUREMENT*

11 *AIRCRAFT PROCUREMENT, ARMY*

12 *For an additional amount for “Aircraft Procurement,*
13 *Army”, \$424,686,000, to remain available until September*
14 *30, 2020: Provided, That such amount is designated by the*
15 *Congress for Overseas Contingency Operations/Global War*
16 *on Terrorism pursuant to section 251(b)(2)(A)(ii) of the*
17 *Balanced Budget and Emergency Deficit Control Act of*
18 *1985.*

19 *MISSILE PROCUREMENT, ARMY*

20 *For an additional amount for “Missile Procurement,*
21 *Army”, \$557,583,000, to remain available until September*
22 *30, 2020: Provided, That such amount is designated by the*
23 *Congress for Overseas Contingency Operations/Global War*
24 *on Terrorism pursuant to section 251(b)(2)(A)(ii) of the*

1 *Balanced Budget and Emergency Deficit Control Act of*
2 *1985.*

3 *PROCUREMENT OF WEAPONS AND TRACKED COMBAT*
4 *VEHICLES, ARMY*

5 *For an additional amount for “Procurement of Weap-*
6 *ons and Tracked Combat Vehicles, Army”, \$1,191,139,000,*
7 *to remain available until September 30, 2020: Provided,*
8 *That such amount is designated by the Congress for Over-*
9 *seas Contingency Operations/Global War on Terrorism pur-*
10 *suant to section 251(b)(2)(A)(ii) of the Balanced Budget*
11 *and Emergency Deficit Control Act of 1985.*

12 *PROCUREMENT OF AMMUNITION, ARMY*

13 *For an additional amount for “Procurement of Am-*
14 *munition, Army”, \$193,436,000, to remain available until*
15 *September 30, 2020: Provided, That such amount is des-*
16 *ignated by the Congress for Overseas Contingency Oper-*
17 *ations/Global War on Terrorism pursuant to section*
18 *251(b)(2)(A)(ii) of the Balanced Budget and Emergency*
19 *Deficit Control Act of 1985.*

20 *OTHER PROCUREMENT, ARMY*

21 *For an additional amount for “Other Procurement,*
22 *Army”, \$405,575,000, to remain available until September*
23 *30, 2020: Provided, That such amount is designated by the*
24 *Congress for Overseas Contingency Operations/Global War*
25 *on Terrorism pursuant to section 251(b)(2)(A)(ii) of the*

1 *Balanced Budget and Emergency Deficit Control Act of*
2 *1985.*

3 *AIRCRAFT PROCUREMENT, NAVY*

4 *For an additional amount for “Aircraft Procurement,*
5 *Navy”, \$157,300,000, to remain available until September*
6 *30, 2020: Provided, That such amount is designated by the*
7 *Congress for Overseas Contingency Operations/Global War*
8 *on Terrorism pursuant to section 251(b)(2)(A)(ii) of the*
9 *Balanced Budget and Emergency Deficit Control Act of*
10 *1985.*

11 *WEAPONS PROCUREMENT, NAVY*

12 *For an additional amount for “Weapons Procurement,*
13 *Navy”, \$130,994,000, to remain available until September*
14 *30, 2020: Provided, That such amount is designated by the*
15 *Congress for Overseas Contingency Operations/Global War*
16 *on Terrorism pursuant to section 251(b)(2)(A)(ii) of the*
17 *Balanced Budget and Emergency Deficit Control Act of*
18 *1985.*

19 *PROCUREMENT OF AMMUNITION, NAVY AND MARINE*

20 *CORPS*

21 *For an additional amount for “Procurement of Am-*
22 *munity, Navy and Marine Corps”, \$223,843,000, to re-*
23 *main available until September 30, 2020: Provided, That*
24 *such amount is designated by the Congress for Overseas*
25 *Contingency Operations/Global War on Terrorism pursu-*

1 *ant to section 251(b)(2)(A)(ii) of the Balanced Budget and*
2 *Emergency Deficit Control Act of 1985.*

3 *OTHER PROCUREMENT, NAVY*

4 *For an additional amount for “Other Procurement,*
5 *Navy”, \$207,984,000, to remain available until September*
6 *30, 2020: Provided, That such amount is designated by the*
7 *Congress for Overseas Contingency Operations/Global War*
8 *on Terrorism pursuant to section 251(b)(2)(A)(ii) of the*
9 *Balanced Budget and Emergency Deficit Control Act of*
10 *1985.*

11 *PROCUREMENT, MARINE CORPS*

12 *For an additional amount for “Procurement, Marine*
13 *Corps”, \$64,071,000, to remain available until September*
14 *30, 2020: Provided, That such amount is designated by the*
15 *Congress for Overseas Contingency Operations/Global War*
16 *on Terrorism pursuant to section 251(b)(2)(A)(ii) of the*
17 *Balanced Budget and Emergency Deficit Control Act of*
18 *1985.*

19 *AIRCRAFT PROCUREMENT, AIR FORCE*

20 *For an additional amount for “Aircraft Procurement,*
21 *Air Force”, \$510,836,000, to remain available until Sep-*
22 *tember 30, 2020: Provided, That such amount is designated*
23 *by the Congress for Overseas Contingency Operations/Glob-*
24 *al War on Terrorism pursuant to section 251(b)(2)(A)(ii)*

1 *of the Balanced Budget and Emergency Deficit Control Act*
2 *of 1985.*

3 *MISSILE PROCUREMENT, AIR FORCE*

4 *For an additional amount for “Missile Procurement,*
5 *Air Force”, \$381,700,000, to remain available until Sep-*
6 *tember 30, 2020: Provided, That such amount is designated*
7 *by the Congress for Overseas Contingency Operations/Glob-*
8 *al War on Terrorism pursuant to section 251(b)(2)(A)(ii)*
9 *of the Balanced Budget and Emergency Deficit Control Act*
10 *of 1985.*

11 *SPACE PROCUREMENT, AIR FORCE*

12 *For an additional amount for “Space Procurement,*
13 *Air Force”, \$2,256,000, to remain available until Sep-*
14 *tember 30, 2020: Provided, That such amount is designated*
15 *by the Congress for Overseas Contingency Operations/Glob-*
16 *al War on Terrorism pursuant to section 251(b)(2)(A)(ii)*
17 *of the Balanced Budget and Emergency Deficit Control Act*
18 *of 1985.*

19 *PROCUREMENT OF AMMUNITION, AIR FORCE*

20 *For an additional amount for “Procurement of Am-*
21 *munition, Air Force”, \$501,509,000, to remain available*
22 *until September 30, 2020: Provided, That such amount is*
23 *designated by the Congress for Overseas Contingency Oper-*
24 *ations/Global War on Terrorism pursuant to section*

1 *251(b)(2)(A)(ii) of the Balanced Budget and Emergency*
2 *Deficit Control Act of 1985.*

3 *OTHER PROCUREMENT, AIR FORCE*

4 *For an additional amount for “Other Procurement,*
5 *Air Force”, \$3,998,887,000, to remain available until Sep-*
6 *tember 30, 2020: Provided, That such amount is designated*
7 *by the Congress for Overseas Contingency Operations/Glob-*
8 *al War on Terrorism pursuant to section 251(b)(2)(A)(ii)*
9 *of the Balanced Budget and Emergency Deficit Control Act*
10 *of 1985.*

11 *PROCUREMENT, DEFENSE-WIDE*

12 *For an additional amount for “Procurement, Defense-*
13 *Wide”, \$510,741,000, to remain available until September*
14 *30, 2020: Provided, That such amount is designated by the*
15 *Congress for Overseas Contingency Operations/Global War*
16 *on Terrorism pursuant to section 251(b)(2)(A)(ii) of the*
17 *Balanced Budget and Emergency Deficit Control Act of*
18 *1985.*

19 *NATIONAL GUARD AND RESERVE EQUIPMENT ACCOUNT*

20 *For procurement of rotary-wing aircraft; combat, tac-*
21 *tical and support vehicles; other weapons; and other pro-*
22 *curement items for the reserve components of the Armed*
23 *Forces, \$1,000,000,000, to remain available for obligation*
24 *until September 30, 2020: Provided, That the Chiefs of Na-*
25 *tional Guard and Reserve components shall, not later than*

1 30 days after enactment of this Act, individually submit
2 to the congressional defense committees the modernization
3 priority assessment for their respective National Guard or
4 Reserve component: Provided further, That none of the
5 funds made available by this paragraph may be used to
6 procure manned fixed wing aircraft, or procure or modify
7 missiles, munitions, or ammunition: Provided further, That
8 such amount is designated by the Congress for Overseas
9 Contingency Operations/Global War on Terrorism pursu-
10 ant to section 251(b)(2)(A)(ii) of the Balanced Budget and
11 Emergency Deficit Control Act of 1985.

12 *PROCUREMENT, NATIONAL DEFENSE RESTORATION FUND*
13 *(INCLUDING TRANSFER OF FUNDS)*

14 *In addition to amounts provided elsewhere in this Act,*
15 *there is appropriated \$6,000,000,000, for the “Procurement,*
16 *National Defense Restoration Fund”:* Provided, That such
17 funds provided under this heading shall only be available
18 for programs, projects and activities necessary to implement
19 the 2018 National Defense Strategy: Provided further, That
20 such funds shall not be available for transfer until 30 days
21 after the Secretary has submitted, and the congressional de-
22 fense committees have approved, the proposed allocation
23 plan for the use of such funds to implement such strategy:
24 Provided further, That such allocation plan shall include
25 a detailed justification for the use of such funds and a de-

1 *scription of how such investments are necessary to imple-*
2 *ment the strategy: Provided further, That the Secretary of*
3 *Defense may transfer these funds only to procurement ac-*
4 *counts: Provided further, That the funds transferred shall*
5 *be merged with and shall be available for the same purposes*
6 *and for the same time period, as the appropriation to which*
7 *transferred: Provided further, That none of the funds made*
8 *available under this heading may be transferred to any pro-*
9 *gram, project, or activity specifically limited or denied by*
10 *this Act: Provided further, That the transfer authority pro-*
11 *vided under this heading is in addition to any other trans-*
12 *fer authority available to the Department of Defense: Pro-*
13 *vided further, That such amount is designated by the Con-*
14 *gress for Overseas Contingency Operations/Global War on*
15 *Terrorism pursuant to section 251(b)(2)(A)(ii) of the Bal-*
16 *anced Budget and Emergency Deficit Control Act of 1985.*

17 *RESEARCH, DEVELOPMENT, TEST AND*
18 *EVALUATION*

19 *RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY*
20 *For an additional amount for “Research, Develop-*
21 *ment, Test and Evaluation, Army”, \$119,368,000 (in-*
22 *creased by \$6,000,000), to remain available until September*
23 *30, 2019: Provided, That such amount is designated by the*
24 *Congress for Overseas Contingency Operations/Global War*
25 *on Terrorism pursuant to section 251(b)(2)(A)(ii) of the*

1 *Balanced Budget and Emergency Deficit Control Act of*
2 *1985.*

3 *RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY*

4 *For an additional amount for “Research, Develop-*
5 *ment, Test and Evaluation, Navy”, \$124,865,000, to re-*
6 *main available until September 30, 2019: Provided, That*
7 *such amount is designated by the Congress for Overseas*
8 *Contingency Operations/Global War on Terrorism pursu-*
9 *ant to section 251(b)(2)(A)(ii) of the Balanced Budget and*
10 *Emergency Deficit Control Act of 1985.*

11 *RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR*

12 *FORCE*

13 *For an additional amount for “Research, Develop-*
14 *ment, Test and Evaluation, Air Force”, \$144,508,000, to*
15 *remain available until September 30, 2019: Provided, That*
16 *such amount is designated by the Congress for Overseas*
17 *Contingency Operations/Global War on Terrorism pursu-*
18 *ant to section 251(b)(2)(A)(ii) of the Balanced Budget and*
19 *Emergency Deficit Control Act of 1985.*

20 *RESEARCH, DEVELOPMENT, TEST AND EVALUATION,*

21 *DEFENSE-WIDE*

22 *For an additional amount for “Research, Develop-*
23 *ment, Test and Evaluation, Defense-Wide”, \$226,096,000,*
24 *to remain available until September 30, 2019: Provided,*
25 *That such amount is designated by the Congress for Over-*

1 *seas Contingency Operations/Global War on Terrorism pur-*
2 *suant to section 251(b)(2)(A)(ii) of the Balanced Budget*
3 *and Emergency Deficit Control Act of 1985.*

4 *RESEARCH, DEVELOPMENT, TEST AND EVALUATION,*
5 *NATIONAL DEFENSE RESTORATION FUND*
6 *(INCLUDING TRANSFER OF FUNDS)*

7 *In addition to amounts provided elsewhere in this Act,*
8 *there is appropriated \$1,000,000,000, for the “Research, De-*
9 *velopment, Test and Evaluation, National Defense Restora-*
10 *tion Fund”: Provided, That such funds provided under this*
11 *heading shall only be available for programs, projects and*
12 *activities necessary to implement the 2018 National Defense*
13 *Strategy: Provided further, That such funds shall not be*
14 *available for transfer until 30 days after the Secretary has*
15 *submitted, and the congressional defense committees have*
16 *approved, the proposed allocation plan for the use of such*
17 *funds to implement such strategy: Provided further, That*
18 *such allocation plan shall include a detailed justification*
19 *for the use of such funds and a description of how such*
20 *investments are necessary to implement the strategy: Pro-*
21 *vided further, That the Secretary of Defense may transfer*
22 *these funds only to research, development, test and evalua-*
23 *tion accounts: Provided further, That the funds transferred*
24 *shall be merged with and shall be available for the same*
25 *purposes and for the same time period, as the appropriation*

1 *to which transferred: Provided further, That none of the*
2 *funds made available under this heading may be trans-*
3 *ferred to any program, project, or activity specifically lim-*
4 *ited or denied by this Act: Provided further, That the trans-*
5 *fer authority provided under this heading is in addition*
6 *to any other transfer authority available to the Department*
7 *of Defense: Provided further, That such amount is des-*
8 *ignated by the Congress for Overseas Contingency Oper-*
9 *ations/Global War on Terrorism pursuant to section*
10 *251(b)(2)(A)(ii) of the Balanced Budget and Emergency*
11 *Deficit Control Act of 1985.*

12 *REVOLVING AND MANAGEMENT FUNDS*

13 *DEFENSE WORKING CAPITAL FUNDS*

14 *For an additional amount for “Defense Working Cap-*
15 *ital Funds”, \$148,956,000: Provided, That such amount is*
16 *designated by the Congress for Overseas Contingency Oper-*
17 *ations/Global War on Terrorism pursuant to section*
18 *251(b)(2)(A)(ii) of the Balanced Budget and Emergency*
19 *Deficit Control Act of 1985.*

20 *OTHER DEPARTMENT OF DEFENSE PROGRAMS*

21 *DEFENSE HEALTH PROGRAM*

22 *For an additional amount for “Defense Health Pro-*
23 *gram”, \$395,805,000, which shall be for operation and*
24 *maintenance: Provided, That such amount is designated by*
25 *the Congress for Overseas Contingency Operations/Global*

1 *War on Terrorism pursuant to section 251(b)(2)(A)(ii) of*
2 *the Balanced Budget and Emergency Deficit Control Act*
3 *of 1985.*

4 *DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES,*
5 *DEFENSE*

6 *For an additional amount for “Drug Interdiction and*
7 *Counter-Drug Activities, Defense”, \$196,300,000: Provided,*
8 *That such amount is designated by the Congress for Over-*
9 *seas Contingency Operations/Global War on Terrorism pur-*
10 *suant to section 251(b)(2)(A)(ii) of the Balanced Budget*
11 *and Emergency Deficit Control Act of 1985.*

12 *JOINT IMPROVISED-THREAT DEFEAT FUND*
13 *(INCLUDING TRANSFER OF FUNDS)*

14 *For the “Joint Improvised-Threat Defeat Fund”,*
15 *\$483,058,000, to remain available until September 30,*
16 *2020: Provided, That such funds shall be available to the*
17 *Secretary of Defense, notwithstanding any other provision*
18 *of law, for the purpose of allowing the Director of the Joint*
19 *Improvised-Threat Defeat Organization to investigate, de-*
20 *velop and provide equipment, supplies, services, training,*
21 *facilities, personnel and funds to assist United States forces*
22 *in the defeat of improvised explosive devices: Provided fur-*
23 *ther, That the Secretary of Defense may transfer funds pro-*
24 *vided herein to appropriations for military personnel; oper-*
25 *ation and maintenance; procurement; research, develop-*

1 *ment, test and evaluation; and defense working capital*
2 *funds to accomplish the purpose provided herein: Provided*
3 *further, That this transfer authority is in addition to any*
4 *other transfer authority available to the Department of De-*
5 *fense: Provided further, That the Secretary of Defense shall,*
6 *not fewer than 5 days prior to making transfers from this*
7 *appropriation, notify the congressional defense committees*
8 *in writing of the details of any such transfer: Provided fur-*
9 *ther, That such amount is designated by the Congress for*
10 *Overseas Contingency Operations/Global War on Terrorism*
11 *pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget*
12 *and Emergency Deficit Control Act of 1985.*

13 *OFFICE OF THE INSPECTOR GENERAL*

14 *For an additional amount for the “Office of the Inspec-*
15 *tor General”, \$24,692,000: Provided, That such amount is*
16 *designated by the Congress for Overseas Contingency Oper-*
17 *ations/Global War on Terrorism pursuant to section*
18 *251(b)(2)(A)(ii) of the Balanced Budget and Emergency*
19 *Deficit Control Act of 1985.*

20 *GENERAL PROVISIONS—THIS TITLE*

21 *SEC. 9001. Notwithstanding any other provision of*
22 *law, funds made available in this title are in addition to*
23 *amounts appropriated or otherwise made available for the*
24 *Department of Defense for fiscal year 2018.*

1 (INCLUDING TRANSFER OF FUNDS)

2 SEC. 9002. Upon the determination of the Secretary
3 of Defense that such action is necessary in the national in-
4 terest, the Secretary may, with the approval of the Office
5 of Management and Budget, transfer up to \$2,500,000,000
6 between the appropriations or funds made available to the
7 Department of Defense in this title: Provided, That the Sec-
8 retary shall notify the Congress promptly of each transfer
9 made pursuant to the authority in this section: Provided
10 further, That the authority provided in this section is in
11 addition to any other transfer authority available to the
12 Department of Defense and is subject to the same terms and
13 conditions as the authority provided in section 8005 of this
14 Act.

15 SEC. 9003. Supervision and administration costs and
16 costs for design during construction associated with a con-
17 struction project funded with appropriations available for
18 operation and maintenance or the “Afghanistan Security
19 Forces Fund” provided in this Act and executed in direct
20 support of overseas contingency operations in Afghanistan,
21 may be obligated at the time a construction contract is
22 awarded: Provided, That, for the purpose of this section,
23 supervision and administration costs and costs for design
24 during construction include all in-house Government costs.

1 *SEC. 9004. From funds made available in this title,*
2 *the Secretary of Defense may purchase for use by military*
3 *and civilian employees of the Department of Defense in the*
4 *United States Central Command area of responsibility:*

5 (1) *passenger motor vehicles up to a limit of*
6 *\$75,000 per vehicle; and*

7 (2) *heavy and light armored vehicles for the*
8 *physical security of personnel or for force protection*
9 *purposes up to a limit of \$450,000 per vehicle, not-*
10 *withstanding price or other limitations applicable to*
11 *the purchase of passenger carrying vehicles.*

12 *SEC. 9005. Not to exceed \$5,000,000 of the amounts*
13 *appropriated by this title under the heading “Operation*
14 *and Maintenance, Army” may be used, notwithstanding*
15 *any other provision of law, to fund the Commanders’ Emer-*
16 *gency Response Program (CERP), for the purpose of ena-*
17 *bling military commanders in Afghanistan to respond to*
18 *urgent, small-scale, humanitarian relief and reconstruction*
19 *requirements within their areas of responsibility: Provided,*
20 *That each project (including any ancillary or related ele-*
21 *ments in connection with such project) executed under this*
22 *authority shall not exceed \$2,000,000: Provided further,*
23 *That not later than 45 days after the end of each 6 months*
24 *of the fiscal year, the Secretary of Defense shall submit to*
25 *the congressional defense committees a report regarding the*

1 *source of funds and the allocation and use of funds during*
2 *that 6-month period that were made available pursuant to*
3 *the authority provided in this section or under any other*
4 *provision of law for the purposes described herein: Provided*
5 *further, That, not later than 30 days after the end of each*
6 *fiscal year quarter, the Army shall submit to the congress-*
7 *sional defense committees quarterly commitment, obliga-*
8 *tion, and expenditure data for the CERP in Afghanistan:*
9 *Provided further, That, not less than 15 days before making*
10 *funds available pursuant to the authority provided in this*
11 *section or under any other provision of law for the purposes*
12 *described herein for a project with a total anticipated cost*
13 *for completion of \$500,000 or more, the Secretary shall sub-*
14 *mit to the congressional defense committees a written notice*
15 *containing each of the following:*

16 (1) *The location, nature and purpose of the pro-*
17 *posed project, including how the project is intended to*
18 *advance the military campaign plan for the country*
19 *in which it is to be carried out.*

20 (2) *The budget, implementation timeline with*
21 *milestones, and completion date for the proposed*
22 *project, including any other CERP funding that has*
23 *been or is anticipated to be contributed to the comple-*
24 *tion of the project.*

1 (3) *A plan for the sustainment of the proposed*
2 *project, including the agreement with either the host*
3 *nation, a non-Department of Defense agency of the*
4 *United States Government or a third-party contrib-*
5 *utor to finance the sustainment of the activities and*
6 *maintenance of any equipment or facilities to be pro-*
7 *vided through the proposed project.*

8 *SEC. 9006. Funds available to the Department of De-*
9 *fense for operation and maintenance may be used, notwith-*
10 *standing any other provision of law, to provide supplies,*
11 *services, transportation, including airlift and sealift, and*
12 *other logistical support to allied forces participating in a*
13 *combined operation with the armed forces of the United*
14 *States and coalition forces supporting military and sta-*
15 *bility operations in Afghanistan and to counter the Islamic*
16 *State of Iraq and the Levant: Provided, That the Secretary*
17 *of Defense shall provide quarterly reports to the congres-*
18 *sional defense committees regarding support provided under*
19 *this section.*

20 *SEC. 9007. None of the funds appropriated or other-*
21 *wise made available by this or any other Act shall be obli-*
22 *gated or expended by the United States Government for a*
23 *purpose as follows:*

1 (1) *To establish any military installation or base*
2 *for the purpose of providing for the permanent sta-*
3 *tioning of United States Armed Forces in Iraq.*

4 (2) *To exercise United States control over any*
5 *oil resource of Iraq.*

6 (3) *To establish any military installation or base*
7 *for the purpose of providing for the permanent sta-*
8 *tioning of United States Armed Forces in Afghani-*
9 *stan.*

10 *SEC. 9008. None of the funds made available in this*
11 *Act may be used in contravention of the following laws en-*
12 *acted or regulations promulgated to implement the United*
13 *Nations Convention Against Torture and Other Cruel, In-*
14 *human or Degrading Treatment or Punishment (done at*
15 *New York on December 10, 1984):*

16 (1) *Section 2340A of title 18, United States*
17 *Code.*

18 (2) *Section 2242 of the Foreign Affairs Reform*
19 *and Restructuring Act of 1998 (division G of Public*
20 *Law 105–277; 112 Stat. 2681–822; 8 U.S.C. 1231*
21 *note) and regulations prescribed thereto, including*
22 *regulations under part 208 of title 8, Code of Federal*
23 *Regulations, and part 95 of title 22, Code of Federal*
24 *Regulations.*

1 (3) *Sections 1002 and 1003 of the Department of*
2 *Defense, Emergency Supplemental Appropriations to*
3 *Address Hurricanes in the Gulf of Mexico, and Pan-*
4 *demic Influenza Act, 2006 (Public Law 109–148).*

5 *SEC. 9009. None of the funds provided for the “Afghan-*
6 *istan Security Forces Fund” (ASFF) may be obligated*
7 *prior to the approval of a financial and activity plan by*
8 *the Afghanistan Resources Oversight Council (AROC) of the*
9 *Department of Defense: Provided, That the AROC must ap-*
10 *prove the requirement and acquisition plan for any service*
11 *requirements in excess of \$50,000,000 annually and any*
12 *non-standard equipment requirements in excess of*
13 *\$100,000,000 using ASFF: Provided further, That the De-*
14 *partment of Defense must certify to the congressional de-*
15 *fense committees that the AROC has convened and approved*
16 *a process for ensuring compliance with the requirements in*
17 *the preceding proviso and accompanying report language*
18 *for the ASFF.*

19 *SEC. 9010. Funds made available in this title to the*
20 *Department of Defense for operation and maintenance may*
21 *be used to purchase items having an investment unit cost*
22 *of not more than \$250,000: Provided, That, upon deter-*
23 *mination by the Secretary of Defense that such action is*
24 *necessary to meet the operational requirements of a Com-*
25 *mander of a Combatant Command engaged in contingency*

1 *operations overseas, such funds may be used to purchase*
2 *items having an investment item unit cost of not more than*
3 *\$500,000.*

4 *SEC. 9011. Up to \$500,000,000 of funds appropriated*
5 *by this Act for the Defense Security Cooperation Agency*
6 *in “Operation and Maintenance, Defense-Wide” may be*
7 *used to provide assistance to the Government of Jordan to*
8 *support the armed forces of Jordan and to enhance security*
9 *along its borders.*

10 *SEC. 9012. None of the funds made available by this*
11 *Act under the heading “Counter-ISIL Train and Equip*
12 *Fund” may be used to procure or transfer man-portable air*
13 *defense systems.*

14 *SEC. 9013. For the “Ukraine Security Assistance Ini-*
15 *tiative”, \$150,000,000 is hereby appropriated, to remain*
16 *available until September 30, 2018: Provided, That such*
17 *funds shall be available to the Secretary of Defense, in co-*
18 *ordination with the Secretary of State, to provide assist-*
19 *ance, including training; equipment; lethal weapons of a*
20 *defensive nature; logistics support, supplies and services;*
21 *sustainment; and intelligence support to the military and*
22 *national security forces of Ukraine, and for replacement of*
23 *any weapons or defensive articles provided to the Govern-*
24 *ment of Ukraine from the inventory of the United States:*
25 *Provided further, That the Secretary of Defense shall, not*

1 *less than 15 days prior to obligating funds provided under*
2 *this heading, notify the congressional defense committees in*
3 *writing of the details of any such obligation: Provided fur-*
4 *ther, That the United States may accept equipment pro-*
5 *cured using funds provided under this heading in this or*
6 *prior Acts that was transferred to the security forces of*
7 *Ukraine and returned by such forces to the United States:*
8 *Provided further, That equipment procured using funds*
9 *provided under this heading in this or prior Acts, and not*
10 *yet transferred to the military or National Security Forces*
11 *of Ukraine or returned by such forces to the United States,*
12 *may be treated as stocks of the Department of Defense upon*
13 *written notification to the congressional defense committees:*
14 *Provided further, That amounts made available by this sec-*
15 *tion are designated by the Congress for Overseas Contin-*
16 *gency Operations/Global War on Terrorism pursuant to sec-*
17 *tion 251(b)(2)(A)(ii) of the Balanced Budget and Emer-*
18 *gency Deficit Control Act of 1985.*

19 *SEC. 9014. Funds appropriated in this title shall be*
20 *available for replacement of funds for items provided to the*
21 *Government of Ukraine from the inventory of the United*
22 *States to the extent specifically provided for in section 9013*
23 *of this Act.*

24 *SEC. 9015. None of the funds made available by this*
25 *Act under section 9013 for “Assistance and Sustainment*

1 *to the Military and National Security Forces of Ukraine”*
2 *may be used to procure or transfer man-portable air defense*
3 *systems.*

4 *SEC. 9016. (a) None of the funds appropriated or oth-*
5 *erwise made available by this Act under the heading “Oper-*
6 *ation and Maintenance, Defense-Wide” for payments under*
7 *section 1233 of Public Law 110–181 for reimbursement to*
8 *the Government of Pakistan may be made available unless*
9 *the Secretary of Defense, in coordination with the Secretary*
10 *of State, certifies to the congressional defense committees*
11 *that the Government of Pakistan is—*

12 *(1) cooperating with the United States in*
13 *counterterrorism efforts against the Haqqani Network,*
14 *the Quetta Shura Taliban, Lashkar e-Tayyiba, Jaish-*
15 *e-Mohammed, Al Qaeda, and other domestic and for-*
16 *oreign terrorist organizations, including taking steps to*
17 *end support for such groups and prevent them from*
18 *basing and operating in Pakistan and carrying out*
19 *cross border attacks into neighboring countries;*

20 *(2) not supporting terrorist activities against*
21 *United States or coalition forces in Afghanistan, and*
22 *Pakistan’s military and intelligence agencies are not*
23 *intervening extra-judicially into political and judicial*
24 *processes in Pakistan;*

1 (3) *dismantling improvised explosive device*
2 *(IED) networks and interdicting precursor chemicals*
3 *used in the manufacture of IEDs;*

4 (4) *preventing the proliferation of nuclear-re-*
5 *lated material and expertise;*

6 (5) *implementing policies to protect judicial*
7 *independence and due process of law;*

8 (6) *issuing visas in a timely manner for United*
9 *States visitors engaged in counterterrorism efforts and*
10 *assistance programs in Pakistan; and*

11 (7) *providing humanitarian organizations access*
12 *to detainees, internally displaced persons, and other*
13 *Pakistani civilians affected by the conflict.*

14 (b) *The Secretary of Defense, in coordination with the*
15 *Secretary of State, may waive the restriction in subsection*
16 *(a) on a case-by-case basis by certifying in writing to the*
17 *congressional defense committees that it is in the national*
18 *security interest to do so: Provided, That if the Secretary*
19 *of Defense, in coordination with the Secretary of State, ex-*
20 *ercises such waiver authority, the Secretaries shall report*
21 *to the congressional defense committees on both the justifica-*
22 *tion for the waiver and on the requirements of this section*
23 *that the Government of Pakistan was not able to meet: Pro-*
24 *vided further, That such report may be submitted in classi-*
25 *fied form if necessary.*

1 (INCLUDING TRANSFER OF FUNDS)

2 SEC. 9017. In addition to amounts otherwise made
3 available in this Act, \$500,000,000 is hereby appropriated
4 to the Department of Defense and made available for trans-
5 fer only to the operation and maintenance, military per-
6 sonnel, and procurement accounts, to improve the intel-
7 ligence, surveillance, and reconnaissance capabilities of the
8 Department of Defense: Provided, That the transfer author-
9 ity provided in this section is in addition to any other
10 transfer authority provided elsewhere in this Act: Provided
11 further, That not later than 30 days prior to exercising the
12 transfer authority provided in this section, the Secretary
13 of Defense shall submit a report to the congressional defense
14 committees on the proposed uses of these funds: Provided
15 further, That the funds provided in this section may not
16 be transferred to any program, project, or activity specifi-
17 cally limited or denied by this Act: Provided further, That
18 amounts made available by this section are designated by
19 the Congress for Overseas Contingency Operations/Global
20 War on Terrorism pursuant to section 251(b)(2)(A)(ii) of
21 the Balanced Budget and Emergency Deficit Control Act
22 of 1985: Provided further, That the authority to provide
23 funding under this section shall terminate on September 30,
24 2018.

1 “Counter-ISIL Train and Equip Fund”, 2017/
2 2018, \$112,513,000.

3 “Operation and Maintenance, Defense-Wide,
4 DSCA Coalition Support Fund”, 2017/2018,
5 \$350,000,000.

6 SEC. 9020. Each amount designated in this Act by the
7 Congress for Overseas Contingency Operations/Global War
8 on Terrorism pursuant to section 251(b)(2)(A)(i) of the
9 Balanced Budget and Emergency Deficit Control Act of
10 1985 shall be available only if the President subsequently
11 so designates all such amounts and transmits such designa-
12 tions to the Congress.

13 SEC. 9021. (a) Not later than 30 days after the date
14 of the enactment of this Act, the President shall submit to
15 Congress a report on the United States strategy to defeat
16 Al-Qaeda, the Taliban, the Islamic State of Iraq and Syria
17 (ISIS), and their associated forces and co-belligerents.

18 (b) The report required under subsection (a) shall in-
19 clude the following:

20 (1) An analysis of the adequacy of the existing
21 legal framework to accomplish the strategy described
22 in subsection (a), particularly with respect to the Au-
23 thorization for Use of Military Force (Public Law
24 107-40; 50 U.S.C. 1541 note) and the Authorization

1 *for Use of Military Force Against Iraq Resolution of*
2 *2002 (Public Law 107–243; 50 U.S.C. 1541 note).*

3 (2) *An analysis of the budgetary resources nec-*
4 *essary to accomplish the strategy described in sub-*
5 *section (a).*

6 (c) *Not later than 30 days after the date on which the*
7 *President submits to the appropriate congressional commit-*
8 *tees the report required by subsection (a), the Secretary of*
9 *State and the Secretary of Defense shall testify at any hear-*
10 *ing held by any of the appropriate congressional committees*
11 *on the report and to which the Secretary is invited.*

12 (d) *In this section, the term “appropriate congres-*
13 *sional committees” means—*

14 (1) *the Committee on Foreign Relations and the*
15 *Committee on Armed Services of the Senate; and*

16 (2) *the Committee on Foreign Affairs and the*
17 *Committee on Armed Services of the House of Rep-*
18 *resentatives.*

19 *SEC. 9022. (a) In addition to amounts provided else-*
20 *where in this Act, there is hereby appropriated*
21 *\$1,184,112,000, for the following accounts and programs in*
22 *the specified amounts for costs associated with Operation*
23 *Freedom’s Sentinel:*

24 (1) *“Military Personnel, Army”, \$48,377,000;*

1 (2) *“Military Personnel, Marine Corps”*,
2 \$179,000;

3 (3) *“Military Personnel, Air Force”*, \$1,340,000;

4 (4) *“Operation and Maintenance, Army”*,
5 \$872,491,000;

6 (5) *“Operation and Maintenance, Navy”*,
7 \$76,274,000;

8 (6) *“Operation and Maintenance, Marine
9 Corps”*, \$24,734,000;

10 (7) *“Operation and Maintenance, Defense-Wide”*,
11 \$81,164,000;

12 (8) *“Procurement of Ammunition, Navy and
13 Marine Corps”*, \$10,853,000, *to remain available
14 until September 30, 2020*;

15 (9) *“Other Procurement, Navy”*, \$31,500,000, *to
16 remain available until September 30, 2020*; and

17 (10) *“Research, Development, Test and Evalua-
18 tion, Navy”*, \$37,200,000, *to remain available until
19 September 30, 2019*.

20 (b) *Amounts provided pursuant to this section are
21 hereby designated by the Congress for Overseas Contingency
22 Operations/Global War on Terrorism pursuant to section
23 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
24 Deficit Control Act of 1985.*

1 *TITLE X—ADDITIONAL GENERAL PROVISIONS*2 *REFERENCES TO REPORT*

3 *SEC. 10001. Any reference to a “report accompanying*
4 *this Act” contained in this Act shall be treated as a ref-*
5 *erence to House Report 115–219. Such report shall apply*
6 *for purposes of determining the allocation of funds provided*
7 *by, and the implementation of, this Act.*

8 *SPENDING REDUCTION ACCOUNT*

9 *SEC. 10002. \$0.*

10 *SEC. 10003. None of the funds appropriated or other-*
11 *wise made available under the heading “Afghanistan Secu-*
12 *rity Forces Fund” may be used to procure uniforms for the*
13 *Afghan National Army.*

14 *SEC. 10004. None of the funds made available in this*
15 *Act may be used for the closure of a biosafety level 4 labora-*
16 *tory.*

17 *SEC. 10005. None of the funds made available by this*
18 *Act may be used to provide arms, training, or other assist-*
19 *ance to the Azov Battalion.*

20 *SEC. 10006. None of the finds made available by this*
21 *Act may be used to purchase heavy water from Iran.*

22 *SEC. 10007. None of the funds appropriated by this*
23 *Act may be used to plan for, begin, continue, complete, proc-*
24 *ess, or approve a public-private competition under the Of-*
25 *fice of Management and Budget Circular A-76.*

1 *SEC. 10008. Notwithstanding any other provision of*
2 *law, with respect to the revised security category (as that*
3 *term is defined in section 250(c)(4)(D) of the Balanced*
4 *Budget and Emergency Deficit Control Act of 1985), any*
5 *sequestration order issued under such Act for fiscal year*
6 *2018 shall have no force or effect.*

7 *This Act may be cited as the “Department of Defense*
8 *Appropriations Act, 2018”.*

Attest:

Clerk.

115TH CONGRESS
2^D SESSION

H.R. 695

**HOUSE AMENDMENT TO
SENATE AMENDMENT**