

Calendar No. 500

115<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

**H. R. 6157**

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IN THE SENATE OF THE UNITED STATES

JUNE 28, 2018

Received; read twice and placed on the calendar

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**AN ACT**

Making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*  
3       That the following sums are appropriated, out of any  
4       money in the Treasury not otherwise appropriated, for the  
5       fiscal year ending September 30, 2019, for military func-  
6       tions administered by the Department of Defense and for  
7       other purposes, namely:

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TITLE I

MILITARY PERSONNEL

MILITARY PERSONNEL, ARMY

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Army on active duty (except members of reserve components provided for elsewhere), cadets, and aviation cadets; for members of the Reserve Officers' Training Corps; and for payments pursuant to section 156 of Public Law 97-377, as amended (42 U.S.C. 402 note), and to the Department of Defense Military Retirement Fund, \$43,093,752,000.

MILITARY PERSONNEL, NAVY

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Navy on active duty (except members of the Reserve provided for elsewhere), midshipmen, and aviation cadets; for members of the Reserve Officers' Training Corps; and for payments pursuant to section 156 of Public Law 97-377,

1 as amended (42 U.S.C. 402 note), and to the Department  
2 of Defense Military Retirement Fund, \$30,254,211,000  
3 (reduced by \$2,000,000) (increased by \$2,000,000).

4           MILITARY PERSONNEL, MARINE CORPS

5           For pay, allowances, individual clothing, subsistence,  
6 interest on deposits, gratuities, permanent change of sta-  
7 tion travel (including all expenses thereof for organiza-  
8 tional movements), and expenses of temporary duty travel  
9 between permanent duty stations, for members of the Ma-  
10 rine Corps on active duty (except members of the Reserve  
11 provided for elsewhere); and for payments pursuant to sec-  
12 tion 156 of Public Law 97-377, as amended (42 U.S.C.  
13 402 note), and to the Department of Defense Military Re-  
14 tirement Fund, \$13,770,968,000.

15           MILITARY PERSONNEL, AIR FORCE

16           For pay, allowances, individual clothing, subsistence,  
17 interest on deposits, gratuities, permanent change of sta-  
18 tion travel (including all expenses thereof for organiza-  
19 tional movements), and expenses of temporary duty travel  
20 between permanent duty stations, for members of the Air  
21 Force on active duty (except members of reserve compo-  
22 nents provided for elsewhere), cadets, and aviation cadets;  
23 for members of the Reserve Officers' Training Corps; and  
24 for payments pursuant to section 156 of Public Law 97-  
25 377, as amended (42 U.S.C. 402 note), and to the Depart-

1 ment of Defense Military Retirement Fund,  
2 \$30,357,311,000.

3 RESERVE PERSONNEL, ARMY

4 For pay, allowances, clothing, subsistence, gratuities,  
5 travel, and related expenses for personnel of the Army Re-  
6 serve on active duty under sections 10211, 10302, and  
7 3038 of title 10, United States Code, or while serving on  
8 active duty under section 12301(d) of title 10, United  
9 States Code, in connection with performing duty specified  
10 in section 12310(a) of title 10, United States Code, or  
11 while undergoing reserve training, or while performing  
12 drills or equivalent duty or other duty, and expenses au-  
13 thorized by section 16131 of title 10, United States Code;  
14 and for payments to the Department of Defense Military  
15 Retirement Fund, \$4,848,947,000.

16 RESERVE PERSONNEL, NAVY

17 For pay, allowances, clothing, subsistence, gratuities,  
18 travel, and related expenses for personnel of the Navy Re-  
19 serve on active duty under section 10211 of title 10,  
20 United States Code, or while serving on active duty under  
21 section 12301(d) of title 10, United States Code, in con-  
22 nection with performing duty specified in section 12310(a)  
23 of title 10, United States Code, or while undergoing re-  
24 serve training, or while performing drills or equivalent  
25 duty, and expenses authorized by section 16131 of title

1 10, United States Code; and for payments to the Depart-  
2 ment of Defense Military Retirement Fund,  
3 \$2,055,221,000.

4 RESERVE PERSONNEL, MARINE CORPS

5 For pay, allowances, clothing, subsistence, gratuities,  
6 travel, and related expenses for personnel of the Marine  
7 Corps Reserve on active duty under section 10211 of title  
8 10, United States Code, or while serving on active duty  
9 under section 12301(d) of title 10, 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 reserve training, or while performing drills or equiv-  
13 alent duty, and for members of the Marine Corps platoon  
14 leaders class, and expenses authorized by section 16131  
15 of title 10, United States Code; and for payments to the  
16 Department of Defense Military Retirement Fund,  
17 \$777,390,000.

18 RESERVE PERSONNEL, AIR FORCE

19 For pay, allowances, clothing, subsistence, gratuities,  
20 travel, and related expenses for personnel of the Air Force  
21 Reserve on active duty under sections 10211, 10305, and  
22 8038 of title 10, United States Code, or while serving on  
23 active duty under section 12301(d) of title 10, United  
24 States Code, in connection with performing duty specified  
25 in section 12310(a) of title 10, United States Code, or

1 while undergoing reserve training, or while performing  
2 drills or equivalent duty or other duty, and expenses au-  
3 thorized by section 16131 of title 10, United States Code;  
4 and for payments to the Department of Defense Military  
5 Retirement Fund, \$1,853,526,000.

6 NATIONAL GUARD PERSONNEL, ARMY

7 For pay, allowances, clothing, subsistence, gratuities,  
8 travel, and related expenses for personnel of the Army Na-  
9 tional Guard while on duty under sections 10211, 10302,  
10 or 12402 of title 10 or section 708 of title 32, United  
11 States Code, or while serving on duty under section  
12 12301(d) of title 10 or section 502(f) of title 32, United  
13 States Code, in connection with performing duty specified  
14 in section 12310(a) of title 10, United States Code, or  
15 while undergoing training, or while performing drills or  
16 equivalent duty or other duty, and expenses authorized by  
17 section 16131 of title 10, United States Code; and for pay-  
18 ments to the Department of Defense Military Retirement  
19 Fund, \$8,589,785,000.

20 NATIONAL GUARD PERSONNEL, AIR FORCE

21 For pay, allowances, clothing, subsistence, gratuities,  
22 travel, and related expenses for personnel of the Air Na-  
23 tional Guard on duty under sections 10211, 10305, or  
24 12402 of title 10 or section 708 of title 32, United States  
25 Code, or while serving on duty under section 12301(d) of

1 title 10 or section 502(f) of title 32, United States Code,  
2 in connection with performing duty specified in section  
3 12310(a) of title 10, United States Code, or while under-  
4 going training, or while performing drills or equivalent  
5 duty or other duty, and expenses authorized by section  
6 16131 of title 10, United States Code; and for payments  
7 to the Department of Defense Military Retirement Fund,  
8 \$3,707,240,000.

## 9 TITLE II

### 10 OPERATION AND MAINTENANCE

#### 11 OPERATION AND MAINTENANCE, ARMY

12 For expenses, not otherwise provided for, necessary  
13 for the operation and maintenance of the Army, as author-  
14 ized by law, \$41,334,782,000 (reduced by \$5,600,000):  
15 *Provided*, That not to exceed \$12,478,000 can be used for  
16 emergencies and extraordinary expenses, to be expended  
17 on the approval or authority of the Secretary of the Army,  
18 and payments may be made on his certificate of necessity  
19 for confidential military purposes.

#### 20 OPERATION AND MAINTENANCE, NAVY

21 For expenses, not otherwise provided for, necessary  
22 for the operation and maintenance of the Navy and the  
23 Marine Corps, as authorized by law, \$48,963,337,000:  
24 *Provided*, That not to exceed \$15,055,000 can be used for  
25 emergencies and extraordinary expenses, to be expended

1 on the approval or authority of the Secretary of the Navy,  
2 and payments may be made on his certificate of necessity  
3 for confidential military purposes.

4 OPERATION AND MAINTENANCE, MARINE CORPS

5 For expenses, not otherwise provided for, necessary  
6 for the operation and maintenance of the Marine Corps,  
7 as authorized by law, \$6,824,269,000.

8 OPERATION AND MAINTENANCE, AIR FORCE

9 For expenses, not otherwise provided for, necessary  
10 for the operation and maintenance of the Air Force, as  
11 authorized by law, \$41,465,107,000: *Provided*, That not  
12 to exceed \$7,699,000 can be used for emergencies and ex-  
13 traordinary expenses, to be expended on the approval or  
14 authority of the Secretary of the Air Force, and payments  
15 may be made on his certificate of necessity for confidential  
16 military purposes.

17 OPERATION AND MAINTENANCE, DEFENSE-WIDE

18 (INCLUDING TRANSFER OF FUNDS)

19 For expenses, not otherwise provided for, necessary  
20 for the operation and maintenance of activities and agen-  
21 cies of the Department of Defense (other than the military  
22 departments), as authorized by law, \$35,676,402,000 (in-  
23 creased by \$5,000,000) (increased by \$6,000,000) (re-  
24 duced by \$6,000,000) (reduced by \$250,000) (increased  
25 by \$250,000) (reduced by \$10,000,000) (increased by



1 \$10,000,000) (reduced by \$65,000,000) (reduced by  
2 \$5,000,000) (reduced by \$30,000,000) (reduced by  
3 \$1,000,000) (reduced by \$4,000,000) (increased by  
4 \$4,000,000) (reduced by \$5,000,000) (increased by  
5 \$5,000,000) (reduced by \$10,000,000) (increased by  
6 \$10,000,000) (increased by \$1,000,000) (increased by  
7 \$5,000,000) (reduced by \$1,300,000) (reduced by  
8 \$6,000,000) (reduced by \$1,000,000) (reduced by  
9 \$8,300,000) (reduced by \$3,200,000): *Provided*, That not  
10 more than \$7,503,000 may be used for the Combatant  
11 Commander Initiative Fund authorized under section  
12 166a of title 10, United States Code: *Provided further*,  
13 That not to exceed \$36,000,000 can be used for emer-  
14 gencies and extraordinary expenses, to be expended on the  
15 approval or authority of the Secretary of Defense, and  
16 payments may be made on his certificate of necessity for  
17 confidential military purposes: *Provided further*, That of  
18 the funds provided under this heading, not less than  
19 \$42,300,000 shall be made available for the Procurement  
20 Technical Assistance Cooperative Agreement Program, of  
21 which not less than \$4,500,000 shall be available for cen-  
22 ters defined in 10 U.S.C. 2411(1)(D): *Provided further*,  
23 That none of the funds appropriated or otherwise made  
24 available by this Act may be used to plan or implement  
25 the consolidation of a budget or appropriations liaison of-

1 fice of the Office of the Secretary of Defense, the office  
2 of the Secretary of a military department, or the service  
3 headquarters of one of the Armed Forces into a legislative  
4 affairs or legislative liaison office: *Provided further*, That  
5 \$19,160,000, to remain available until September 30,  
6 2020, is available only for expenses relating to certain  
7 classified activities, and may be transferred as necessary  
8 by the Secretary of Defense to operation and maintenance  
9 appropriations or research, development, test and evalua-  
10 tion appropriations, to be merged with and to be available  
11 for the same time period as the appropriations to which  
12 transferred: *Provided further*, That any ceiling on the in-  
13 vestment item unit cost of items that may be purchased  
14 with operation and maintenance funds shall not apply to  
15 the funds described in the preceding proviso: *Provided fur-*  
16 *ther*, That of the funds provided under this heading,  
17 \$496,264,000, of which \$124,066,000, to remain available  
18 until September 30, 2020, shall be available to provide  
19 support and assistance to foreign security forces or other  
20 groups or individuals to conduct, support or facilitate  
21 counterterrorism, crisis response, or other Department of  
22 Defense security cooperation programs: *Provided further*,  
23 That the transfer authority provided under this heading  
24 is in addition to any other transfer authority provided else-  
25 where in this Act.

## 1 OPERATION AND MAINTENANCE, ARMY RESERVE

2 For expenses, not otherwise provided for, necessary  
3 for the operation and maintenance, including training, or-  
4 ganization, and administration, of the Army Reserve; re-  
5 pair of facilities and equipment; hire of passenger motor  
6 vehicles; travel and transportation; care of the dead; re-  
7 cruiting; procurement of services, supplies, and equip-  
8 ment; and communications, \$2,877,402,000.

## 9 OPERATION AND MAINTENANCE, NAVY RESERVE

10 For expenses, not otherwise provided for, necessary  
11 for the operation and maintenance, including training, or-  
12 ganization, and administration, of the Navy Reserve; re-  
13 pair of facilities and equipment; hire of passenger motor  
14 vehicles; travel and transportation; care of the dead; re-  
15 cruiting; procurement of services, supplies, and equip-  
16 ment; and communications, \$1,019,966,000.

## 17 OPERATION AND MAINTENANCE, MARINE CORPS

## 18 RESERVE

19 For expenses, not otherwise provided for, necessary  
20 for the operation and maintenance, including training, or-  
21 ganization, and administration, of the Marine Corps Re-  
22 serve; repair of facilities and equipment; hire of passenger  
23 motor vehicles; travel and transportation; care of the dead;  
24 recruiting; procurement of services, supplies, and equip-  
25 ment; and communications, \$281,570,000.

## 1 OPERATION AND MAINTENANCE, AIR FORCE RESERVE

2 For expenses, not otherwise provided for, necessary  
3 for the operation and maintenance, including training, or-  
4 ganization, and administration, of the Air Force Reserve;  
5 repair of facilities and equipment; hire of passenger motor  
6 vehicles; travel and transportation; care of the dead; re-  
7 cruiting; procurement of services, supplies, and equip-  
8 ment; and communications, \$3,212,234,000.

## 9 OPERATION AND MAINTENANCE, ARMY NATIONAL

## 10 GUARD

11 For expenses of training, organizing, and admin-  
12 istering the Army National Guard, including medical and  
13 hospital treatment and related expenses in non-Federal  
14 hospitals; maintenance, operation, and repairs to struc-  
15 tures and facilities; hire of passenger motor vehicles; per-  
16 sonnel services in the National Guard Bureau; travel ex-  
17 penses (other than mileage), as authorized by law for  
18 Army personnel on active duty, for Army National Guard  
19 division, regimental, and battalion commanders while in-  
20 specting units in compliance with National Guard Bureau  
21 regulations when specifically authorized by the Chief, Na-  
22 tional Guard Bureau; supplying and equipping the Army  
23 National Guard as authorized by law; and expenses of re-  
24 pair, modification, maintenance, and issue of supplies and  
25 equipment (including aircraft), \$7,329,771,000.

## 1 OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

2 For expenses of training, organizing, and admin-  
3 istering the Air National Guard, including medical and  
4 hospital treatment and related expenses in non-Federal  
5 hospitals; maintenance, operation, and repairs to struc-  
6 tures and facilities; transportation of things, hire of pas-  
7 senger motor vehicles; supplying and equipping the Air  
8 National Guard, as authorized by law; expenses for repair,  
9 modification, maintenance, and issue of supplies and  
10 equipment, including those furnished from stocks under  
11 the control of agencies of the Department of Defense;  
12 travel expenses (other than mileage) on the same basis as  
13 authorized by law for Air National Guard personnel on  
14 active Federal duty, for Air National Guard commanders  
15 while inspecting units in compliance with National Guard  
16 Bureau regulations when specifically authorized by the  
17 Chief, National Guard Bureau, \$6,438,162,000.

## 18 UNITED STATES COURT OF APPEALS FOR THE ARMED

## 19 FORCES

20 For salaries and expenses necessary for the United  
21 States Court of Appeals for the Armed Forces,  
22 \$14,662,000, of which not to exceed \$5,000 may be used  
23 for official representation purposes.

## 1 ENVIRONMENTAL RESTORATION, ARMY

2 (INCLUDING TRANSFER OF FUNDS)

3 For the Department of the Army, \$235,809,000, to  
4 remain available until transferred: *Provided*, That the Sec-  
5 retary of the Army shall, upon determining that such  
6 funds are required for environmental restoration, reduc-  
7 tion and recycling of hazardous waste, removal of unsafe  
8 buildings and debris of the Department of the Army, or  
9 for similar purposes, transfer the funds made available by  
10 this appropriation to other appropriations made available  
11 to the Department of the Army, to be merged with and  
12 to be available for the same purposes and for the same  
13 time period as the appropriations to which transferred:  
14 *Provided further*, That upon a determination that all or  
15 part of the funds transferred from this appropriation are  
16 not necessary for the purposes provided herein, such  
17 amounts may be transferred back to this appropriation:  
18 *Provided further*, That the transfer authority provided  
19 under this heading is in addition to any other transfer au-  
20 thority provided elsewhere in this Act.

## 21 ENVIRONMENTAL RESTORATION, NAVY

22 (INCLUDING TRANSFER OF FUNDS)

23 For the Department of the Navy, \$365,883,000, to  
24 remain available until transferred: *Provided*, That the Sec-  
25 retary of the Navy shall, upon determining that such

1 funds are required for environmental restoration, reduc-  
2 tion and recycling of hazardous waste, removal of unsafe  
3 buildings and debris of the Department of the Navy, or  
4 for similar purposes, transfer the funds made available by  
5 this appropriation to other appropriations made available  
6 to the Department of the Navy, to be merged with and  
7 to be available for the same purposes and for the same  
8 time period as the appropriations to which transferred:  
9 *Provided further*, That upon a determination that all or  
10 part of the funds transferred from this appropriation are  
11 not necessary for the purposes provided herein, such  
12 amounts may be transferred back to this appropriation:  
13 *Provided further*, That the transfer authority provided  
14 under this heading is in addition to any other transfer au-  
15 thority provided elsewhere in this Act.

16 ENVIRONMENTAL RESTORATION, AIR FORCE  
17 (INCLUDING TRANSFER OF FUNDS)

18 For the Department of the Air Force, \$376,808,000,  
19 to remain available until transferred: *Provided*, That the  
20 Secretary of the Air Force shall, upon determining that  
21 such funds are required for environmental restoration, re-  
22 duction and recycling of hazardous waste, removal of un-  
23 safe buildings and debris of the Department of the Air  
24 Force, or for similar purposes, transfer the funds made  
25 available by this appropriation to other appropriations

1 made available to the Department of the Air Force, to be  
2 merged with and to be available for the same purposes  
3 and for the same time period as the appropriations to  
4 which transferred: *Provided further*, That upon a deter-  
5 mination that all or part of the funds transferred from  
6 this appropriation are not necessary for the purposes pro-  
7 vided herein, such amounts may be transferred back to  
8 this appropriation: *Provided further*, That the transfer au-  
9 thority provided under this heading is in addition to any  
10 other transfer authority provided elsewhere in this Act.

11 ENVIRONMENTAL RESTORATION, DEFENSE-WIDE  
12 (INCLUDING TRANSFER OF FUNDS)

13 For the Department of Defense, \$19,002,000, to re-  
14 main available until transferred: *Provided*, That the Sec-  
15 retary of Defense shall, upon determining that such funds  
16 are required for environmental restoration, reduction and  
17 recycling of hazardous waste, removal of unsafe buildings  
18 and debris of the Department of Defense, or for similar  
19 purposes, transfer the funds made available by this appro-  
20 priation to other appropriations made available to the De-  
21 partment of Defense, to be merged with and to be avail-  
22 able for the same purposes and for the same time period  
23 as the appropriations to which transferred: *Provided fur-*  
24 *ther*, That upon a determination that all or part of the  
25 funds transferred from this appropriation are not nec-



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

6 ENVIRONMENTAL RESTORATION, FORMERLY USED  
7 DEFENSE SITES  
8 (INCLUDING TRANSFER OF FUNDS)

9 For the Department of the Army, \$248,673,000, to  
10 remain available until transferred: *Provided*, That the Sec-  
11 retary of the Army shall, upon determining that such  
12 funds are required for environmental restoration, reduc-  
13 tion and recycling of hazardous waste, removal of unsafe  
14 buildings and debris at sites formerly used by the Depart-  
15 ment of Defense, transfer the funds made available by this  
16 appropriation to other appropriations made available to  
17 the Department of the Army, to be merged with and to  
18 be available for the same purposes and for the same time  
19 period as the appropriations to which transferred: *Pro-*  
20 *vided further*, That upon a determination that all or part  
21 of the funds transferred from this appropriation are not  
22 necessary for the purposes provided herein, such amounts  
23 may be transferred back to this appropriation: *Provided*  
24 *further*, That the transfer authority provided under this

1 heading is in addition to any other transfer authority pro-  
2 vided elsewhere in this Act.

3 OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AID

4 For expenses relating to the Overseas Humanitarian,  
5 Disaster, and Civic Aid programs of the Department of  
6 Defense (consisting of the programs provided under sec-  
7 tions 401, 402, 404, 407, 2557, and 2561 of title 10,  
8 United States Code), \$117,663,000, to remain available  
9 until September 30, 2020.

10 COOPERATIVE THREAT REDUCTION ACCOUNT

11 For assistance, including assistance provided by con-  
12 tract or by grants, under programs and activities of the  
13 Department of Defense Cooperative Threat Reduction  
14 Program authorized under the Department of Defense Co-  
15 operative Threat Reduction Act, \$350,240,000, to remain  
16 available until September 30, 2021.

17 DEPARTMENT OF DEFENSE ACQUISITION WORKFORCE

18 DEVELOPMENT FUND

19 For the Department of Defense Acquisition Work-  
20 force Development Fund, \$400,000,000 (reduced by  
21 \$2,100,000), to remain available for obligation until Sep-  
22 tember 30, 2020: *Provided*, That no other amounts may  
23 be otherwise credited or transferred to the Fund, or depos-  
24 ited into the Fund, in fiscal year 2019 pursuant to section  
25 1705(d) of title 10, United States Code.

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TITLE III

PROCUREMENT

AIRCRAFT PROCUREMENT, ARMY

For construction, procurement, production, modification, and modernization of aircraft, equipment, including ordnance, ground handling equipment, spare parts, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, \$4,103,942,000, to remain available for obligation until September 30, 2021.

MISSILE PROCUREMENT, ARMY

For construction, procurement, production, modification, and modernization of missiles, equipment, including ordnance, ground handling equipment, spare parts, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired,

1 and construction prosecuted thereon prior to approval of  
2 title; and procurement and installation of equipment, ap-  
3 pliances, and machine tools in public and private plants;  
4 reserve plant and Government and contractor-owned  
5 equipment layaway; and other expenses necessary for the  
6 foregoing purposes, \$3,074,502,000, to remain available  
7 for obligation until September 30, 2021.

8       PROCUREMENT OF WEAPONS AND TRACKED COMBAT  
9   VEHICLES, ARMY

10       For construction, procurement, production, and  
11 modification of weapons and tracked combat vehicles,  
12 equipment, including ordnance, spare parts, and acces-  
13 sories therefor; specialized equipment and training devices;  
14 expansion of public and private plants, including the land  
15 necessary therefor, for the foregoing purposes, and such  
16 lands and interests therein, may be acquired, and con-  
17 struction prosecuted thereon prior to approval of title; and  
18 procurement and installation of equipment, appliances,  
19 and machine tools in public and private plants; reserve  
20 plant and Government and contractor-owned equipment  
21 layaway; and other expenses necessary for the foregoing  
22 purposes, \$4,590,205,000, to remain available for obliga-  
23 tion until September 30, 2021.

## 1           PROCUREMENT OF AMMUNITION, ARMY

2           For construction, procurement, production, and  
3 modification of ammunition, and accessories therefor; spe-  
4 cialized equipment and training devices; expansion of pub-  
5 lic and private plants, including ammunition facilities, au-  
6 thorized by section 2854 of title 10, United States Code,  
7 and the land necessary therefor, for the foregoing pur-  
8 poses, and such lands and interests therein, may be ac-  
9 quired, and construction prosecuted thereon prior to ap-  
10 proval of title; and procurement and installation of equip-  
11 ment, appliances, and machine tools in public and private  
12 plants; reserve plant and Government and contractor-  
13 owned equipment layaway; and other expenses necessary  
14 for the foregoing purposes, \$2,255,323,000, to remain  
15 available for obligation until September 30, 2021.

## 16           OTHER PROCUREMENT, ARMY

17           For construction, procurement, production, and  
18 modification of vehicles, including tactical, support, and  
19 non-tracked combat vehicles; the purchase of passenger  
20 motor vehicles for replacement only; communications and  
21 electronic equipment; other support equipment; spare  
22 parts, ordnance, and accessories therefor; specialized  
23 equipment and training devices; expansion of public and  
24 private plants, including the land necessary therefor, for  
25 the foregoing purposes, and such lands and interests

1 therein, may be acquired, and construction prosecuted  
2 thereon prior to approval of title; and procurement and  
3 installation of equipment, appliances, and machine tools  
4 in public and private plants; reserve plant and Govern-  
5 ment and contractor-owned equipment layaway; and other  
6 expenses necessary for the foregoing purposes,  
7 \$7,683,632,000, to remain available for obligation until  
8 September 30, 2021.

9 AIRCRAFT PROCUREMENT, NAVY

10 For construction, procurement, production, modifica-  
11 tion, and modernization of aircraft, equipment, including  
12 ordnance, spare parts, and accessories therefor; specialized  
13 equipment; expansion of public and private plants, includ-  
14 ing the land necessary therefor, and such lands and inter-  
15 ests therein, may be acquired, and construction prosecuted  
16 thereon prior to approval of title; and procurement and  
17 installation of equipment, appliances, and machine tools  
18 in public and private plants; reserve plant and Govern-  
19 ment and contractor-owned equipment layaway,  
20 \$20,107,195,000, to remain available for obligation until  
21 September 30, 2021.

22 WEAPONS PROCUREMENT, NAVY

23 For construction, procurement, production, modifica-  
24 tion, and modernization of missiles, torpedoes, other weap-  
25 ons, and related support equipment including spare parts,

1 and accessories therefor; expansion of public and private  
2 plants, including the land necessary therefor, and such  
3 lands and interests therein, may be acquired, and con-  
4 struction prosecuted thereon prior to approval of title; and  
5 procurement and installation of equipment, appliances,  
6 and machine tools in public and private plants; reserve  
7 plant and Government and contractor-owned equipment  
8 layaway, \$3,555,587,000, to remain available for obliga-  
9 tion until September 30, 2021.

10     PROCUREMENT OF AMMUNITION, NAVY AND MARINE  
11   CORPS

12     For construction, procurement, production, and  
13 modification of ammunition, and accessories therefor; spe-  
14 cialized equipment and training devices; expansion of pub-  
15 lic and private plants, including ammunition facilities, au-  
16 thorized by section 2854 of title 10, United States Code,  
17 and the land necessary therefor, for the foregoing pur-  
18 poses, and such lands and interests therein, may be ac-  
19 quired, and construction prosecuted thereon prior to ap-  
20 proval of title; and procurement and installation of equip-  
21 ment, appliances, and machine tools in public and private  
22 plants; reserve plant and Government and contractor-  
23 owned equipment layaway; and other expenses necessary  
24 for the foregoing purposes, \$973,556,000, to remain avail-  
25 able for obligation until September 30, 2021.

## 1 SHIPBUILDING AND CONVERSION, NAVY

2 For expenses necessary for the construction, acquisi-  
3 tion, or conversion of vessels as authorized by law, includ-  
4 ing armor and armament thereof, plant equipment, appli-  
5 ances, and machine tools and installation thereof in public  
6 and private plants; reserve plant and Government and con-  
7 tractor-owned equipment layaway; procurement of critical,  
8 long lead time components and designs for vessels to be  
9 constructed or converted in the future; and expansion of  
10 public and private plants, including land necessary there-  
11 for, and such lands and interests therein, may be acquired,  
12 and construction prosecuted thereon prior to approval of  
13 title, as follows:

14 Columbia Class Submarine (AP), \$2,949,400,000;  
15 Carrier Replacement Program, \$1,598,181,000;  
16 Virginia Class Submarine, \$4,340,676,000;  
17 Virginia Class Submarine (AP), \$2,796,401,000;  
18 CVN Refueling Overhauls (AP), \$425,873,000;  
19 DDG-1000 Program, \$270,965,000;  
20 DDG-51 Destroyer, \$5,187,837,000;  
21 DDG-51 Destroyer (AP), \$391,928,000;  
22 Littoral Combat Ship, \$1,558,505,000;  
23 Expeditionary Sea Base, \$647,000,000;  
24 TAO Fleet Oiler, \$977,104,000;  
25 TAO Fleet Oiler (AP), \$75,046,000;



1 Towing, Salvage, and Rescue Ship, \$80,517,000;  
2 LCU 1700, \$41,520,000;  
3 Ship to Shore Connector, \$507,875,000;  
4 Service Craft, \$72,062,000;  
5 LCAC SLEP, \$23,321,000;  
6 For outfitting, post-delivery, conversions, and first  
7 destination transportation, \$557,457,000; and  
8 Completion of Prior Year Shipbuilding Programs,  
9 \$207,099,000.

10 In all: \$22,708,767,000, to remain available for obli-  
11 gation until September 30, 2023: *Provided*, That addi-  
12 tional obligations may be incurred after September 30,  
13 2023, for engineering services, tests, evaluations, and  
14 other such budgeted work that must be performed in the  
15 final stage of ship construction: *Provided further*, That  
16 none of the funds provided under this heading for the con-  
17 struction or conversion of any naval vessel to be con-  
18 structed in shipyards in the United States shall be ex-  
19 pended in foreign facilities for the construction of major  
20 components of such vessel: *Provided further*, That none  
21 of the funds provided under this heading shall be used  
22 for the construction of any naval vessel in foreign ship-  
23 yards: *Provided further*, That funds appropriated or other-  
24 wise made available by this Act for production of the com-  
25 mon missile compartment of nuclear-powered vessels may

1 be available for multiyear procurement of critical compo-  
2 nents to support continuous production of such compart-  
3 ments only in accordance with the provisions of subsection  
4 (i) of section 2218a of title 10, United States Code (as  
5 added by section 1023 of the National Defense Authoriza-  
6 tion Act for Fiscal Year 2017 (Public Law 114–328)).

7                   OTHER PROCUREMENT, NAVY

8           For procurement, production, and modernization of  
9 support equipment and materials not otherwise provided  
10 for, Navy ordnance (except ordnance for new aircraft, new  
11 ships, and ships authorized for conversion); the purchase  
12 of passenger motor vehicles for replacement only; expan-  
13 sion of public and private plants, including the land nec-  
14 essary therefor, and such lands and interests therein, may  
15 be acquired, and construction prosecuted thereon prior to  
16 approval of title; and procurement and installation of  
17 equipment, appliances, and machine tools in public and  
18 private plants; reserve plant and Government and con-  
19 tractor-owned equipment layaway, \$9,093,835,000, to re-  
20 main available for obligation until September 30, 2021.

21                   PROCUREMENT, MARINE CORPS

22           For expenses necessary for the procurement, manu-  
23 facture, and modification of missiles, armament, military  
24 equipment, spare parts, and accessories therefor; plant  
25 equipment, appliances, and machine tools, and installation

1 thereof in public and private plants; reserve plant and  
2 Government and contractor-owned equipment layaway; ve-  
3 hicles for the Marine Corps, including the purchase of pas-  
4 senger motor vehicles for replacement only; and expansion  
5 of public and private plants, including land necessary  
6 therefor, and such lands and interests therein, may be ac-  
7 quired, and construction prosecuted thereon prior to ap-  
8 proval of title, \$2,647,569,000, to remain available for ob-  
9 ligation until September 30, 2021.

10 AIRCRAFT PROCUREMENT, AIR FORCE

11 For construction, procurement, and modification of  
12 aircraft and equipment, including armor and armament,  
13 specialized ground handling equipment, and training de-  
14 vices, spare parts, and accessories therefor; specialized  
15 equipment; expansion of public and private plants, Gov-  
16 ernment-owned equipment and installation thereof in such  
17 plants, erection of structures, and acquisition of land, for  
18 the foregoing purposes, and such lands and interests  
19 therein, may be acquired, and construction prosecuted  
20 thereon prior to approval of title; reserve plant and Gov-  
21 ernment and contractor-owned equipment layaway; and  
22 other expenses necessary for the foregoing purposes in-  
23 cluding rents and transportation of things,  
24 \$17,118,921,000 (increased by \$65,000,000), to remain  
25 available for obligation until September 30, 2021.

## 1                   MISSILE PROCUREMENT, AIR FORCE

2           For construction, procurement, and modification of  
3 missiles, rockets, and related equipment, including spare  
4 parts and accessories therefor; ground handling equip-  
5 ment, and training devices; expansion of public and pri-  
6 vate plants, Government-owned equipment and installa-  
7 tion thereof in such plants, erection of structures, and ac-  
8 quisition of land, for the foregoing purposes, and such  
9 lands and interests therein, may be acquired, and con-  
10 struction prosecuted thereon prior to approval of title; re-  
11 serve plant and Government and contractor-owned equip-  
12 ment layaway; and other expenses necessary for the fore-  
13 going purposes including rents and transportation of  
14 things, \$2,591,982,000, to remain available for obligation  
15 until September 30, 2021.

## 16                   SPACE PROCUREMENT, AIR FORCE

17           For construction, procurement, and modification of  
18 spacecraft, rockets, and related equipment, including  
19 spare parts and accessories therefor; ground handling  
20 equipment, and training devices; expansion of public and  
21 private plants, Government-owned equipment and installa-  
22 tion thereof in such plants, erection of structures, and ac-  
23 quisition of land, for the foregoing purposes, and such  
24 lands and interests therein, may be acquired, and con-  
25 struction prosecuted thereon prior to approval of title; re-

1 serve plant and Government and contractor-owned equip-  
2 ment layaway; and other expenses necessary for the fore-  
3 going purposes including rents and transportation of  
4 things, \$2,388,642,000, to remain available for obligation  
5 until September 30, 2021.

6           PROCUREMENT OF AMMUNITION, AIR FORCE

7           For construction, procurement, production, and  
8 modification of ammunition, and accessories therefor; spe-  
9 cialized equipment and training devices; expansion of pub-  
10 lic and private plants, including ammunition facilities, au-  
11 thorized by section 2854 of title 10, United States Code,  
12 and the land necessary therefor, for the foregoing pur-  
13 poses, and such lands and interests therein, may be ac-  
14 quired, and construction prosecuted thereon prior to ap-  
15 proval of title; and procurement and installation of equip-  
16 ment, appliances, and machine tools in public and private  
17 plants; reserve plant and Government and contractor-  
18 owned equipment layaway; and other expenses necessary  
19 for the foregoing purposes, \$1,468,992,000, to remain  
20 available for obligation until September 30, 2021.

21           OTHER PROCUREMENT, AIR FORCE

22           For procurement and modification of equipment (in-  
23 cluding ground guidance and electronic control equipment,  
24 and ground electronic and communication equipment),  
25 and supplies, materials, and spare parts therefor, not oth-

1 erwise provided for; the purchase of passenger motor vehi-  
2 cles for replacement only; lease of passenger motor vehi-  
3 cles; and expansion of public and private plants, Govern-  
4 ment-owned equipment and installation thereof in such  
5 plants, erection of structures, and acquisition of land, for  
6 the foregoing purposes, and such lands and interests  
7 therein, may be acquired, and construction prosecuted  
8 thereon, prior to approval of title; reserve plant and Gov-  
9 ernment and contractor-owned equipment layaway,  
10 \$20,597,574,000, to remain available for obligation until  
11 September 30, 2021.

12                                   PROCUREMENT, DEFENSE-WIDE

13         For expenses of activities and agencies of the Depart-  
14 ment of Defense (other than the military departments)  
15 necessary for procurement, production, and modification  
16 of equipment, supplies, materials, and spare parts there-  
17 for, not otherwise provided for; the purchase of passenger  
18 motor vehicles for replacement only; expansion of public  
19 and private plants, equipment, and installation thereof in  
20 such plants, erection of structures, and acquisition of land  
21 for the foregoing purposes, and such lands and interests  
22 therein, may be acquired, and construction prosecuted  
23 thereon prior to approval of title; reserve plant and Gov-  
24 ernment and contractor-owned equipment layaway,

1 \$6,711,225,000 (reduced by \$10,000,000), to remain  
2 available for obligation until September 30, 2021.

3 NATIONAL GUARD AND RESERVE EQUIPMENT ACCOUNT

4 For procurement of rotary-wing aircraft; combat, tac-  
5 tical and support vehicles; other weapons; and other pro-  
6 curement items for the reserve components of the Armed  
7 Forces, \$1,300,000,000, to remain available for obligation  
8 until September 30, 2021: *Provided*, That the Chiefs of  
9 National Guard and Reserve components shall, not later  
10 than 30 days after enactment of this Act, individually sub-  
11 mit to the congressional defense committees the mod-  
12 ernization priority assessment for their respective Na-  
13 tional Guard or Reserve component: *Provided further*,  
14 That none of the funds made available by this paragraph  
15 may be used to procure manned fixed wing aircraft, or  
16 procure or modify missiles, munitions, or ammunition.

17 DEFENSE PRODUCTION ACT PURCHASES

18 For activities by the Department of Defense pursuant  
19 to sections 108, 301, 302, and 303 of the Defense Produc-  
20 tion Act of 1950 (50 U.S.C. 4518, 4531, 4532, and 4533),  
21 \$68,578,000, to remain available until expended.

1 TITLE IV  
2 RESEARCH, DEVELOPMENT, TEST AND  
3 EVALUATION  
4 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,  
5 ARMY

6 For expenses necessary for basic and applied sci-  
7 entific research, development, test and evaluation, includ-  
8 ing maintenance, rehabilitation, lease, and operation of fa-  
9 cilities and equipment, \$10,108,108,000 (increased by  
10 \$5,000,000) (reduced by \$5,000,000) (increased by  
11 \$5,000,000), to remain available for obligation until Sep-  
12 tember 30, 2020.

13 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,  
14 NAVY

15 For expenses necessary for basic and applied sci-  
16 entific research, development, test and evaluation, includ-  
17 ing maintenance, rehabilitation, lease, and operation of fa-  
18 cilities and equipment, \$17,658,244,000, to remain avail-  
19 able for obligation until September 30, 2020: *Provided,*  
20 That funds appropriated in this paragraph which are  
21 available for the V-22 may be used to meet unique oper-  
22 ational requirements of the Special Operations Forces.



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

3 For expenses necessary for basic and applied sci-  
4 entific research, development, test and evaluation, includ-  
5 ing maintenance, rehabilitation, lease, and operation of fa-  
6 cilities and equipment, \$40,939,500,000 (reduced by  
7 \$10,000,000), to remain available for obligation until Sep-  
8 tember 30, 2020.

9 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,  
10 DEFENSE-WIDE

11 (INCLUDING TRANSFER OF FUNDS)

12 For expenses of activities and agencies of the Depart-  
13 ment of Defense (other than the military departments),  
14 necessary for basic and applied scientific research, devel-  
15 opment, test and evaluation; advanced research projects  
16 as may be designated and determined by the Secretary  
17 of Defense, pursuant to law; maintenance, rehabilitation,  
18 lease, and operation of facilities and equipment,  
19 \$22,291,423,000 (increased by \$30,000,000) (reduced by  
20 \$5,000,000) (reduced by \$7,000,000) (reduced by  
21 \$1,000,000) (increased by \$1,000,000) (increased by  
22 \$10,000,000) (reduced by \$14,364,000) (increased by  
23 \$14,364,000), to remain available for obligation until Sep-  
24 tember 30, 2020: *Provided*, That, of the funds made avail-  
25 able in this paragraph, \$250,000,000 for the Defense

1 Rapid Innovation Program shall only be available for ex-  
2 penses, not otherwise provided for, to include program  
3 management and oversight, to conduct research, develop-  
4 ment, test and evaluation to include proof of concept dem-  
5 onstration; engineering, testing, and validation; and tran-  
6 sition to full-scale production: *Provided further*, That the  
7 Secretary of Defense may transfer funds provided herein  
8 for the Defense Rapid Innovation Program to appropria-  
9 tions for research, development, test and evaluation to ac-  
10 complish the purpose provided herein: *Provided further*,  
11 That this transfer authority is in addition to any other  
12 transfer authority available to the Department of Defense:  
13 *Provided further*, That the Secretary of Defense shall, not  
14 fewer than 30 days prior to making transfers from this  
15 appropriation, notify the congressional defense committees  
16 in writing of the details of any such transfer.

17       OPERATIONAL TEST AND EVALUATION, DEFENSE

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

1 connection therewith, \$221,009,000, to remain available  
2 for obligation until September 30, 2020.

3 TITLE V

4 REVOLVING AND MANAGEMENT FUNDS

5 DEFENSE WORKING CAPITAL FUNDS

6 For the Defense Working Capital Funds,  
7 \$1,542,115,000.

8 TITLE VI

9 OTHER DEPARTMENT OF DEFENSE PROGRAMS

10 DEFENSE HEALTH PROGRAM

11 For expenses, not otherwise provided for, for medical  
12 and health care programs of the Department of Defense  
13 as authorized by law, \$34,047,018,000 (increased by  
14 \$1,000,000) (increased by \$5,000,000) (increased by  
15 \$1,000,000) (increased by \$6,000,000) (increased by  
16 \$1,000,000) (increased by \$10,000,000); of which  
17 \$31,758,947,000 (increased by \$1,000,000) shall be for  
18 operation and maintenance, of which not to exceed one  
19 percent shall remain available for obligation until Sep-  
20 tember 30, 2020, and of which up to \$15,211,801,000  
21 may be available for contracts entered into under the  
22 TRICARE program; of which \$844,834,000, to remain  
23 available for obligation until September 30, 2021, shall be  
24 for procurement; and of which \$1,443,237,000 (increased  
25 by \$1,000,000) (increased by \$5,000,000) (increased by

1 \$6,000,000) (increased by \$1,000,000) (increased by  
2 \$10,000,000), to remain available for obligation until Sep-  
3 tember 30, 2020, shall be for research, development, test  
4 and evaluation: *Provided*, That, notwithstanding any other  
5 provision of law, of the amount made available under this  
6 heading for research, development, test and evaluation,  
7 not less than \$8,000,000 shall be available for HIV pre-  
8 vention educational activities undertaken in connection  
9 with United States military training, exercises, and hu-  
10 manitarian assistance activities conducted primarily in Af-  
11 rican nations: *Provided further*, That of the funds provided  
12 under this heading for research, development, test and  
13 evaluation, not less than \$752,600,000 shall be made  
14 available to the United States Army Medical Research and  
15 Materiel Command to carry out the congressionally di-  
16 rected medical research programs.

17 CHEMICAL AGENTS AND MUNITIONS DESTRUCTION,  
18 DEFENSE

19 For expenses, not otherwise provided for, necessary  
20 for the destruction of the United States stockpile of lethal  
21 chemical agents and munitions in accordance with the pro-  
22 visions of section 1412 of the Department of Defense Au-  
23 thorization Act, 1986 (50 U.S.C. 1521), and for the de-  
24 struction of other chemical warfare materials that are not  
25 in the chemical weapon stockpile, \$993,816,000, of which

1 \$105,997,000 shall be for operation and maintenance, of  
2 which no less than \$52,735,000 shall be for the Chemical  
3 Stockpile Emergency Preparedness Program, consisting of  
4 \$21,600,000 for activities on military installations and  
5 \$31,135,000, to remain available until September 30,  
6 2020, to assist State and local governments; \$1,091,000  
7 shall be for procurement, to remain available until Sep-  
8 tember 30, 2021, of which \$1,091,000 shall be for the  
9 Chemical Stockpile Emergency Preparedness Program to  
10 assist State and local governments; and \$886,728,000, to  
11 remain available until September 30, 2020, shall be for  
12 research, development, test and evaluation, of which  
13 \$880,283,000 shall only be for the Assembled Chemical  
14 Weapons Alternatives program.

15 DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES,

16 DEFENSE

17 (INCLUDING TRANSFER OF FUNDS)

18 For drug interdiction and counter-drug activities of  
19 the Department of Defense, for transfer to appropriations  
20 available to the Department of Defense for military per-  
21 sonnel of the reserve components serving under the provi-  
22 sions of title 10 and title 32, United States Code; for oper-  
23 ation and maintenance; for procurement; and for research,  
24 development, test and evaluation, \$854,814,000 (in-  
25 creased by \$3,000,000), of which \$530,285,000 shall be

1 for counter-narcotics support; \$121,900,000 shall be for  
2 the drug demand reduction program; \$197,353,000 (in-  
3 creased by \$3,000,000) shall be for the National Guard  
4 counter-drug program; and \$5,276,000 shall be for the  
5 National Guard counter-drug schools program: *Provided*,  
6 That the funds appropriated under this heading shall be  
7 available for obligation for the same time period and for  
8 the same purpose as the appropriation to which trans-  
9 ferred: *Provided further*, That upon a determination that  
10 all or part of the funds transferred from this appropriation  
11 are not necessary for the purposes provided herein, such  
12 amounts may be transferred back to this appropriation:  
13 *Provided further*, That the transfer authority provided  
14 under this heading is in addition to any other transfer au-  
15 thority contained elsewhere in this Act.

16 OFFICE OF THE INSPECTOR GENERAL

17 For expenses and activities of the Office of the In-  
18 spector General in carrying out the provisions of the In-  
19 spector General Act of 1978, as amended, \$329,273,000,  
20 of which \$327,611,000 shall be for operation and mainte-  
21 nance, of which not to exceed \$700,000 is available for  
22 emergencies and extraordinary expenses to be expended on  
23 the approval or authority of the Inspector General, and  
24 payments may be made on the Inspector General's certifi-  
25 cate of necessity for confidential military purposes; of

1 which \$60,000, to remain available for obligation until  
2 September 30, 2021, shall be for procurement; and of  
3 which \$1,602,000, to remain available until September 30,  
4 2020, shall be for research, development, test and evalua-  
5 tion.

## 6 TITLE VII

### 7 RELATED AGENCIES

#### 8 CENTRAL INTELLIGENCE AGENCY RETIREMENT AND 9 DISABILITY SYSTEM FUND

10 For payment to the Central Intelligence Agency Re-  
11 tirement and Disability System Fund, to maintain the  
12 proper funding level for continuing the operation of the  
13 Central Intelligence Agency Retirement and Disability  
14 System, \$514,000,000.

#### 15 INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT

16 For necessary expenses of the Intelligence Commu-  
17 nity Management Account, \$512,424,000.

## 18 TITLE VIII

### 19 GENERAL PROVISIONS

20 SEC. 8001. No part of any appropriation contained  
21 in this Act shall be used for publicity or propaganda pur-  
22 poses not authorized by the Congress.

23 SEC. 8002. During the current fiscal year, provisions  
24 of law prohibiting the payment of compensation to, or em-  
25 ployment of, any person not a citizen of the United States

1 shall not apply to personnel of the Department of Defense:  
2 *Provided*, That salary increases granted to direct and indi-  
3 rect hire foreign national employees of the Department of  
4 Defense funded by this Act shall not be at a rate in excess  
5 of the percentage increase authorized by law for civilian  
6 employees of the Department of Defense whose pay is  
7 computed under the provisions of section 5332 of title 5,  
8 United States Code, or at a rate in excess of the percent-  
9 age increase provided by the appropriate host nation to  
10 its own employees, whichever is higher: *Provided further*,  
11 That this section shall not apply to Department of De-  
12 fense foreign service national employees serving at United  
13 States diplomatic missions whose pay is set by the Depart-  
14 ment of State under the Foreign Service Act of 1980: *Pro-*  
15 *vided further*, That the limitations of this provision shall  
16 not apply to foreign national employees of the Department  
17 of Defense in the Republic of Turkey.

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

21 SEC. 8004. No more than 20 percent of the appro-  
22 priations in this Act which are limited for obligation dur-  
23 ing the current fiscal year shall be obligated during the  
24 last 2 months of the fiscal year: *Provided*, That this sec-  
25 tion shall not apply to obligations for support of active



1 duty training of reserve components or summer camp  
2 training of the Reserve Officers' Training Corps.

3 (TRANSFER OF FUNDS)

4 SEC. 8005. Upon determination by the Secretary of  
5 Defense that such action is necessary in the national inter-  
6 est, he may, with the approval of the Office of Manage-  
7 ment and Budget, transfer not to exceed \$4,250,000,000  
8 of working capital funds of the Department of Defense  
9 or funds made available in this Act to the Department  
10 of Defense for military functions (except military con-  
11 struction) between such appropriations or funds or any  
12 subdivision thereof, to be merged with and to be available  
13 for the same purposes, and for the same time period, as  
14 the appropriation or fund to which transferred: *Provided*,  
15 That such authority to transfer may not be used unless  
16 for higher priority items, based on unforeseen military re-  
17 quirements, than those for which originally appropriated  
18 and in no case where the item for which funds are re-  
19 quested has been denied by the Congress: *Provided further*,  
20 That the Secretary of Defense shall notify the Congress  
21 promptly of all transfers made pursuant to this authority  
22 or any other authority in this Act: *Provided further*, That  
23 no part of the funds in this Act shall be available to pre-  
24 pare or present a request to the Committees on Appropria-  
25 tions for reprogramming of funds, unless for higher pri-

1 ority items, based on unforeseen military requirements,  
2 than those for which originally appropriated and in no  
3 case where the item for which reprogramming is requested  
4 has been denied by the Congress: *Provided further*, That  
5 a request for multiple reprogrammings of funds using au-  
6 thority provided in this section shall be made prior to June  
7 30, 2019: *Provided further*, That transfers among military  
8 personnel appropriations shall not be taken into account  
9 for purposes of the limitation on the amount of funds that  
10 may be transferred under this section.

11 SEC. 8006. (a) With regard to the list of specific pro-  
12 grams, projects, and activities (and the dollar amounts  
13 and adjustments to budget activities corresponding to  
14 such programs, projects, and activities) contained in the  
15 tables titled Explanation of Project Level Adjustments in  
16 the explanatory statement regarding this Act, the obliga-  
17 tion and expenditure of amounts appropriated or other-  
18 wise made available in this Act for those programs,  
19 projects, and activities for which the amounts appro-  
20 priated exceed the amounts requested are hereby required  
21 by law to be carried out in the manner provided by such  
22 tables to the same extent as if the tables were included  
23 in the text of this Act.

24 (b) Amounts specified in the referenced tables de-  
25 scribed in subsection (a) shall not be treated as subdivi-

1 sions of appropriations for purposes of section 8005 of this  
2 Act: *Provided*, That section 8005 shall apply when trans-  
3 fers of the amounts described in subsection (a) occur be-  
4 tween appropriation accounts.

5 SEC. 8007. (a) Not later than 60 days after enact-  
6 ment of this Act, the Department of Defense shall submit  
7 a report to the congressional defense committees to estab-  
8 lish the baseline for application of reprogramming and  
9 transfer authorities for fiscal year 2019: *Provided*, That  
10 the report shall include—

11 (1) a table for each appropriation with a sepa-  
12 rate column to display the President's budget re-  
13 quest, adjustments made by Congress, adjustments  
14 due to enacted rescissions, if appropriate, and the  
15 fiscal year enacted level;

16 (2) a delineation in the table for each appro-  
17 priation both by budget activity and program,  
18 project, and activity as detailed in the Budget Ap-  
19 pendix; and

20 (3) an identification of items of special congres-  
21 sional interest.

22 (b) Notwithstanding section 8005 of this Act, none  
23 of the funds provided in this Act shall be available for  
24 reprogramming or transfer until the report identified in  
25 subsection (a) is submitted to the congressional defense

1 committees, unless the Secretary of Defense certifies in  
2 writing to the congressional defense committees that such  
3 reprogramming or transfer is necessary as an emergency  
4 requirement: *Provided*, That this subsection shall not  
5 apply to transfers from the following appropriations ac-  
6 counts:

- 7 (1) “Environmental Restoration, Army”;
- 8 (2) “Environmental Restoration, Navy”;
- 9 (3) “Environmental Restoration, Air Force”;
- 10 (4) “Environmental Restoration, Defense-  
11 Wide”;
- 12 (5) “Environmental Restoration, Formerly  
13 Used Defense Sites”; and
- 14 (6) “Drug Interdiction and Counter-drug Ac-  
15 tivities, Defense”.

16 (TRANSFER OF FUNDS)

17 SEC. 8008. During the current fiscal year, cash bal-  
18 ances in working capital funds of the Department of De-  
19 fense established pursuant to section 2208 of title 10,  
20 United States Code, may be maintained in only such  
21 amounts as are necessary at any time for cash disburse-  
22 ments to be made from such funds: *Provided*, That trans-  
23 fers may be made between such funds: *Provided further*,  
24 That transfers may be made between working capital  
25 funds and the “Foreign Currency Fluctuations, Defense”

1 appropriation and the “Operation and Maintenance” ap-  
2 propriation accounts in such amounts as may be deter-  
3 mined by the Secretary of Defense, with the approval of  
4 the Office of Management and Budget, except that such  
5 transfers may not be made unless the Secretary of Defense  
6 has notified the Congress of the proposed transfer: *Pro-*  
7 *vided further*, That except in amounts equal to the  
8 amounts appropriated to working capital funds in this Act,  
9 no obligations may be made against a working capital fund  
10 to procure or increase the value of war reserve material  
11 inventory, unless the Secretary of Defense has notified the  
12 Congress prior to any such obligation.

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

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

1 have been notified at least 30 days in advance of the pro-  
2 posed contract award: *Provided*, That no part of any ap-  
3 propriation contained in this Act shall be available to ini-  
4 tiate a multiyear contract for which the economic order  
5 quantity advance procurement is not funded at least to  
6 the limits of the Government's liability: *Provided further*,  
7 That no part of any appropriation contained in this Act  
8 shall be available to initiate multiyear procurement con-  
9 tracts for any systems or component thereof if the value  
10 of the multiyear contract would exceed \$500,000,000 un-  
11 less specifically provided in this Act: *Provided further*,  
12 That no multiyear procurement contract can be termi-  
13 nated without 30-day prior notification to the congres-  
14 sional defense committees: *Provided further*, That the exe-  
15 cution of multiyear authority shall require the use of a  
16 present value analysis to determine lowest cost compared  
17 to an annual procurement: *Provided further*, That none of  
18 the funds provided in this Act may be used for a multiyear  
19 contract executed after the date of the enactment of this  
20 Act unless in the case of any such contract—

21           (1) the Secretary of Defense has submitted to  
22           Congress a budget request for full funding of units  
23           to be procured through the contract and, in the case  
24           of a contract for procurement of aircraft, that in-  
25           cludes, for any aircraft unit to be procured through

1 the contract for which procurement funds are re-  
2 quired in that budget request for production be-  
3 yond advance procurement activities in the fiscal  
4 year covered by the budget, full funding of procure-  
5 ment of such unit in that fiscal year;

6 (2) cancellation provisions in the contract do  
7 not include consideration of recurring manufacturing  
8 costs of the contractor associated with the produc-  
9 tion of unfunded units to be delivered under the con-  
10 tract;

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

14 (4) the contract does not provide for a price ad-  
15 justment based on a failure to award a follow-on  
16 contract. Funds appropriated in title III of this Act  
17 may be used for a multiyear procurement contract  
18 as follows: Standard Missile-3 IB; F/A-18E/F  
19 Super Hornet and EA-18G Aircraft variants; E-2D  
20 Advanced Hawkeye (AHE) Aircraft; and C-130J,  
21 KC-130J, HC-130J, MC-130J, AC-130J Aircraft.

22 SEC. 8011. Within the funds appropriated for the op-  
23 eration and maintenance of the Armed Forces, funds are  
24 hereby appropriated pursuant to section 401 of title 10,  
25 United States Code, for humanitarian and civic assistance

1 costs under chapter 20 of title 10, United States Code.  
2 Such funds may also be obligated for humanitarian and  
3 civic assistance costs incidental to authorized operations  
4 and pursuant to authority granted in section 401 of chap-  
5 ter 20 of title 10, United States Code, and these obliga-  
6 tions shall be reported as required by section 401(d) of  
7 title 10, United States Code: *Provided*, That funds avail-  
8 able for operation and maintenance shall be available for  
9 providing humanitarian and similar assistance by using  
10 Civic Action Teams in the Trust Territories of the Pacific  
11 Islands and freely associated states of Micronesia, pursu-  
12 ant to the Compact of Free Association as authorized by  
13 Public Law 99–239: *Provided further*, That upon a deter-  
14 mination by the Secretary of the Army that such action  
15 is beneficial for graduate medical education programs con-  
16 ducted at Army medical facilities located in Hawaii, the  
17 Secretary of the Army may authorize the provision of med-  
18 ical services at such facilities and transportation to such  
19 facilities, on a nonreimbursable basis, for civilian patients  
20 from American Samoa, the Commonwealth of the North-  
21 ern Mariana Islands, the Marshall Islands, the Federated  
22 States of Micronesia, Palau, and Guam.

23       SEC. 8012. (a) During the current fiscal year, the  
24 civilian personnel of the Department of Defense may not  
25 be managed on the basis of any end-strength, and the



1 management of such personnel during that fiscal year  
2 shall not be subject to any constraint or limitation (known  
3 as an end-strength) on the number of such personnel who  
4 may be employed on the last day of such fiscal year.

5 (b) The fiscal year 2020 budget request for the De-  
6 partment of Defense as well as all justification material  
7 and other documentation supporting the fiscal year 2020  
8 Department of Defense budget request shall be prepared  
9 and submitted to the Congress as if subsections (a) and  
10 (b) of this provision were effective with regard to fiscal  
11 year 2020.

12 (c) As required by section 1107 of the National De-  
13 fense Authorization Act for Fiscal Year 2014 (Public Law  
14 113–66; 10 U.S.C. 2358 note) civilian personnel at the  
15 Department of Army Science and Technology Reinvention  
16 Laboratories may not be managed on the basis of the  
17 Table of Distribution and Allowances, and the manage-  
18 ment of the workforce strength shall be done in a manner  
19 consistent with the budget available with respect to such  
20 Laboratories.

21 (d) Nothing in this section shall be construed to apply  
22 to military (civilian) technicians.

23 SEC. 8013. None of the funds made available by this  
24 Act shall be used in any way, directly or indirectly, to in-

1 fluence congressional action on any legislation or appro-  
2 priation matters pending before the Congress.

3       SEC. 8014. None of the funds appropriated by this  
4 Act shall be available for the basic pay and allowances of  
5 any member of the Army participating as a full-time stu-  
6 dent and receiving benefits paid by the Secretary of Vet-  
7 erans Affairs from the Department of Defense Education  
8 Benefits Fund when time spent as a full-time student is  
9 credited toward completion of a service commitment: *Pro-*  
10 *vided*, That this section shall not apply to those members  
11 who have reenlisted with this option prior to October 1,  
12 1987: *Provided further*, That this section applies only to  
13 active components of the Army.

14       SEC. 8015. Funds appropriated in title III of this Act  
15 for the Department of Defense Pilot Mentor-Protégé Pro-  
16 gram may be transferred to any other appropriation con-  
17 tained in this Act solely for the purpose of implementing  
18 a Mentor-Protégé Program developmental assistance  
19 agreement pursuant to section 831 of the National De-  
20 fense Authorization Act for Fiscal Year 1991 (Public Law  
21 101–510; 10 U.S.C. 2302 note), as amended, under the  
22 authority of this provision or any other transfer authority  
23 contained in this Act.

24       SEC. 8016. None of the funds in this Act may be  
25 available for the purchase by the Department of Defense

1 (and its departments and agencies) of welded shipboard  
2 anchor and mooring chain 4 inches in diameter and under  
3 unless the anchor and mooring chain are manufactured  
4 in the United States from components which are substan-  
5 tially manufactured in the United States: *Provided*, That  
6 for the purpose of this section, the term “manufactured”  
7 shall include cutting, heat treating, quality control, testing  
8 of chain and welding (including the forging and shot blast-  
9 ing process): *Provided further*, That for the purpose of this  
10 section substantially all of the components of anchor and  
11 mooring chain shall be considered to be produced or manu-  
12 factured in the United States if the aggregate cost of the  
13 components produced or manufactured in the United  
14 States exceeds the aggregate cost of the components pro-  
15 duced or manufactured outside the United States: *Pro-*  
16 *vided further*, That when adequate domestic supplies are  
17 not available to meet Department of Defense requirements  
18 on a timely basis, the Secretary of the service responsible  
19 for the procurement may waive this restriction on a case-  
20 by-case basis by certifying in writing to the Committees  
21 on Appropriations that such an acquisition must be made  
22 in order to acquire capability for national security pur-  
23 poses.

24 SEC. 8017. None of the funds available to the De-  
25 partment of Defense may be used to demilitarize or dis-

1 pose of M-1 Carbines, M-1 Garand rifles, M-14 rifles,  
2 .22 caliber rifles, .30 caliber rifles, or M-1911 pistols, or  
3 to demilitarize or destroy small arms ammunition or am-  
4 munition components that are not otherwise prohibited  
5 from commercial sale under Federal law, unless the small  
6 arms ammunition or ammunition components are certified  
7 by the Secretary of the Army or designee as unserviceable  
8 or unsafe for further use.

9       SEC. 8018. No more than \$500,000 of the funds ap-  
10 propriated or made available in this Act shall be used dur-  
11 ing a single fiscal year for any single relocation of an orga-  
12 nization, unit, activity or function of the Department of  
13 Defense into or within the National Capital Region: *Pro-*  
14 *vided*, That the Secretary of Defense may waive this re-  
15 striction on a case-by-case basis by certifying in writing  
16 to the congressional defense committees that such a relo-  
17 cation is required in the best interest of the Government.

18       SEC. 8019. Of the funds made available in this Act,  
19 \$25,000,000 shall be available for incentive payments au-  
20 thorized by section 504 of the Indian Financing Act of  
21 1974 (25 U.S.C. 1544): *Provided*, That a prime contractor  
22 or a subcontractor at any tier that makes a subcontract  
23 award to any subcontractor or supplier as defined in sec-  
24 tion 1544 of title 25, United States Code, or a small busi-  
25 ness owned and controlled by an individual or individuals

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

19       SEC. 8020. Funds appropriated by this Act for the  
20 Defense Media Activity shall not be used for any national  
21 or international political or psychological activities.

22       SEC. 8021. During the current fiscal year, the De-  
23 partment of Defense is authorized to incur obligations of  
24 not to exceed \$350,000,000 for purposes specified in sec-  
25 tion 2350j(c) of title 10, United States Code, in anticipa-

1 tion of receipt of contributions, only from the Government  
2 of Kuwait, under that section: *Provided*, That, upon re-  
3 ceipt, such contributions from the Government of Kuwait  
4 shall be credited to the appropriations or fund which in-  
5 curred such obligations.

6 SEC. 8022. (a) Of the funds made available in this  
7 Act, not less than \$46,100,000 shall be available for the  
8 Civil Air Patrol Corporation, of which—

9 (1) \$33,600,000 shall be available from “Oper-  
10 ation and Maintenance, Air Force” to support Civil  
11 Air Patrol Corporation operation and maintenance,  
12 readiness, counter-drug activities, and drug demand  
13 reduction activities involving youth programs;

14 (2) \$10,800,000 shall be available from “Air-  
15 craft Procurement, Air Force”; and

16 (3) \$1,700,000 shall be available from “Other  
17 Procurement, Air Force” for vehicle procurement.

18 (b) The Secretary of the Air Force should waive reim-  
19 bursement for any funds used by the Civil Air Patrol for  
20 counter-drug activities in support of Federal, State, and  
21 local government agencies.

22 SEC. 8023. (a) None of the funds appropriated in this  
23 Act are available to establish a new Department of De-  
24 fense (department) federally funded research and develop-  
25 ment center (FFRDC), either as a new entity, or as a

1 separate entity administrated by an organization man-  
2 aging another FFRDC, or as a nonprofit membership cor-  
3 poration consisting of a consortium of other FFRDCs and  
4 other nonprofit entities.

5 (b) No member of a Board of Directors, Trustees,  
6 Overseers, Advisory Group, Special Issues Panel, Visiting  
7 Committee, or any similar entity of a defense FFRDC,  
8 and no paid consultant to any defense FFRDC, except  
9 when acting in a technical advisory capacity, may be com-  
10 pensated for his or her services as a member of such enti-  
11 ty, or as a paid consultant by more than one FFRDC in  
12 a fiscal year: *Provided*, That a member of any such entity  
13 referred to previously in this subsection shall be allowed  
14 travel expenses and per diem as authorized under the Fed-  
15 eral Joint Travel Regulations, when engaged in the per-  
16 formance of membership duties.

17 (c) Notwithstanding any other provision of law, none  
18 of the funds available to the department from any source  
19 during the current fiscal year may be used by a defense  
20 FFRDC, through a fee or other payment mechanism, for  
21 construction of new buildings not located on a military in-  
22 stallation, for payment of cost sharing for projects funded  
23 by Government grants, for absorption of contract over-  
24 runs, or for certain charitable contributions, not to include

1 employee participation in community service and/or devel-  
2 opment.

3 (d) Notwithstanding any other provision of law, of  
4 the funds available to the department during fiscal year  
5 2019, not more than 6,030 staff years of technical effort  
6 (staff years) may be funded for defense FFRDCs: *Pro-*  
7 *vided*, That, of the specific amount referred to previously  
8 in this subsection, not more than 1,125 staff years may  
9 be funded for the defense studies and analysis FFRDCs:  
10 *Provided further*, That this subsection shall not apply to  
11 staff years funded in the National Intelligence Program  
12 (NIP) and the Military Intelligence Program (MIP).

13 (e) The Secretary of Defense shall, with the submis-  
14 sion of the department's fiscal year 2020 budget request,  
15 submit a report presenting the specific amounts of staff  
16 years of technical effort to be allocated for each defense  
17 FFRDC during that fiscal year and the associated budget  
18 estimates.

19 (f) Notwithstanding any other provision of this Act,  
20 the total amount appropriated in this Act for FFRDCs  
21 is hereby reduced by \$179,000,000.

22 SEC. 8024. None of the funds appropriated or made  
23 available in this Act shall be used to procure carbon, alloy,  
24 or armor steel plate for use in any Government-owned fa-  
25 cility or property under the control of the Department of



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

18       SEC. 8025. For the purposes of this Act, the term  
19 “congressional defense committees” means the Armed  
20 Services Committee of the House of Representatives, the  
21 Armed Services Committee of the Senate, the Sub-  
22 committee on Defense of the Committee on Appropriations  
23 of the Senate, and the Subcommittee on Defense of the  
24 Committee on Appropriations of the House of Representa-  
25 tives.

1        SEC. 8026. During the current fiscal year, the De-  
2        partment of Defense may acquire the modification, depot  
3        maintenance and repair of aircraft, vehicles and vessels  
4        as well as the production of components and other De-  
5        fense-related articles, through competition between De-  
6        partment of Defense depot maintenance activities and pri-  
7        vate firms: *Provided*, That the Senior Acquisition Execu-  
8        tive of the military department or Defense Agency con-  
9        cerned, with power of delegation, shall certify that success-  
10        ful bids include comparable estimates of all direct and in-  
11        direct costs for both public and private bids: *Provided fur-*  
12        *ther*, That Office of Management and Budget Circular A-  
13        76 shall not apply to competitions conducted under this  
14        section.

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

1           (2) An agreement referred to in paragraph (1) is any  
2 reciprocal defense procurement memorandum of under-  
3 standing, between the United States and a foreign country  
4 pursuant to which the Secretary of Defense has prospec-  
5 tively waived the Buy American Act for certain products  
6 in that country.

7           (b) The Secretary of Defense shall submit to the Con-  
8 gress a report on the amount of Department of Defense  
9 purchases from foreign entities in fiscal year 2019. Such  
10 report shall separately indicate the dollar value of items  
11 for which the Buy American Act was waived pursuant to  
12 any agreement described in subsection (a)(2), the Trade  
13 Agreement Act of 1979 (19 U.S.C. 2501 et seq.), or any  
14 international agreement to which the United States is a  
15 party.

16           (c) For purposes of this section, the term “Buy  
17 American Act” means chapter 83 of title 41, United  
18 States Code.

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

1       SEC. 8029. (a) Notwithstanding any other provision  
2 of law, the Secretary of the Air Force may convey at no  
3 cost to the Air Force, without consideration, to Indian  
4 tribes located in the States of Nevada, Idaho, North Da-  
5 kota, South Dakota, Montana, Oregon, Minnesota, and  
6 Washington relocatable military housing units located at  
7 Grand Forks Air Force Base, Malmstrom Air Force Base,  
8 Mountain Home Air Force Base, Ellsworth Air Force  
9 Base, and Minot Air Force Base that are excess to the  
10 needs of the Air Force.

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

21       (c) The Operation Walking Shield Program shall re-  
22 solve any conflicts among requests of Indian tribes for  
23 housing units under subsection (a) before submitting re-  
24 quests to the Secretary of the Air Force under subsection  
25 (b).

1 (d) In this section, the term “Indian tribe” means  
2 any recognized Indian tribe included on the current list  
3 published by the Secretary of the Interior under section  
4 104 of the Federally Recognized Indian Tribe Act of 1994  
5 (Public Law 103–454; 108 Stat. 4792; 25 U.S.C. 5131).

6 SEC. 8030. During the current fiscal year, appropria-  
7 tions which are available to the Department of Defense  
8 for operation and maintenance may be used to purchase  
9 items having an investment item unit cost of not more  
10 than \$250,000.

11 SEC. 8031. None of the funds made available by this  
12 Act may be used to—

13 (1) disestablish, or prepare to disestablish, a  
14 Senior Reserve Officers’ Training Corps program in  
15 accordance with Department of Defense Instruction  
16 Number 1215.08, dated June 26, 2006; or

17 (2) close, downgrade from host to extension  
18 center, or place on probation a Senior Reserve Offi-  
19 cers’ Training Corps program in accordance with the  
20 information paper of the Department of the Army  
21 titled “Army Senior Reserve Officer’s Training  
22 Corps (SROTC) Program Review and Criteria”,  
23 dated January 27, 2014.

24 SEC. 8032. The Secretary of Defense shall issue reg-  
25 ulations to prohibit the sale of any tobacco or tobacco-

1 related products in military resale outlets in the United  
2 States, its territories and possessions at a price below the  
3 most competitive price in the local community: *Provided*,  
4 That such regulations shall direct that the prices of to-  
5 bacco or tobacco-related products in overseas military re-  
6 tail outlets shall be within the range of prices established  
7 for military retail system stores located in the United  
8 States.

9       SEC. 8033. (a) During the current fiscal year, none  
10 of the appropriations or funds available to the Department  
11 of Defense Working Capital Funds shall be used for the  
12 purchase of an investment item for the purpose of acquir-  
13 ing a new inventory item for sale or anticipated sale dur-  
14 ing the current fiscal year or a subsequent fiscal year to  
15 customers of the Department of Defense Working Capital  
16 Funds if such an item would not have been chargeable  
17 to the Department of Defense Business Operations Fund  
18 during fiscal year 1994 and if the purchase of such an  
19 investment item would be chargeable during the current  
20 fiscal year to appropriations made to the Department of  
21 Defense for procurement.

22       (b) The fiscal year 2020 budget request for the De-  
23 partment of Defense as well as all justification material  
24 and other documentation supporting the fiscal year 2020  
25 Department of Defense budget shall be prepared and sub-

1 mitted to the Congress on the basis that any equipment  
2 which was classified as an end item and funded in a pro-  
3 curement appropriation contained in this Act shall be  
4 budgeted for in a proposed fiscal year 2020 procurement  
5 appropriation and not in the supply management business  
6 area or any other area or category of the Department of  
7 Defense Working Capital Funds.

8       SEC. 8034. None of the funds appropriated by this  
9 Act for programs of the Central Intelligence Agency shall  
10 remain available for obligation beyond the current fiscal  
11 year, except for funds appropriated for the Reserve for  
12 Contingencies, which shall remain available until Sep-  
13 tember 30, 2020: *Provided*, That funds appropriated,  
14 transferred, or otherwise credited to the Central Intel-  
15 ligence Agency Central Services Working Capital Fund  
16 during this or any prior or subsequent fiscal year shall  
17 remain available until expended: *Provided further*, That  
18 any funds appropriated or transferred to the Central Intel-  
19 ligence Agency for advanced research and development ac-  
20 quisition, for agent operations, and for covert action pro-  
21 grams authorized by the President under section 503 of  
22 the National Security Act of 1947 (50 U.S.C. 3093) shall  
23 remain available until September 30, 2020.

24       SEC. 8035. Of the funds appropriated to the Depart-  
25 ment of Defense under the heading “Operation and Main-

1 tenance, Defense-Wide”, not less than \$12,000,000 shall  
2 be made available only for the mitigation of environmental  
3 impacts, including training and technical assistance to  
4 tribes, related administrative support, the gathering of in-  
5 formation, documenting of environmental damage, and de-  
6 veloping a system for prioritization of mitigation and cost  
7 to complete estimates for mitigation, on Indian lands re-  
8 sulting from Department of Defense activities.

9       SEC. 8036. (a) None of the funds appropriated in this  
10 Act may be expended by an entity of the Department of  
11 Defense unless the entity, in expending the funds, com-  
12 plies with the Buy American Act. For purposes of this  
13 subsection, the term “Buy American Act” means chapter  
14 83 of title 41, United States Code.

15       (b) If the Secretary of Defense determines that a per-  
16 son has been convicted of intentionally affixing a label  
17 bearing a “Made in America” inscription to any product  
18 sold in or shipped to the United States that is not made  
19 in America, the Secretary shall determine, in accordance  
20 with section 2410f of title 10, United States Code, wheth-  
21 er the person should be debarred from contracting with  
22 the Department of Defense.

23       (c) In the case of any equipment or products pur-  
24 chased with appropriations provided under this Act, it is  
25 the sense of the Congress that any entity of the Depart-



1 ment of Defense, in expending the appropriation, purchase  
2 only American-made equipment and products, provided  
3 that American-made equipment and products are cost-  
4 competitive, quality competitive, and available in a timely  
5 fashion.

6 SEC. 8037. (a) Except as provided in subsections (b)  
7 and (c), none of the funds made available by this Act may  
8 be used—

9 (1) to establish a field operating agency; or

10 (2) to pay the basic pay of a member of the  
11 Armed Forces or civilian employee of the depart-  
12 ment who is transferred or reassigned from a head-  
13 quarters activity if the member or employee's place  
14 of duty remains at the location of that headquarters.

15 (b) The Secretary of Defense or Secretary of a mili-  
16 tary department may waive the limitations in subsection  
17 (a), on a case-by-case basis, if the Secretary determines,  
18 and certifies to the Committees on Appropriations of the  
19 House of Representatives and the Senate that the grant-  
20 ing of the waiver will reduce the personnel requirements  
21 or the financial requirements of the department.

22 (c) This section does not apply to—

23 (1) field operating agencies funded within the  
24 National Intelligence Program;

1           (2) an Army field operating agency established  
2 to eliminate, mitigate, or counter the effects of im-  
3 proved explosive devices, and, as determined by the  
4 Secretary of the Army, other similar threats;

5           (3) an Army field operating agency established  
6 to improve the effectiveness and efficiencies of bio-  
7 metric activities and to integrate common biometric  
8 technologies throughout the Department of Defense;  
9 or

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

14       SEC. 8038. (a) None of the funds appropriated by  
15 this Act shall be available to convert to contractor per-  
16 formance an activity or function of the Department of De-  
17 fense that, on or after the date of the enactment of this  
18 Act, is performed by Department of Defense civilian em-  
19 ployees unless—

20           (1) the conversion is based on the result of a  
21 public-private competition that includes a most effi-  
22 cient and cost effective organization plan developed  
23 by such activity or function;

24           (2) the Competitive Sourcing Official deter-  
25 mines that, over all performance periods stated in

1 the solicitation of offers for performance of the ac-  
2 tivity or function, the cost of performance of the ac-  
3 tivity or function by a contractor would be less costly  
4 to the Department of Defense by an amount that  
5 equals or exceeds the lesser of—

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

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

11 (3) the contractor does not receive an advan-  
12 tage for a proposal that would reduce costs for the  
13 Department of Defense by—

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

18 (B) offering to such workers an employer-  
19 sponsored health benefits plan that requires the  
20 employer to contribute less towards the pre-  
21 mium or subscription share than the amount  
22 that is paid by the Department of Defense for  
23 health benefits for civilian employees under  
24 chapter 89 of title 5, United States Code.

1 (b)(1) The Department of Defense, without regard  
2 to subsection (a) of this section or subsection (a), (b), or  
3 (c) of section 2461 of title 10, United States Code, and  
4 notwithstanding any administrative regulation, require-  
5 ment, or policy to the contrary shall have full authority  
6 to enter into a contract for the performance of any com-  
7 mercial or industrial type function of the Department of  
8 Defense that—

9 (A) is included on the procurement list es-  
10 tablished pursuant to section 2 of the Javits-  
11 Wagner-O’Day Act (section 8503 of title 41,  
12 United States Code);

13 (B) is planned to be converted to perform-  
14 ance by a qualified nonprofit agency for the  
15 blind or by a qualified nonprofit agency for  
16 other severely handicapped individuals in ac-  
17 cordance with that Act; or

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

1           (2) This section shall not apply to depot con-  
2           tracts or contracts for depot maintenance as pro-  
3           vided in sections 2469 and 2474 of title 10, United  
4           States Code.

5           (c) The conversion of any activity or function of the  
6           Department of Defense under the authority provided by  
7           this section shall be credited toward any competitive or  
8           outsourcing goal, target, or measurement that may be es-  
9           tablished by statute, regulation, or policy and is deemed  
10          to be awarded under the authority of, and in compliance  
11          with, subsection (h) of section 2304 of title 10, United  
12          States Code, for the competition or outsourcing of com-  
13          mercial activities.

14   (RESCISSIONS)

15          SEC. 8039. Of the funds appropriated in Department  
16          of Defense Appropriations Acts, the following funds are  
17          hereby rescinded from the following accounts and pro-  
18          grams in the specified amounts: *Provided*, That no  
19          amounts may be rescinded from amounts that were des-  
20          ignated by the Congress for Overseas Contingency Oper-  
21          ations/Global War on Terrorism or as an emergency re-  
22          quirement pursuant to the Concurrent Resolution on the  
23          Budget or the Balanced Budget and Emergency Deficit  
24          Control Act of 1985, as amended:

1 “Aircraft Procurement, Navy”, 2017/2019,  
2 \$69,140,000;

3 “Aircraft Procurement, Air Force”, 2017/2019,  
4 \$93,600,000;

5 “Aircraft Procurement, Navy”, 2018/2020,  
6 \$11,761,000;

7 “Weapons Procurement, Navy”, 2018/2020,  
8 \$115,657,000;

9 “Aircraft Procurement, Air Force”, 2018/2020,  
10 \$134,900,000;

11 “Missile Procurement, Air Force”, 2018/2020,  
12 \$5,200,000;

13 “Space Procurement, Air Force”, 2018/2020,  
14 \$25,000,000;

15 “Procurement, Defense-Wide”, 2018/2020,  
16 \$14,000,000;

17 “Research, Development, Test and Evaluation,  
18 Navy”, 2018/2019, \$6,196,000; and

19 “Research, Development, Test and Evaluation, Air  
20 Force”, 2018/2019, \$17,500,000.

21 SEC. 8040. None of the funds available in this Act  
22 may be used to reduce the authorized positions for mili-  
23 tary technicians (dual status) of the Army National  
24 Guard, Air National Guard, Army Reserve and Air Force  
25 Reserve for the purpose of applying any administratively

1 imposed civilian personnel ceiling, freeze, or reduction on  
2 military technicians (dual status), unless such reductions  
3 are a direct result of a reduction in military force struc-  
4 ture.

5       SEC. 8041. None of the funds appropriated or other-  
6 wise made available in this Act may be obligated or ex-  
7 pended for assistance to the Democratic People's Republic  
8 of Korea unless specifically appropriated for that purpose.

9       SEC. 8042. Funds appropriated in this Act for oper-  
10 ation and maintenance of the Military Departments, Com-  
11 batant Commands and Defense Agencies shall be available  
12 for reimbursement of pay, allowances and other expenses  
13 which would otherwise be incurred against appropriations  
14 for the National Guard and Reserve when members of the  
15 National Guard and Reserve provide intelligence or coun-  
16 terintelligence support to Combatant Commands, Defense  
17 Agencies and Joint Intelligence Activities, including the  
18 activities and programs included within the National Intel-  
19 ligence Program and the Military Intelligence Program:  
20 *Provided*, That nothing in this section authorizes deviation  
21 from established Reserve and National Guard personnel  
22 and training procedures.

23       SEC. 8043. (a) None of the funds available to the  
24 Department of Defense for any fiscal year for drug inter-  
25 diction or counter-drug activities may be transferred to

1 any other department or agency of the United States ex-  
2 cept as specifically provided in an appropriations law.

3 (b) None of the funds available to the Central Intel-  
4 ligence Agency for any fiscal year for drug interdiction or  
5 counter-drug activities may be transferred to any other de-  
6 partment or agency of the United States except as specifi-  
7 cally provided in an appropriations law.

8 SEC. 8044. None of the funds appropriated by this  
9 Act may be used for the procurement of ball and roller  
10 bearings other than those produced by a domestic source  
11 and of domestic origin: *Provided*, That the Secretary of  
12 the military department responsible for such procurement  
13 may waive this restriction on a case-by-case basis by certi-  
14 fying in writing to the Committees on Appropriations of  
15 the House of Representatives and the Senate, that ade-  
16 quate domestic supplies are not available to meet Depart-  
17 ment of Defense requirements on a timely basis and that  
18 such an acquisition must be made in order to acquire ca-  
19 pability for national security purposes: *Provided further*,  
20 That this restriction shall not apply to the purchase of  
21 “commercial items”, as defined by section 103 of title 41,  
22 United States Code, except that the restriction shall apply  
23 to ball or roller bearings purchased as end items.

24 SEC. 8045. In addition to the amounts appropriated  
25 or otherwise made available elsewhere in this Act,



1 \$44,000,000 is hereby appropriated to the Department of  
2 Defense: *Provided*, That upon the determination of the  
3 Secretary of Defense that it shall serve the national inter-  
4 est, the Secretary shall make grants in the amounts speci-  
5 fied as follows: \$20,000,000 to the United Service Organi-  
6 zations and \$24,000,000 to the Red Cross.

7       SEC. 8046. None of the funds in this Act may be  
8 used to purchase any supercomputer which is not manu-  
9 factured in the United States, unless the Secretary of De-  
10 fense certifies to the congressional defense committees  
11 that such an acquisition must be made in order to acquire  
12 capability for national security purposes that is not avail-  
13 able from United States manufacturers.

14       SEC. 8047. Notwithstanding any other provision in  
15 this Act, the Small Business Innovation Research program  
16 and the Small Business Technology Transfer program set-  
17 asides shall be taken proportionally from all programs,  
18 projects, or activities to the extent they contribute to the  
19 extramural budget.

20       SEC. 8048. None of the funds available to the De-  
21 partment of Defense under this Act shall be obligated or  
22 expended to pay a contractor under a contract with the  
23 Department of Defense for costs of any amount paid by  
24 the contractor to an employee when—

1           (1) such costs are for a bonus or otherwise in  
2           excess of the normal salary paid by the contractor  
3           to the employee; and

4           (2) such bonus is part of restructuring costs as-  
5           sociated with a business combination.

6                           (INCLUDING TRANSFER OF FUNDS)

7           SEC. 8049. During the current fiscal year, no more  
8           than \$30,000,000 of appropriations made in this Act  
9           under the heading “Operation and Maintenance, Defense-  
10          Wide” may be transferred to appropriations available for  
11          the pay of military personnel, to be merged with, and to  
12          be available for the same time period as the appropriations  
13          to which transferred, to be used in support of such per-  
14          sonnel in connection with support and services for eligible  
15          organizations and activities outside the Department of De-  
16          fense pursuant to section 2012 of title 10, United States  
17          Code.

18          SEC. 8050. During the current fiscal year, in the case  
19          of an appropriation account of the Department of Defense  
20          for which the period of availability for obligation has ex-  
21          pired or which has closed under the provisions of section  
22          1552 of title 31, United States Code, and which has a  
23          negative unliquidated or unexpended balance, an obliga-  
24          tion or an adjustment of an obligation may be charged

1 to any current appropriation account for the same purpose  
2 as the expired or closed account if—

3 (1) the obligation would have been properly  
4 chargeable (except as to amount) to the expired or  
5 closed account before the end of the period of avail-  
6 ability or closing of that account;

7 (2) the obligation is not otherwise properly  
8 chargeable to any current appropriation account of  
9 the Department of Defense; and

10 (3) in the case of an expired account, the obli-  
11 gation is not chargeable to a current appropriation  
12 of the Department of Defense under the provisions  
13 of section 1405(b)(8) of the National Defense Au-  
14 thorization Act for Fiscal Year 1991, Public Law  
15 101–510, as amended (31 U.S.C. 1551 note): *Pro-*  
16 *vided*, That in the case of an expired account, if sub-  
17 sequent review or investigation discloses that there  
18 was not in fact a negative unliquidated or unex-  
19 pended balance in the account, any charge to a cur-  
20 rent account under the authority of this section shall  
21 be reversed and recorded against the expired ac-  
22 count: *Provided further*, That the total amount  
23 charged to a current appropriation under this sec-  
24 tion may not exceed an amount equal to 1 percent  
25 of the total appropriation for that account.

1       SEC. 8051. (a) Notwithstanding any other provision  
2 of law, the Chief of the National Guard Bureau may per-  
3 mit the use of equipment of the National Guard Distance  
4 Learning Project by any person or entity on a space-avail-  
5 able, reimbursable basis. The Chief of the National Guard  
6 Bureau shall establish the amount of reimbursement for  
7 such use on a case-by-case basis.

8       (b) Amounts collected under subsection (a) shall be  
9 credited to funds available for the National Guard Dis-  
10 tance Learning Project and be available to defray the costs  
11 associated with the use of equipment of the project under  
12 that subsection. Such funds shall be available for such  
13 purposes without fiscal year limitation.

14                               (INCLUDING TRANSFER OF FUNDS)

15       SEC. 8052. Of the funds appropriated in this Act  
16 under the heading “Operation and Maintenance, Defense-  
17 wide”, \$35,000,000 (increased by \$2,000,000) shall be for  
18 continued implementation and expansion of the Sexual As-  
19 sault Special Victims’ Counsel Program: *Provided*, That  
20 the funds are made available for transfer to the Depart-  
21 ment of the Army, the Department of the Navy, and the  
22 Department of the Air Force: *Provided further*, That funds  
23 transferred shall be merged with and available for the  
24 same purposes and for the same time period as the appro-  
25 priations to which the funds are transferred: *Provided fur-*

1 *ther*, That this transfer authority is in addition to any  
2 other transfer authority provided in this Act.

3       SEC. 8053. None of the funds appropriated in title  
4 IV of this Act may be used to procure end-items for deliv-  
5 ery to military forces for operational training, operational  
6 use or inventory requirements: *Provided*, That this restric-  
7 tion does not apply to end-items used in development,  
8 prototyping, and test activities preceding and leading to  
9 acceptance for operational use: *Provided further*, That the  
10 Secretary of Defense shall, not later than 60 days after  
11 enactment of this Act, submit a report detailing the use  
12 of funds requested in research, development, test and eval-  
13 uation accounts for end-items used in development, proto-  
14 typing and test activities preceding and leading to accept-  
15 ance for operational use: *Provided further*, That this re-  
16 striction does not apply to programs funded within the  
17 National Intelligence Program: *Provided further*, That the  
18 Secretary of Defense may waive this restriction on a case-  
19 by-case basis by certifying in writing to the Committees  
20 on Appropriations of the House of Representatives and the  
21 Senate that it is in the national security interest to do  
22 so.

23       SEC. 8054. (a) The Secretary of Defense may, on a  
24 case-by-case basis, waive with respect to a foreign country  
25 each limitation on the procurement of defense items from

1 foreign sources provided in law if the Secretary determines  
2 that the application of the limitation with respect to that  
3 country would invalidate cooperative programs entered  
4 into between the Department of Defense and the foreign  
5 country, or would invalidate reciprocal trade agreements  
6 for the procurement of defense items entered into under  
7 section 2531 of title 10, United States Code, and the  
8 country does not discriminate against the same or similar  
9 defense items produced in the United States for that coun-  
10 try.

11 (b) Subsection (a) applies with respect to—

12 (1) contracts and subcontracts entered into on  
13 or after the date of the enactment of this Act; and

14 (2) options for the procurement of items that  
15 are exercised after such date under contracts that  
16 are entered into before such date if the option prices  
17 are adjusted for any reason other than the applica-  
18 tion of a waiver granted under subsection (a).

19 (c) Subsection (a) does not apply to a limitation re-  
20 garding construction of public vessels, ball and roller bear-  
21 ings, food, and clothing or textile materials as defined by  
22 section XI (chapters 50–65) of the Harmonized Tariff  
23 Schedule of the United States and products classified  
24 under headings 4010, 4202, 4203, 6401 through 6406,  
25 6505, 7019, 7218 through 7229, 7304.41 through

1 7304.49, 7306.40, 7502 through 7508, 8105, 8108, 8109,  
2 8211, 8215, and 9404.

3 SEC. 8055. None of the funds appropriated or other-  
4 wise made available by this or other Department of De-  
5 fense Appropriations Acts may be obligated or expended  
6 for the purpose of performing repairs or maintenance to  
7 military family housing units of the Department of De-  
8 fense, including areas in such military family housing  
9 units that may be used for the purpose of conducting offi-  
10 cial Department of Defense business.

11 SEC. 8056. Notwithstanding any other provision of  
12 law, funds appropriated in this Act under the heading  
13 “Research, Development, Test and Evaluation, Defense-  
14 Wide” for any new start advanced concept technology  
15 demonstration project or joint capability demonstration  
16 project may only be obligated 45 days after a report, in-  
17 cluding a description of the project, the planned acquisi-  
18 tion and transition strategy and its estimated annual and  
19 total cost, has been provided in writing to the congress-  
20 sional defense committees: *Provided*, That the Secretary  
21 of Defense may waive this restriction on a case-by-case  
22 basis by certifying to the congressional defense committees  
23 that it is in the national interest to do so.

24 SEC. 8057. The Secretary of Defense shall continue  
25 to provide a classified quarterly report to the House and

1 Senate Appropriations Committees, Subcommittees on  
2 Defense on certain matters as directed in the classified  
3 annex accompanying this Act.

4       SEC. 8058. Notwithstanding section 12310(b) of title  
5 10, United States Code, a Reservist who is a member of  
6 the National Guard serving on full-time National Guard  
7 duty under section 502(f) of title 32, United States Code,  
8 may perform duties in support of the ground-based ele-  
9 ments of the National Ballistic Missile Defense System.

10       SEC. 8059. None of the funds provided in this Act  
11 may be used to transfer to any nongovernmental entity  
12 ammunition held by the Department of Defense that has  
13 a center-fire cartridge and a United States military no-  
14 menclature designation of “armor penetrator”, “armor  
15 piercing (AP)”, “armor piercing incendiary (API)”, or  
16 “armor-piercing incendiary tracer (API-T)”, except to an  
17 entity performing demilitarization services for the Depart-  
18 ment of Defense under a contract that requires the entity  
19 to demonstrate to the satisfaction of the Department of  
20 Defense that armor piercing projectiles are either: (1) ren-  
21 dered incapable of reuse by the demilitarization process;  
22 or (2) used to manufacture ammunition pursuant to a con-  
23 tract with the Department of Defense or the manufacture  
24 of ammunition for export pursuant to a License for Per-



1 manent Export of Unclassified Military Articles issued by  
2 the Department of State.

3 SEC. 8060. Notwithstanding any other provision of  
4 law, the Chief of the National Guard Bureau, or his des-  
5 ignee, may waive payment of all or part of the consider-  
6 ation that otherwise would be required under section 2667  
7 of title 10, United States Code, in the case of a lease of  
8 personal property for a period not in excess of 1 year to  
9 any organization specified in section 508(d) of title 32,  
10 United States Code, or any other youth, social, or fra-  
11 ternal nonprofit organization as may be approved by the  
12 Chief of the National Guard Bureau, or his designee, on  
13 a case-by-case basis.

14 (INCLUDING TRANSFER OF FUNDS)

15 SEC. 8061. Of the amounts appropriated in this Act  
16 under the heading “Operation and Maintenance, Army”,  
17 \$62,483,700 shall remain available until expended: *Pro-*  
18 *vided*, That, notwithstanding any other provision of law,  
19 the Secretary of Defense is authorized to transfer such  
20 funds to other activities of the Federal Government: *Pro-*  
21 *vided further*, That the Secretary of Defense is authorized  
22 to enter into and carry out contracts for the acquisition  
23 of real property, construction, personal services, and oper-  
24 ations related to projects carrying out the purposes of this  
25 section: *Provided further*, That contracts entered into

1 under the authority of this section may provide for such  
2 indemnification as the Secretary determines to be nec-  
3 essary: *Provided further*, That projects authorized by this  
4 section shall comply with applicable Federal, State, and  
5 local law to the maximum extent consistent with the na-  
6 tional security, as determined by the Secretary of Defense.

7 SEC. 8062. (a) None of the funds appropriated in this  
8 or any other Act may be used to take any action to mod-  
9 ify—

10 (1) the appropriations account structure for the  
11 National Intelligence Program budget, including  
12 through the creation of a new appropriation or new  
13 appropriation account;

14 (2) how the National Intelligence Program  
15 budget request is presented in the unclassified P-1,  
16 R-1, and O-1 documents supporting the Depart-  
17 ment of Defense budget request;

18 (3) the process by which the National Intel-  
19 ligence Program appropriations are apportioned to  
20 the executing agencies; or

21 (4) the process by which the National Intel-  
22 ligence Program appropriations are allotted, obli-  
23 gated and disbursed.

24 (b) Nothing in section (a) shall be construed to pro-  
25 hibit the merger of programs or changes to the National

1 Intelligence Program budget at or below the Expenditure  
2 Center level, provided such change is otherwise in accord-  
3 ance with paragraphs (a)(1)–(3).

4 (c) The Director of National Intelligence and the Sec-  
5 retary of Defense may jointly, only for the purposes of  
6 achieving auditable financial statements and improving  
7 fiscal reporting, study and develop detailed proposals for  
8 alternative financial management processes. Such study  
9 shall include a comprehensive counterintelligence risk as-  
10 sessment to ensure that none of the alternative processes  
11 will adversely affect counterintelligence.

12 (d) Upon development of the detailed proposals de-  
13 fined under subsection (c), the Director of National Intel-  
14 ligence and the Secretary of Defense shall—

15 (1) provide the proposed alternatives to all af-  
16 fected agencies;

17 (2) receive certification from all affected agen-  
18 cies attesting that the proposed alternatives will help  
19 achieve auditability, improve fiscal reporting, and  
20 will not adversely affect counterintelligence; and

21 (3) not later than 30 days after receiving all  
22 necessary certifications under paragraph (2), present  
23 the proposed alternatives and certifications to the  
24 congressional defense and intelligence committees.

1       SEC. 8063. In addition to amounts provided else-  
2 where in this Act, \$5,000,000 (increased by \$5,000,000)  
3 is hereby appropriated to the Department of Defense, to  
4 remain available for obligation until expended: *Provided*,  
5 That notwithstanding any other provision of law, that  
6 upon the determination of the Secretary of Defense that  
7 it shall serve the national interest, these funds shall be  
8 available only for a grant to the Fisher House Foundation,  
9 Inc., only for the construction and furnishing of additional  
10 Fisher Houses to meet the needs of military family mem-  
11 bers when confronted with the illness or hospitalization of  
12 an eligible military beneficiary.

13       SEC. 8064. Any notice that is required to be sub-  
14 mitted to the Committees on Appropriations of the Senate  
15 and the House of Representatives under section 806(c)(4)  
16 of the Bob Stump National Defense Authorization Act for  
17 Fiscal Year 2003 (10 U.S.C. 2302 note) after the date  
18 of the enactment of this Act shall be submitted pursuant  
19 to that requirement concurrently to the Subcommittees on  
20 Defense of the Committees on Appropriations of the Sen-  
21 ate and the House of Representatives.

22                                   (INCLUDING TRANSFER OF FUNDS)

23       SEC. 8065. Of the amounts appropriated in this Act  
24 under the headings “Procurement, Defense-Wide” and  
25 “Research, Development, Test and Evaluation, Defense-

1 Wide”, \$500,000,000 shall be for the Israeli Cooperative  
2 Programs: *Provided*, That of this amount, \$70,000,000  
3 shall be for the Secretary of Defense to provide to the Gov-  
4 ernment of Israel for the procurement of the Iron Dome  
5 defense system to counter short-range rocket threats, sub-  
6 ject to the U.S.-Israel Iron Dome Procurement Agree-  
7 ment, as amended; \$187,000,000 shall be for the Short  
8 Range Ballistic Missile Defense (SRBMD) program, in-  
9 cluding cruise missile defense research and development  
10 under the SRBMD program, of which \$50,000,000 shall  
11 be for co-production activities of SRBMD systems in the  
12 United States and in Israel to meet Israel’s defense re-  
13 quirements consistent with each nation’s laws, regulations,  
14 and procedures, subject to the U.S.-Israeli co-production  
15 agreement for SRBMD, as amended; \$80,000,000 shall  
16 be for an upper-tier component to the Israeli Missile De-  
17 fense Architecture, of which \$80,000,000 shall be for co-  
18 production activities of Arrow 3 Upper Tier systems in  
19 the United States and in Israel to meet Israel’s defense  
20 requirements consistent with each nation’s laws, regula-  
21 tions, and procedures, subject to the U.S.-Israeli co-pro-  
22 duction agreement for Arrow 3 Upper Tier, as amended;  
23 and \$163,000,000 shall be for the Arrow System Improve-  
24 ment Program including development of a long range,  
25 ground and airborne, detection suite: *Provided further*,

1 That the transfer authority provided under this provision  
2 is in addition to any other transfer authority contained  
3 in this Act.

4 (INCLUDING TRANSFER OF FUNDS)

5 SEC. 8066. Of the amounts appropriated in this Act  
6 under the heading “Shipbuilding and Conversion, Navy”,  
7 \$207,099,000 shall be available until September 30, 2019,  
8 to fund prior year shipbuilding cost increases: *Provided*,  
9 That upon enactment of this Act, the Secretary of the  
10 Navy shall transfer funds to the following appropriations  
11 in the amounts specified: *Provided further*, That the  
12 amounts transferred shall be merged with and be available  
13 for the same purposes as the appropriations to which  
14 transferred to:

15 (1) Under the heading “Shipbuilding and Con-  
16 version, Navy”, 2011/2019: LHA Replacement  
17 \$25,100,000;

18 (2) Under the heading “Shipbuilding and Con-  
19 version, Navy”, 2013/2019: DDG–51 Destroyer  
20 \$53,966,000;

21 (3) Under the heading “Shipbuilding and Con-  
22 version, Navy”, 2014/2019: Littoral Combat Ship  
23 \$19,498,000;

1           (4) Under the heading “Shipbuilding and Con-  
2           version, Navy”, 2015/2019: Littoral Combat Ship  
3           \$83,686,000;

4           (5) Under the heading “Shipbuilding and Con-  
5           version, Navy”, 2015/2019: LCAC \$9,400,000; and

6           (6) Under the heading “Shipbuilding and Con-  
7           version, Navy”, 2016/2019: TAO Fleet Oiler  
8           \$15,449,000.

9           SEC. 8067. Funds appropriated by this Act, or made  
10          available by the transfer of funds in this Act, for intel-  
11          ligence activities are deemed to be specifically authorized  
12          by the Congress for purposes of section 504 of the Na-  
13          tional Security Act of 1947 (50 U.S.C. 3094) during fiscal  
14          year 2019 until the enactment of the Intelligence Author-  
15          ization Act for Fiscal Year 2019.

16          SEC. 8068. None of the funds provided in this Act  
17          shall be available for obligation or expenditure through a  
18          reprogramming of funds that creates or initiates a new  
19          program, project, or activity unless such program, project,  
20          or activity must be undertaken immediately in the interest  
21          of national security and only after written prior notifica-  
22          tion to the congressional defense committees.

23          SEC. 8069. The budget of the President for fiscal  
24          year 2020 submitted to the Congress pursuant to section  
25          1105 of title 31, United States Code, shall include sepa-

1 rate budget justification documents for costs of United  
2 States Armed Forces' participation in contingency oper-  
3 ations for the Military Personnel accounts, the Operation  
4 and Maintenance accounts, the Procurement accounts,  
5 and the Research, Development, Test and Evaluation ac-  
6 counts: *Provided*, That these documents shall include a de-  
7 scription of the funding requested for each contingency op-  
8 eration, for each military service, to include all Active and  
9 Reserve components, and for each appropriations account:  
10 *Provided further*, That these documents shall include esti-  
11 mated costs for each element of expense or object class,  
12 a reconciliation of increases and decreases for each contin-  
13 gency operation, and programmatic data including, but  
14 not limited to, troop strength for each Active and Reserve  
15 component, and estimates of the major weapons systems  
16 deployed in support of each contingency: *Provided further*,  
17 That these documents shall include budget exhibits OP-  
18 5 and OP-32 (as defined in the Department of Defense  
19 Financial Management Regulation) for all contingency op-  
20 erations for the budget year and the two preceding fiscal  
21 years.

22 SEC. 8070. None of the funds in this Act may be  
23 used for research, development, test, evaluation, procure-  
24 ment or deployment of nuclear armed interceptors of a  
25 missile defense system.



1        SEC. 8071. Notwithstanding any other provision of  
2 this Act, to reflect savings due to favorable foreign ex-  
3 change rates, the total amount appropriated in this Act  
4 is hereby reduced by \$5,000,000.

5        SEC. 8072. The Secretary of Defense may use up to  
6 \$800,000,000 of the amounts appropriated or otherwise  
7 made available in this Act to the Department of Defense  
8 for the rapid acquisition and deployment of supplies and  
9 associated support services pursuant to section 806 of the  
10 Bob Stump National Defense Authorization Act for Fiscal  
11 Year 2003 (Public Law 107–314; 10 U.S.C. 2302 note):  
12 *Provided*, That the Secretary of Defense shall notify the  
13 congressional defense committees promptly of all uses of  
14 this authority.

15        SEC. 8073. None of the funds appropriated or made  
16 available in this Act shall be used to reduce or disestablish  
17 the operation of the 53rd Weather Reconnaissance Squad-  
18 ron of the Air Force Reserve, if such action would reduce  
19 the WC–130 Weather Reconnaissance mission below the  
20 levels funded in this Act: *Provided*, That the Air Force  
21 shall allow the 53rd Weather Reconnaissance Squadron to  
22 perform other missions in support of national defense re-  
23 quirements during the non-hurricane season.

24        SEC. 8074. None of the funds provided in this Act  
25 shall be available for integration of foreign intelligence in-

1 formation unless the information has been lawfully col-  
2 lected and processed during the conduct of authorized for-  
3 eign intelligence activities: *Provided*, That information  
4 pertaining to United States persons shall only be handled  
5 in accordance with protections provided in the Fourth  
6 Amendment of the United States Constitution as imple-  
7 mented through Executive Order No. 12333.

8       SEC. 8075. (a) None of the funds appropriated by  
9 this Act may be used to transfer research and develop-  
10 ment, acquisition, or other program authority relating to  
11 current tactical unmanned aerial vehicles (TUAVs) from  
12 the Army.

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

18       SEC. 8076. None of the funds appropriated by this  
19 Act for programs of the Office of the Director of National  
20 Intelligence shall remain available for obligation beyond  
21 the current fiscal year, except for funds appropriated for  
22 research and technology, which shall remain available until  
23 September 30, 2020.

24       SEC. 8077. For purposes of section 1553(b) of title  
25 31, United States Code, any subdivision of appropriations

1 made in this Act under the heading “Shipbuilding and  
2 Conversion, Navy” shall be considered to be for the same  
3 purpose as any subdivision under the heading “Ship-  
4 building and Conversion, Navy” appropriations in any  
5 prior fiscal year, and the 1 percent limitation shall apply  
6 to the total amount of the appropriation.

7       SEC. 8078. (a) Not later than 60 days after the date  
8 of enactment of this Act, the Director of National Intel-  
9 ligence shall submit a report to the congressional intel-  
10 ligence committees to establish the baseline for application  
11 of reprogramming and transfer authorities for fiscal year  
12 2019: *Provided*, That the report shall include—

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

18           (2) a delineation in the table for each appro-  
19 priation by Expenditure Center and project; and

20           (3) an identification of items of special congres-  
21 sional interest.

22       (b) None of the funds provided for the National Intel-  
23 ligence Program in this Act shall be available for re-  
24 programming or transfer until the report identified in sub-  
25 section (a) is submitted to the congressional intelligence

1 committees, unless the Director of National Intelligence  
2 certifies in writing to the congressional intelligence com-  
3 mittees that such reprogramming or transfer is necessary  
4 as an emergency requirement.

5       SEC. 8079. None of the funds made available by this  
6 Act may be used to eliminate, restructure, or realign Army  
7 Contracting Command—New Jersey or make dispropor-  
8 tionate personnel reductions at any Army Contracting  
9 Command—New Jersey sites without 30-day prior notifi-  
10 cation to the congressional defense committees.

11       SEC. 8080. Notwithstanding any other provision of  
12 law, any transfer of funds, appropriated or otherwise made  
13 available by this Act, for support to friendly foreign coun-  
14 tries in connection with the conduct of operations in which  
15 the United States is not participating, pursuant to section  
16 331(d) of Title 10, United States Code, shall be made in  
17 accordance with sections 8005 or 9002 of this Act, as ap-  
18 plicable.

19       SEC. 8081. Any transfer of amounts appropriated to,  
20 credited to, or deposited in the Department of Defense Ac-  
21 quisition Workforce Development Fund in or for fiscal  
22 year 2019 to a military department or Defense Agency  
23 pursuant to section 1705(e)(1) of title 10, United States  
24 Code, shall be covered by and subject to sections 8005 or  
25 9002 of this Act, as applicable.

1        SEC. 8082. None of the funds made available by this  
2 Act for excess defense articles, assistance under section  
3 333 of title 10, United States Code, or peacekeeping oper-  
4 ations for the countries designated annually to be in viola-  
5 tion of the standards of the Child Soldiers Prevention Act  
6 of 2008 (Public Law 110–457; 22 U.S.C. 2370c–1) may  
7 be used to support any military training or operation that  
8 includes child soldiers, as defined by the Child Soldiers  
9 Prevention Act of 2008, unless such assistance is other-  
10 wise permitted under section 404 of the Child Soldiers  
11 Prevention Act of 2008.

12        SEC. 8083. (a) None of the funds provided for the  
13 National Intelligence Program in this or any prior appro-  
14 priations Act shall be available for obligation or expendi-  
15 ture through a reprogramming or transfer of funds in ac-  
16 cordance with section 102A(d) of the National Security  
17 Act of 1947 (50 U.S.C. 3024(d)) that—

18            (1) creates a new start effort;

19            (2) terminates a program with appropriated  
20 funding of \$10,000,000 or more;

21            (3) transfers funding into or out of the Na-  
22 tional Intelligence Program; or

23            (4) transfers funding between appropriations,  
24 unless the congressional intelligence committees are noti-  
25 fied 30 days in advance of such reprogramming of funds;

1 this notification period may be reduced for urgent national  
2 security requirements.

3 (b) None of the funds provided for the National Intel-  
4 ligence Program in this or any prior appropriations Act  
5 shall be available for obligation or expenditure through a  
6 reprogramming or transfer of funds in accordance with  
7 section 102A(d) of the National Security Act of 1947 (50  
8 U.S.C. 3024(d)) that results in a cumulative increase or  
9 decrease of the levels specified in the classified annex ac-  
10 companying the Act unless the congressional intelligence  
11 committees are notified 30 days in advance of such re-  
12 programming of funds; this notification period may be re-  
13 duced for urgent national security requirements.

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

24 SEC. 8085. For the purposes of this Act, the term  
25 "congressional intelligence committees" means the Perma-

1 nent Select Committee on Intelligence of the House of  
2 Representatives, the Select Committee on Intelligence of  
3 the Senate, the Subcommittee on Defense of the Com-  
4 mittee on Appropriations of the House of Representatives,  
5 and the Subcommittee on Defense of the Committee on  
6 Appropriations of the Senate.

7 (INCLUDING TRANSFER OF FUNDS)

8 SEC. 8086. During the current fiscal year, not to ex-  
9 ceed \$11,000,000 from each of the appropriations made  
10 in title II of this Act for “Operation and Maintenance,  
11 Army”, “Operation and Maintenance, Navy”, and “Oper-  
12 ation and Maintenance, Air Force” may be transferred by  
13 the military department concerned to its central fund es-  
14 tablished for Fisher Houses and Suites pursuant to sec-  
15 tion 2493(d) of title 10, United States Code.

16 SEC. 8087. None of the funds appropriated by this  
17 Act may be available for the purpose of making remit-  
18 tances to the Department of Defense Acquisition Work-  
19 force Development Fund in accordance with section 1705  
20 of title 10, United States Code.

21 SEC. 8088. (a) Any agency receiving funds made  
22 available in this Act, shall, subject to subsections (b) and  
23 (c), post on the public Web site of that agency any report  
24 required to be submitted by the Congress in this or any

1 other Act, upon the determination by the head of the agen-  
2 cy that it shall serve the national interest.

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

4 (1) the public posting of the report com-  
5 promises national security; or

6 (2) the report contains proprietary information.

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

11 SEC. 8089. (a) None of the funds appropriated or  
12 otherwise made available by this Act may be expended for  
13 any Federal contract for an amount in excess of  
14 \$1,000,000, unless the contractor agrees not to—

15 (1) enter into any agreement with any of its  
16 employees or independent contractors that requires,  
17 as a condition of employment, that the employee or  
18 independent contractor agree to resolve through ar-  
19 bitration any claim under title VII of the Civil  
20 Rights Act of 1964 or any tort related to or arising  
21 out of sexual assault or harassment, including as-  
22 sault and battery, intentional infliction of emotional  
23 distress, false imprisonment, or negligent hiring, su-  
24 pervision, or retention; or



1           (2) take any action to enforce any provision of  
2           an existing agreement with an employee or inde-  
3           pendent contractor that mandates that the employee  
4           or independent contractor resolve through arbitra-  
5           tion any claim under title VII of the Civil Rights Act  
6           of 1964 or any tort related to or arising out of sex-  
7           ual assault or harassment, including assault and  
8           battery, intentional infliction of emotional distress,  
9           false imprisonment, or negligent hiring, supervision,  
10          or retention.

11          (b) None of the funds appropriated or otherwise  
12          made available by this Act may be expended for any Fed-  
13          eral contract unless the contractor certifies that it requires  
14          each covered subcontractor to agree not to enter into, and  
15          not to take any action to enforce any provision of, any  
16          agreement as described in paragraphs (1) and (2) of sub-  
17          section (a), with respect to any employee or independent  
18          contractor performing work related to such subcontract.  
19          For purposes of this subsection, a “covered subcon-  
20          tractor” is an entity that has a subcontract in excess of  
21          \$1,000,000 on a contract subject to subsection (a).

22          (c) The prohibitions in this section do not apply with  
23          respect to a contractor’s or subcontractor’s agreements  
24          with employees or independent contractors that may not  
25          be enforced in a court of the United States.

1 (d) The Secretary of Defense may waive the applica-  
2 tion of subsection (a) or (b) to a particular contractor or  
3 subcontractor for the purposes of a particular contract or  
4 subcontract if the Secretary or the Deputy Secretary per-  
5 sonally determines that the waiver is necessary to avoid  
6 harm to national security interests of the United States,  
7 and that the term of the contract or subcontract is not  
8 longer than necessary to avoid such harm. The determina-  
9 tion shall set forth with specificity the grounds for the  
10 waiver and for the contract or subcontract term selected,  
11 and shall state any alternatives considered in lieu of a  
12 waiver and the reasons each such alternative would not  
13 avoid harm to national security interests of the United  
14 States. The Secretary of Defense shall transmit to Con-  
15 gress, and simultaneously make public, any determination  
16 under this subsection not less than 15 business days be-  
17 fore the contract or subcontract addressed in the deter-  
18 mination may be awarded.

19 (INCLUDING TRANSFER OF FUNDS)

20 SEC. 8090. From within the funds appropriated for  
21 operation and maintenance for the Defense Health Pro-  
22 gram in this Act, up to \$113,000,000, shall be available  
23 for transfer to the Joint Department of Defense-Depart-  
24 ment of Veterans Affairs Medical Facility Demonstration  
25 Fund in accordance with the provisions of section 1704

1 of the National Defense Authorization Act for Fiscal Year  
2 2010, Public Law 111–84: *Provided*, That for purposes  
3 of section 1704(b), the facility operations funded are oper-  
4 ations of the integrated Captain James A. Lovell Federal  
5 Health Care Center, consisting of the North Chicago Vet-  
6 erans Affairs Medical Center, the Navy Ambulatory Care  
7 Center, and supporting facilities designated as a combined  
8 Federal medical facility as described by section 706 of  
9 Public Law 110–417: *Provided further*, That additional  
10 funds may be transferred from funds appropriated for op-  
11 eration and maintenance for the Defense Health Program  
12 to the Joint Department of Defense-Department of Vet-  
13 erans Affairs Medical Facility Demonstration Fund upon  
14 written notification by the Secretary of Defense to the  
15 Committees on Appropriations of the House of Represent-  
16 atives and the Senate.

17       SEC. 8091. None of the funds appropriated or other-  
18 wise made available by this Act may be used by the De-  
19 partment of Defense or a component thereof in contraven-  
20 tion of the provisions of section 130h of title 10, United  
21 States Code.

22       SEC. 8092. Appropriations available to the Depart-  
23 ment of Defense may be used for the purchase of heavy  
24 and light armored vehicles for the physical security of per-  
25 sonnel or for force protection purposes up to a limit of

1 \$450,000 per vehicle, notwithstanding price or other limi-  
2 tations applicable to the purchase of passenger carrying  
3 vehicles.

4 (INCLUDING TRANSFER OF FUNDS)

5 SEC. 8093. Upon a determination by the Director of  
6 National Intelligence that such action is necessary and in  
7 the national interest, the Director may, with the approval  
8 of the Office of Management and Budget, transfer not to  
9 exceed \$1,500,000,000 of the funds made available in this  
10 Act for the National Intelligence Program: *Provided*, That  
11 such authority to transfer may not be used unless for  
12 higher priority items, based on unforeseen intelligence re-  
13 quirements, than those for which originally appropriated  
14 and in no case where the item for which funds are re-  
15 quested has been denied by the Congress: *Provided further*,  
16 That a request for multiple reprogrammings of funds  
17 using authority provided in this section shall be made  
18 prior to June 30, 2019.

19 SEC. 8094. None of the funds appropriated or other-  
20 wise made available in this or any other Act may be used  
21 to transfer, release, or assist in the transfer or release to  
22 or within the United States, its territories, or possessions  
23 Khalid Sheikh Mohammed or any other detainee who—  
24 (1) is not a United States citizen or a member  
25 of the Armed Forces of the United States; and

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

4           SEC. 8095. (a) None of the funds appropriated or  
5 otherwise made available in this or any other Act may be  
6 used to construct, acquire, or modify any facility in the  
7 United States, its territories, or possessions to house any  
8 individual described in subsection (c) for the purposes of  
9 detention or imprisonment in the custody or under the ef-  
10 fective control of the Department of Defense.

11          (b) The prohibition in subsection (a) shall not apply  
12 to any modification of facilities at United States Naval  
13 Station, Guantánamo Bay, Cuba.

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

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

20           (2) is—

21           (A) in the custody or under the effective  
22           control of the Department of Defense; or

23           (B) otherwise under detention at United  
24           States Naval Station, Guantánamo Bay, Cuba.

1       SEC. 8096. None of the funds appropriated or other-  
2 wise made available in this Act may be used to transfer  
3 any individual detained at United States Naval Station  
4 Guantánamo Bay, Cuba, to the custody or control of the  
5 individual's country of origin, any other foreign country,  
6 or any other foreign entity except in accordance with sec-  
7 tion 1034 of the National Defense Authorization Act for  
8 Fiscal Year 2016 (Public Law 114–92) and section 1034  
9 of the National Defense Authorization Act for Fiscal Year  
10 2017 (Public Law 114–328).

11       SEC. 8097. None of the funds made available by this  
12 Act may be used in contravention of the War Powers Res-  
13 olution (50 U.S.C. 1541 et seq.).

14       SEC. 8098. (a) None of the funds appropriated or  
15 otherwise made available by this or any other Act may  
16 be used by the Secretary of Defense, or any other official  
17 or officer of the Department of Defense, to enter into a  
18 contract, memorandum of understanding, or cooperative  
19 agreement with, or make a grant to, or provide a loan  
20 or loan guarantee to Rosoboronexport or any subsidiary  
21 of Rosoboronexport.

22       (b) The Secretary of Defense may waive the limita-  
23 tion in subsection (a) if the Secretary, in consultation with  
24 the Secretary of State and the Director of National Intel-  
25 ligence, determines that it is in the vital national security

1 interest of the United States to do so, and certifies in writ-  
2 ing to the congressional defense committees that, to the  
3 best of the Secretary's knowledge:

4           (1) Rosoboronexport has ceased the transfer of  
5 lethal military equipment to, and the maintenance of  
6 existing lethal military equipment for, the Govern-  
7 ment of the Syrian Arab Republic.

8           (2) The armed forces of the Russian Federation  
9 have withdrawn from Crimea, other than armed  
10 forces present on military bases subject to agree-  
11 ments in force between the Government of the Rus-  
12 sian Federation and the Government of Ukraine.

13           (3) Agents of the Russian Federation have  
14 ceased taking active measures to destabilize the con-  
15 trol of the Government of Ukraine over eastern  
16 Ukraine.

17           (c) The Inspector General of the Department of De-  
18 fense shall conduct a review of any action involving  
19 Rosoboronexport with respect to a waiver issued by the  
20 Secretary of Defense pursuant to subsection (b), and not  
21 later than 90 days after the date on which such a waiver  
22 is issued by the Secretary of Defense, the Inspector Gen-  
23 eral shall submit to the congressional defense committees  
24 a report containing the results of the review conducted  
25 with respect to such waiver.

1       SEC. 8099. None of the funds made available in this  
2 Act may be used for the purchase or manufacture of a  
3 flag of the United States unless such flags are treated as  
4 covered items under section 2533a(b) of title 10, United  
5 States Code.

6       SEC. 8100. (a) Of the funds appropriated in this Act  
7 for the Department of Defense, amounts may be made  
8 available, under such regulations as the Secretary of De-  
9 fense may prescribe, to local military commanders ap-  
10 pointed by the Secretary, or by an officer or employee des-  
11 igned by the Secretary, to provide at their discretion ex  
12 gratia payments in amounts consistent with subsection (d)  
13 of this section for damage, personal injury, or death that  
14 is incident to combat operations of the Armed Forces in  
15 a foreign country.

16       (b) An ex gratia payment under this section may be  
17 provided only if—

18           (1) the prospective foreign civilian recipient is  
19 determined by the local military commander to be  
20 friendly to the United States;

21           (2) a claim for damages would not be compen-  
22 sable under chapter 163 of title 10, United States  
23 Code (commonly known as the “Foreign Claims  
24 Act”); and



1           (3) the property damage, personal injury, or  
2           death was not caused by action by an enemy.

3           (c) Any payments provided under a program under  
4           subsection (a) shall not be considered an admission or ac-  
5           knowledge of any legal obligation to compensate for  
6           any damage, personal injury, or death.

7           (d) If the Secretary of Defense determines a program  
8           under subsection (a) to be appropriate in a particular set-  
9           ting, the amounts of payments, if any, to be provided to  
10          civilians determined to have suffered harm incident to  
11          combat operations of the Armed Forces under the pro-  
12          gram should be determined pursuant to regulations pre-  
13          scribed by the Secretary and based on an assessment,  
14          which should include such factors as cultural appropriate-  
15          ness and prevailing economic conditions.

16          (e) Local military commanders shall receive legal ad-  
17          vice before making ex gratia payments under this sub-  
18          section. The legal advisor, under regulations of the De-  
19          partment of Defense, shall advise on whether an ex gratia  
20          payment is proper under this section and applicable De-  
21          partment of Defense regulations.

22          (f) A written record of any ex gratia payment offered  
23          or denied shall be kept by the local commander and on  
24          a timely basis submitted to the appropriate office in the

1 Department of Defense as determined by the Secretary  
2 of Defense.

3 (g) The Secretary of Defense shall report to the con-  
4 gressional defense committees on an annual basis the effi-  
5 cacy of the ex gratia payment program including the num-  
6 ber of types of cases considered, amounts offered, the re-  
7 sponse from ex gratia payment recipients, and any rec-  
8 ommended modifications to the program.

9 SEC. 8101. None of the funds available in this Act  
10 to the Department of Defense, other than appropriations  
11 made for necessary or routine refurbishments, upgrades  
12 or maintenance activities, shall be used to reduce or to  
13 prepare to reduce the number of deployed and non-de-  
14 ployed strategic delivery vehicles and launchers below the  
15 levels set forth in the report submitted to Congress in ac-  
16 cordance with section 1042 of the National Defense Au-  
17 thorization Act for Fiscal Year 2012.

18 SEC. 8102. The Secretary of Defense shall post grant  
19 awards on a public Website in a searchable format.

20 SEC. 8103. The Secretary of each military depart-  
21 ment, in reducing each research, development, test and  
22 evaluation and procurement account of the military de-  
23 partment as required under paragraph (1) of section  
24 828(d) of the National Defense Authorization Act for Fis-  
25 cal Year 2016 (Public Law 114–92; 10 U.S.C. 2430 note),

1 as amended by section 825(a)(3) of the National Defense  
2 Authorization Act for Fiscal Year 2018, shall allocate the  
3 percentage reduction determined under paragraph (2) of  
4 such section 828(d) proportionally from all programs,  
5 projects, or activities under such account: *Provided*, That  
6 the authority under section 804(d)(2) of the National De-  
7 fense Authorization Act for Fiscal Year 2016 (Public Law  
8 114–92; 10 U.S.C. 2302 note) to transfer amounts avail-  
9 able in the Rapid Prototyping Fund shall be subject to  
10 section 8005 or 9002 of this Act, as applicable.

11 SEC. 8104. None of the funds made available by this  
12 Act may be used to fund the performance of a flight dem-  
13 onstration team at a location outside of the United States:  
14 *Provided*, That this prohibition applies only if a perform-  
15 ance of a flight demonstration team at a location within  
16 the United States was canceled during the current fiscal  
17 year due to insufficient funding.

18 SEC. 8105. None of the funds made available by this  
19 Act may be used by the National Security Agency to—

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

24 (2) acquire, monitor, or store the contents (as  
25 such term is defined in section 2510(8) of title 18,

1 United States Code) of any electronic communica-  
2 tion of a United States person from a provider of  
3 electronic communication services to the public pur-  
4 suant to section 501 of the Foreign Intelligence Sur-  
5 veillance Act of 1978.

6 SEC. 8106. None of the funds made available by this  
7 Act may be obligated or expended to implement the Arms  
8 Trade Treaty until the Senate approves a resolution of  
9 ratification for the Treaty.

10 SEC. 8107. None of the funds made available in this  
11 or any other Act may be used to pay the salary of any  
12 officer or employee of any agency funded by this Act who  
13 approves or implements the transfer of administrative re-  
14 sponsibilities or budgetary resources of any program,  
15 project, or activity financed by this Act to the jurisdiction  
16 of another Federal agency not financed by this Act: *Pro-*  
17 *vided*, That this limitation shall not apply to transfers of  
18 funds expressly provided for in Defense Appropriations  
19 Acts, or provisions of Acts providing supplemental appro-  
20 priations for the Department of Defense.

21 SEC. 8108. None of the funds made available in this  
22 Act may be obligated for activities authorized under sec-  
23 tion 1208 of the Ronald W. Reagan National Defense Au-  
24 thorization Act for Fiscal Year 2005 (Public Law 112-  
25 81; 125 Stat. 1621) to initiate support for, or expand sup-

1 port to, foreign forces, irregular forces, groups, or individ-  
2 uals unless the congressional defense committees are noti-  
3 fied in accordance with the direction contained in the clas-  
4 sified annex accompanying this Act, not less than 15 days  
5 before initiating such support: *Provided*, That none of the  
6 funds made available in this Act may be used under sec-  
7 tion 1208 for any activity that is not in support of an  
8 ongoing military operation being conducted by United  
9 States Special Operations Forces to combat terrorism:  
10 *Provided further*, That the Secretary of Defense may waive  
11 the prohibitions in this section if the Secretary determines  
12 that such waiver is required by extraordinary cir-  
13 cumstances and, by not later than 72 hours after making  
14 such waiver, notifies the congressional defense committees  
15 of such waiver.

16 SEC. 8109. None of the funds made available by this  
17 Act may be used with respect to Iraq in contravention of  
18 the War Powers Resolution (50 U.S.C. 1541 et seq.), in-  
19 cluding for the introduction of United States armed forces  
20 into hostilities in Iraq, into situations in Iraq where immi-  
21 nent involvement in hostilities is clearly indicated by the  
22 circumstances, or into Iraqi territory, airspace, or waters  
23 while equipped for combat, in contravention of the con-  
24 gressional consultation and reporting requirements of sec-

1 tions 3 and 4 of such Resolution (50 U.S.C. 1542 and  
2 1543).

3       SEC. 8110. None of the funds provided in this Act  
4 for the TAO Fleet Oiler program shall be used to award  
5 a new contract that provides for the acquisition of the fol-  
6 lowing components unless those components are manufac-  
7 tured in the United States: Auxiliary equipment (including  
8 pumps) for shipboard services; propulsion equipment (in-  
9 cluding engines, reduction gears, and propellers); ship-  
10 board cranes; and spreaders for shipboard cranes.

11       SEC. 8111. Notwithstanding any other provision of  
12 this Act, to reflect savings due to lower than anticipated  
13 fuel costs, the total amount appropriated in title II of this  
14 Act is hereby reduced by \$5,000,000.

15       SEC. 8112. None of the funds made available by this  
16 Act may be used for Government Travel Charge Card ex-  
17 penses by military or civilian personnel of the Department  
18 of Defense for gaming, or for entertainment that includes  
19 topless or nude entertainers or participants, as prohibited  
20 by Department of Defense FMR, Volume 9, Chapter 3  
21 and Department of Defense Instruction 1015.10 (encl-  
22 sure 3, 14a and 14b).

23       SEC. 8113. None of the funds made available by this  
24 Act may be used to propose, plan for, or execute a new

1 or additional Base Realignment and Closure (BRAC)  
2 round.

3 (INCLUDING TRANSFER OF FUNDS)

4 SEC. 8114. Of the amounts appropriated in this Act,  
5 the Secretary of Defense may use up to \$117,642,000  
6 under the heading “Operation and Maintenance, Defense-  
7 Wide”, and up to \$39,400,000 under the heading “Re-  
8 search, Development, Test and Evaluation, Defense-  
9 Wide” to develop, replace, and sustain Federal Govern-  
10 ment security and suitability background investigation in-  
11 formation technology systems of the Office of Personnel  
12 Management or other Federal agency responsible for con-  
13 ducting such investigations: *Provided*, That the Secretary  
14 may transfer additional amounts into these headings or  
15 into “Procurement, Defense-Wide” using established re-  
16 programming procedures prescribed in the Department of  
17 Defense Financial Management Regulation 7000.14, Vol-  
18 ume 3, Chapter 6, dated September 2015: *Provided fur-*  
19 *ther*, That such funds shall supplement, not supplant any  
20 other amounts made available to other Federal agencies  
21 for such purposes.

22 SEC. 8115. None of the funds made available by this  
23 Act may be used to carry out the closure or realignment  
24 of the United States Naval Station, Guantánamo Bay,  
25 Cuba.

1       SEC. 8116. (a) None of the funds made available in  
2 this Act may be used to maintain or establish a computer  
3 network unless such network is designed to block access  
4 to pornography websites.

5       (b) Nothing in subsection (a) shall limit the use of  
6 funds necessary for any Federal, State, tribal, or local law  
7 enforcement agency or any other entity carrying out crimi-  
8 nal investigations, prosecution, or adjudication activities,  
9 or for any activity necessary for the national defense, in-  
10 cluding intelligence activities.

11       SEC. 8117. Notwithstanding any other provision of  
12 law, any transfer of funds appropriated or otherwise made  
13 available by this Act to the Global Engagement Center es-  
14 tablished by section 1287 of the National Defense Author-  
15 ization Act for Fiscal Year 2017 (Public Law 114–328;  
16 130 Stat. 22 U.S.C. 2656 note) shall be made in accord-  
17 ance with section 8005 or 9002 of this Act, as applicable.

18       SEC. 8118. In addition to amounts provided else-  
19 where in this Act, there is appropriated \$270,000,000, for  
20 an additional amount for “Operation and Maintenance,  
21 Defense-Wide”, to remain available until expended: *Pro-*  
22 *vided*, That such funds shall only be available to the Sec-  
23 retary of Defense, acting through the Office of Economic  
24 Adjustment of the Department of Defense, or for transfer  
25 to the Secretary of Education, notwithstanding any other



1 provision of law, to make grants, conclude cooperative  
2 agreements, or supplement other Federal funds to con-  
3 struct, renovate, repair, or expand elementary and sec-  
4 ondary public schools on military installations in order to  
5 address capacity or facility condition deficiencies at such  
6 schools: *Provided further*, That in making such funds  
7 available, the Office of Economic Adjustment or the Sec-  
8 retary of Education shall give priority consideration to  
9 those military installations with schools having the most  
10 serious capacity or facility condition deficiencies as deter-  
11 mined by the Secretary of Defense: *Provided further*, That  
12 as a condition of receiving funds under this section a local  
13 educational agency or State shall provide a matching share  
14 as described in the notice titled “Department of Defense  
15 Program for Construction, Renovation, Repair or Expan-  
16 sion of Public Schools Located on Military Installations”  
17 published by the Department of Defense in the Federal  
18 Register on September 9, 2011 (76 Fed. Reg. 55883 et  
19 seq.): *Provided further*, That these provisions apply to  
20 funds provided under this section, and to funds previously  
21 provided by Congress to construct, renovate, repair, or ex-  
22 pand elementary and secondary public schools on military  
23 installations in order to address capacity or facility condi-  
24 tion deficiencies at such schools to the extent such funds

1 remain unobligated on the date of enactment of this sec-  
2 tion.

3       SEC. 8119. In carrying out the program described in  
4 the memorandum on the subject of “Policy for Assisted  
5 Reproductive Services for the Benefit of Seriously or Se-  
6 verely Ill/Injured (Category II or III) Active Duty Service  
7 Members” issued by the Assistant Secretary of Defense  
8 for Health Affairs on April 3, 2012, and the guidance  
9 issued to implement such memorandum, the Secretary of  
10 Defense shall apply such policy and guidance, except  
11 that—

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

16           (2) the term “assisted reproductive technology”  
17 shall include embryo cryopreservation and storage  
18 without limitation on the duration of such  
19 cryopreservation and storage.

20       SEC. 8120. None of the funds made available by this  
21 Act may be used to provide arms, training, or other assist-  
22 ance to the Azov Battalion.

23       SEC. 8121. None of the funds made available by this  
24 Act may be used to purchase heavy water from Iran.

1       SEC. 8122. The amount appropriated in title II of  
2 this Act for “Operation and Maintenance, Army” is here-  
3 by reduced by \$50,000,000 to reflect excess cash balances  
4 in Department of Defense Working Capital Funds.

5       SEC. 8123. The amount appropriated in title II of  
6 this Act for “Operation and Maintenance, Navy” is hereby  
7 reduced by \$50,000,000 to reflect excess cash balances in  
8 Department of Defense Working Capital Funds.

9       SEC. 8124. None of the funds made available by this  
10 Act may be used to carry out the changes to the Joint  
11 Travel Regulations of the Department of Defense de-  
12 scribed in the memorandum of the Per Diem Travel and  
13 Transportation Allowance Committee titled “UTD/CTD  
14 for MAP 118–13/CAP 118–13 - Flat Rate Per Diem for  
15 Long Term TDY” and dated October 1, 2014.

16       SEC. 8125. None of the funds made available by this  
17 or any other Act may be obligated or expended to divest  
18 more than one E-8C aircraft unless the Secretary of the  
19 Air Force certifies to the congressional defense committees  
20 that funds made available in this or any other Act have  
21 been obligated pursuant to the award of one or more con-  
22 tracts to continue the Joint Surveillance Target Attack  
23 Radar System recapitalization program.

24       SEC. 8126. None of the funds provided for, or other-  
25 wise made available, in this or any other Act, may be obli-

1 gated or expended by the Secretary of Defense to provide  
2 motorized vehicles, aviation platforms, munitions other  
3 than small arms and munitions appropriate for customary  
4 ceremonial honors, operational military units, or oper-  
5 ational military platforms if the Secretary determines that  
6 providing such units, platforms, or equipment would un-  
7 dermine the readiness of such units, platforms, or equip-  
8 ment.

9       SEC. 8127. (a) None of the funds made available by  
10 this Act to the Secretary of Defense or the Secretary of  
11 any military department may be used to enter into a con-  
12 tract for the acquisition of furnished energy for the new  
13 Rhine Ordnance Barracks Army Medical Center until the  
14 Secretary of Defense submits to the congressional defense  
15 committees a written certification that—

16           (1) the source of furnished energy for such  
17 Medical Center will minimize the use of fuels  
18 sourced from inside the Russian Federation;

19           (2) the design of such Medical Center will uti-  
20 lize a diversified energy supply from a mixed-fuel  
21 system as the source of furnished energy to sustain  
22 mission critical operations during any sustained en-  
23 ergy supply disruption caused by the Russian Fed-  
24 eration; and

1           (3) to the extent available, domestically-sourced  
2           fuels shall be the preferred source for furnished en-  
3           ergy for such Medical Center.

4           (b) Subsection (a) shall not apply if the Secretary of  
5           Defense certifies to the congressional defense committees  
6           that a waiver of such subsection is necessary to protect  
7           the national security interests of the United States.

8           SEC. 8128. The Secretary of Defense may obligate  
9           and expend funds made available under this or any other  
10          Act for procurement or for research, development, test and  
11          evaluation for the F-35 Joint Strike Fighter to modify  
12          up to six F-35 aircraft, including up to two F-35 aircraft  
13          of each variant, to a test configuration: *Provided*, That  
14          the Secretary of Defense shall, with the concurrence of  
15          the Secretary of the Air Force and the Secretary of the  
16          Navy, notify the congressional defense committees not  
17          fewer than 30 days prior to obligating and expending  
18          funds under this section.

19          SEC. 8129. Amounts appropriated for “Defense  
20          Health Program” in this Act and hereafter may be obli-  
21          gated to make death gratuity payments, as authorized in  
22          subchapter II of chapter 75 of title 10, United States  
23          Code, if no appropriation for “Military Personnel” is avail-  
24          able for obligation for such payments: *Provided*, That such

1 obligations may subsequently be recorded against appro-  
2 priations available for “Military Personnel”.

3       SEC. 8130. None of the funds appropriated or other-  
4 wise made available by this or any other Act may be obli-  
5 gated or expended by the Department of Defense to mi-  
6 grate data and applications to the proposed Joint Enter-  
7 prise Defense Infrastructure or the Defense Enterprise  
8 Office Solutions cloud computing services until a period  
9 of 90 days has elapsed following the date on which the  
10 Secretary of Defense submits to the congressional defense  
11 committees—

12           (1) a proposed plan to establish a budget ac-  
13 counting system that provides transparency across  
14 the Department, including all military Services and  
15 Defense Agencies, for funds requested and expended  
16 for all cloud computing services procured by the De-  
17 partment and funds requested and expended to mi-  
18 grate to a cloud computing environment; and

19           (2) a detailed description of the Department’s  
20 strategy to implement enterprise-wide cloud com-  
21 puting, including the goals and acquisition strategies  
22 for all proposed enterprise-wide cloud computing  
23 service procurements; the strategy to sustain com-  
24 petition and innovation throughout the period of  
25 performance of each contract, including defining op-

1 portunities for multiple cloud service providers and  
2 insertion of new technologies; and an assessment of  
3 potential threats and security vulnerabilities of the  
4 proposed cloud computing strategy, and plans to  
5 mitigate such risks.

## 6 TITLE IX

### 7 OVERSEAS CONTINGENCY OPERATIONS

#### 8 MILITARY PERSONNEL

##### 9 MILITARY PERSONNEL, ARMY

10 For an additional amount for “Military Personnel,  
11 Army”, \$2,929,154,000: *Provided*, That such amount is  
12 designated by the Congress for Overseas Contingency Op-  
13 erations/Global War on Terrorism pursuant to section  
14 251(b)(2)(A)(ii) of the Balanced Budget and Emergency  
15 Deficit Control Act of 1985.

##### 16 MILITARY PERSONNEL, NAVY

17 For an additional amount for “Military Personnel,  
18 Navy”, \$385,461,000: *Provided*, That such amount is des-  
19 ignated by the Congress for Overseas Contingency Oper-  
20 ations/Global War on Terrorism pursuant to section  
21 251(b)(2)(A)(ii) of the Balanced Budget and Emergency  
22 Deficit Control Act of 1985.

##### 23 MILITARY PERSONNEL, MARINE CORPS

24 For an additional amount for “Military Personnel,  
25 Marine Corps”, \$109,232,000: *Provided*, That such

1 amount is designated by the Congress for Overseas Con-  
2 tingency Operations/Global War on Terrorism pursuant to  
3 section 251(b)(2)(A)(ii) of the Balanced Budget and  
4 Emergency Deficit Control Act of 1985.

5           MILITARY PERSONNEL, AIR FORCE

6           For an additional amount for “Military Personnel,  
7 Air Force”, \$964,508,000: *Provided*, That such amount  
8 is designated by the Congress for Overseas Contingency  
9 Operations/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           RESERVE PERSONNEL, ARMY

13           For an additional amount for “Reserve Personnel,  
14 Army”, \$37,007,000: *Provided*, That such amount is des-  
15 ignated by the Congress for Overseas Contingency Oper-  
16 ations/Global War on Terrorism pursuant to section  
17 251(b)(2)(A)(ii) of the Balanced Budget and Emergency  
18 Deficit Control Act of 1985.

19           RESERVE PERSONNEL, NAVY

20           For an additional amount for “Reserve Personnel,  
21 Navy”, \$11,100,000: *Provided*, That such amount is des-  
22 ignated by the Congress for Overseas Contingency Oper-  
23 ations/Global War on Terrorism pursuant to section  
24 251(b)(2)(A)(ii) of the Balanced Budget and Emergency  
25 Deficit Control Act of 1985.



## 1 RESERVE PERSONNEL, MARINE CORPS

2 For an additional amount for “Reserve Personnel,  
3 Marine Corps”, \$2,380,000: *Provided*, That such amount  
4 is designated by the Congress for Overseas Contingency  
5 Operations/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, AIR FORCE

9 For an additional amount for “Reserve Personnel,  
10 Air Force”, \$21,076,000: *Provided*, That such amount is  
11 designated by the Congress for Overseas Contingency Op-  
12 erations/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 NATIONAL GUARD PERSONNEL, ARMY

16 For an additional amount for “National Guard Per-  
17 sonnel, Army”, \$195,283,000: *Provided*, That such  
18 amount is designated by the Congress for Overseas Con-  
19 tingency Operations/Global War on Terrorism pursuant to  
20 section 251(b)(2)(A)(ii) of the Balanced Budget and  
21 Emergency Deficit Control Act of 1985.

## 22 NATIONAL GUARD PERSONNEL, AIR FORCE

23 For an additional amount for “National Guard Per-  
24 sonnel, Air Force”, \$5,460,000: *Provided*, That such  
25 amount is designated by the Congress for Overseas Con-

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

4 OPERATION AND MAINTENANCE

5 OPERATION AND MAINTENANCE, ARMY

6 For an additional amount for “Operation and Main-  
7 tenance, Army”, \$18,125,500,000: *Provided*, That such  
8 amount is designated by the Congress for Overseas Con-  
9 tingency Operations/Global War on Terrorism pursuant to  
10 section 251(b)(2)(A)(ii) of the Balanced Budget and  
11 Emergency Deficit Control Act of 1985.

12 OPERATION AND MAINTENANCE, NAVY

13 For an additional amount for “Operation and Main-  
14 tenance, Navy”, \$4,757,155,000, of which up to  
15 \$165,000,000 may be transferred to the Coast Guard  
16 “Operating Expenses” account: *Provided*, That such  
17 amount is designated by the Congress for Overseas Con-  
18 tingency Operations/Global War on Terrorism pursuant to  
19 section 251(b)(2)(A)(ii) of the Balanced Budget and  
20 Emergency Deficit Control Act of 1985.

21 OPERATION AND MAINTENANCE, MARINE CORPS

22 For an additional amount for “Operation and Main-  
23 tenance, Marine Corps”, \$1,121,900,000: *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  
2 and Emergency Deficit Control Act of 1985.

3 OPERATION AND MAINTENANCE, AIR FORCE

4 For an additional amount for “Operation and Main-  
5 tenance, Air Force”, \$9,258,674,000: *Provided*, That such  
6 amount is designated by the Congress for Overseas Con-  
7 tingency Operations/Global War on Terrorism pursuant to  
8 section 251(b)(2)(A)(ii) of the Balanced Budget and  
9 Emergency Deficit Control Act of 1985.

10 OPERATION AND MAINTENANCE, DEFENSE-WIDE

11 For an additional amount for “Operation and Main-  
12 tenance, Defense-Wide”, \$8,183,902,000: *Provided*, That  
13 of the funds provided under this heading, not to exceed  
14 \$900,000,000, to remain available until September 30,  
15 2020, shall be for payments to reimburse key cooperating  
16 nations for logistical, military, and other support, includ-  
17 ing access, provided to United States military and stability  
18 operations in Afghanistan and to counter the Islamic  
19 State of Iraq and Syria: *Provided further*, That such reim-  
20 bursement payments under the preceding proviso may be  
21 made in such amounts as the Secretary of Defense, with  
22 the concurrence of the Secretary of State, and in consulta-  
23 tion with the Director of the Office of Management and  
24 Budget, may determine, based on documentation deter-  
25 mined by the Secretary of Defense to adequately account

1 for the support provided, and such determination is final  
2 and conclusive upon the accounting officers of the United  
3 States, and 15 days following notification to the appro-  
4 priate congressional committees: *Provided further*, That  
5 these funds may be used for the purpose of providing spe-  
6 cialized training and procuring supplies and specialized  
7 equipment and providing such supplies and loaning such  
8 equipment on a non-reimbursable basis to coalition forces  
9 supporting United States military and stability operations  
10 in Afghanistan and to counter the Islamic State of Iraq  
11 and Syria, and 15 days following notification to the appro-  
12 priate congressional committees: *Provided further*, That of  
13 the funds provided under this heading, not to exceed  
14 \$850,000,000, to remain available until September 30,  
15 2020, shall be available to provide support and assistance  
16 to foreign security forces or other groups or individuals  
17 to conduct, support or facilitate counterterrorism, crisis  
18 response, or other Department of Defense security co-  
19 operation programs, including programs to enhance the  
20 border security of nations adjacent to conflict areas result-  
21 ing from actions of the Islamic State of Iraq and Syria:  
22 *Provided further*, That the Secretary of Defense shall pro-  
23 vide quarterly reports to the congressional defense com-  
24 mittees on the use of funds provided under this heading:  
25 *Provided further*, That funds provided under this heading

1 may be used to support the Government of Jordan, in such  
2 amounts as the Secretary of Defense may determine, to  
3 enhance the ability of the armed forces of Jordan to in-  
4 crease or sustain security along its borders, upon 15 days  
5 prior written notification to the congressional defense  
6 committees outlining the amounts intended to be provided  
7 and the nature of the expenses incurred: *Provided further*,  
8 That such amount is designated by the Congress for Over-  
9 seas Contingency Operations/Global War on Terrorism  
10 pursuant to section 251(b)(2)(A)(ii) of the Balanced  
11 Budget and Emergency Deficit Control Act of 1985.

12 OPERATION AND MAINTENANCE, ARMY RESERVE

13 For an additional amount for “Operation and Main-  
14 tenance, Army Reserve”, \$41,887,000: *Provided*, That  
15 such amount is designated by the Congress for Overseas  
16 Contingency Operations/Global War on Terrorism pursu-  
17 ant to section 251(b)(2)(A)(ii) of the Balanced Budget  
18 and Emergency Deficit Control Act of 1985.

19 OPERATION AND MAINTENANCE, NAVY RESERVE

20 For an additional amount for “Operation and Main-  
21 tenance, Navy Reserve”, \$25,637,000: *Provided*, That  
22 such amount is designated by the Congress for Overseas  
23 Contingency Operations/Global War on Terrorism pursu-  
24 ant to section 251(b)(2)(A)(ii) of the Balanced Budget  
25 and Emergency Deficit Control Act of 1985.

1 OPERATION AND MAINTENANCE, MARINE CORPS  
2 RESERVE

3 For an additional amount for “Operation and Main-  
4 tenance, Marine Corps Reserve”, \$3,345,000: *Provided*,  
5 That such amount is designated by the Congress for Over-  
6 seas Contingency Operations/Global War on Terrorism  
7 pursuant to section 251(b)(2)(A)(ii) of the Balanced  
8 Budget and Emergency Deficit Control Act of 1985.

9 OPERATION AND MAINTENANCE, AIR FORCE RESERVE

10 For an additional amount for “Operation and Main-  
11 tenance, Air Force Reserve”, \$60,500,000: *Provided*, That  
12 such amount is designated by the Congress for Overseas  
13 Contingency Operations/Global War on Terrorism pursu-  
14 ant to section 251(b)(2)(A)(ii) of the Balanced Budget  
15 and Emergency Deficit Control Act of 1985.

16 OPERATION AND MAINTENANCE, ARMY NATIONAL  
17 GUARD

18 For an additional amount for “Operation and Main-  
19 tenance, Army National Guard”, \$110,729,000: *Provided*,  
20 That such amount is designated by the Congress for Over-  
21 seas Contingency Operations/Global War on Terrorism  
22 pursuant to section 251(b)(2)(A)(ii) of the Balanced  
23 Budget and Emergency Deficit Control Act of 1985.

## 1 OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

2 For an additional amount for “Operation and Main-  
3 tenance, Air National Guard”, \$15,870,000: *Provided*,  
4 That such amount is designated by the Congress for Over-  
5 seas Contingency Operations/Global War on Terrorism  
6 pursuant to section 251(b)(2)(A)(ii) of the Balanced  
7 Budget and Emergency Deficit Control Act of 1985.

## 8 AFGHANISTAN SECURITY FORCES FUND

9 For the “Afghanistan Security Forces Fund”,  
10 \$5,199,450,000, to remain available until September 30,  
11 2020: *Provided*, That such funds shall be available to the  
12 Secretary of Defense for the purpose of allowing the Com-  
13 mander, Combined Security Transition Command—Af-  
14 ghanistan, or the Secretary’s designee, to provide assist-  
15 ance, with the concurrence of the Secretary of State, to  
16 the security forces of Afghanistan, including the provision  
17 of equipment, supplies, services, training, facility and in-  
18 frastructure repair, renovation, construction, and funding:  
19 *Provided further*, That the Secretary of Defense may obli-  
20 gate and expend funds made available to the Department  
21 of Defense in this title for additional costs associated with  
22 existing projects previously funded with amounts provided  
23 under the heading “Afghanistan Infrastructure Fund” in  
24 prior Acts: *Provided further*, That such costs shall be lim-  
25 ited to contract changes resulting from inflation, market

1 fluctuation, rate adjustments, and other necessary con-  
2 tract actions to complete existing projects, and associated  
3 supervision and administration costs and costs for design  
4 during construction: *Provided further*, That the Secretary  
5 may not use more than \$50,000,000 under the authority  
6 provided in this section: *Provided further*, That the Sec-  
7 retary shall notify in advance such contract changes and  
8 adjustments in annual reports to the congressional defense  
9 committees: *Provided further*, That the authority to pro-  
10 vide assistance under this heading is in addition to any  
11 other authority to provide assistance to foreign nations:  
12 *Provided further*, That contributions of funds for the pur-  
13 poses provided herein from any person, foreign govern-  
14 ment, or international organization may be credited to this  
15 Fund, to remain available until expended, and used for  
16 such purposes: *Provided further*, That the Secretary of De-  
17 fense shall notify the congressional defense committees in  
18 writing upon the receipt and upon the obligation of any  
19 contribution, delineating the sources and amounts of the  
20 funds received and the specific use of such contributions:  
21 *Provided further*, That the Secretary of Defense shall, not  
22 fewer than 15 days prior to obligating from this appro-  
23 priation account, notify the congressional defense commit-  
24 tees in writing of the details of any such obligation: *Pro-*  
25 *vided further*, That the Secretary of Defense shall notify



1 the congressional defense committees of any proposed new  
2 projects or transfer of funds between budget sub-activity  
3 groups in excess of \$20,000,000: *Provided further*, That  
4 the United States may accept equipment procured using  
5 funds provided under this heading in this or prior Acts  
6 that was transferred to the security forces of Afghanistan  
7 and returned by such forces to the United States: *Provided*  
8 *further*, That equipment procured using funds provided  
9 under this heading in this or prior Acts, and not yet trans-  
10 ferred to the security forces of Afghanistan or transferred  
11 to the security forces of Afghanistan and returned by such  
12 forces to the United States, may be treated as stocks of  
13 the Department of Defense upon written notification to  
14 the congressional defense committees: *Provided further*,  
15 That of the funds provided under this heading, not less  
16 than \$10,000,000 shall be for recruitment and retention  
17 of women in the Afghanistan National Security Forces,  
18 and the recruitment and training of female security per-  
19 sonnel: *Provided further*, That such amount is designated  
20 by the Congress for Overseas Contingency Operations/  
21 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 COUNTER-ISIS TRAIN AND EQUIP FUND

2 For the “Counter-Islamic State of Iraq and Syria  
3 Train and Equip Fund”, \$1,400,000,000, to remain avail-  
4 able until September 30, 2020: *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 Syria, and their affiliated or associated groups:  
13 *Provided further*, That these funds may be used in such  
14 amounts as the Secretary of Defense may determine to  
15 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  
18 Syria: *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,  
22 as having a security mission to counter the Islamic State  
23 of Iraq and Syria, and following written notification to the  
24 congressional defense committees of such designation:  
25 *Provided further*, That the Secretary of Defense shall en-

1 sure that prior to providing assistance to elements of any  
2 forces or individuals, such elements or individuals are ap-  
3 propriately vetted, including at a minimum, assessing such  
4 elements for associations with terrorist groups or groups  
5 associated with the Government of Iran; and receiving  
6 commitments from such elements to promote respect for  
7 human rights and the rule of law: *Provided further*, That  
8 the Secretary of Defense shall, not fewer than 15 days  
9 prior to obligating from this appropriation account, notify  
10 the congressional defense committees in writing of the de-  
11 tails of any such obligation: *Provided further*, That the  
12 Secretary of Defense may accept and retain contributions,  
13 including assistance in-kind, from foreign governments,  
14 including the Government of Iraq and other entities, to  
15 carry out assistance authorized under this heading: *Pro-*  
16 *vided further*, That contributions of funds for the purposes  
17 provided herein from any foreign government or other en-  
18 tity may be credited to this Fund, to remain available until  
19 expended, and used for such purposes: *Provided further*,  
20 That the Secretary of Defense may waive a provision of  
21 law relating to the acquisition of items and support serv-  
22 ices or sections 40 and 40A of the Arms Export Control  
23 Act (22 U.S.C. 2780 and 2785) if the Secretary deter-  
24 mines that such provision of law would prohibit, restrict,  
25 delay or otherwise limit the provision of such assistance

1 and a notice of and justification for such waiver is sub-  
2 mitted to the congressional defense committees, the Com-  
3 mittees on Appropriations and Foreign Relations of the  
4 Senate and the Committees on Appropriations and For-  
5 eign Affairs of the House of Representatives: *Provided fur-*  
6 *ther*, That the United States may accept equipment pro-  
7 cured using funds provided under this heading, or under  
8 the heading, “Iraq Train and Equip Fund” in prior Acts,  
9 that was transferred to security forces, irregular forces,  
10 or groups participating, or preparing to participate in ac-  
11 tivities to counter the Islamic State of Iraq and Syria and  
12 returned by such forces or groups to the United States,  
13 and such equipment may be treated as stocks of the De-  
14 partment of Defense upon written notification to the con-  
15 gressional defense committees: *Provided further*, That  
16 equipment procured using funds provided under this head-  
17 ing, or under the heading, “Iraq Train and Equip Fund”  
18 in prior Acts, and not yet transferred to security forces,  
19 irregular forces, or groups participating, or preparing to  
20 participate in activities to counter the Islamic State of  
21 Iraq and Syria may be treated as stocks of the Depart-  
22 ment of Defense when determined by the Secretary to no  
23 longer be required for transfer to such forces or groups  
24 and upon written notification to the congressional defense  
25 committees: *Provided further*, That the Secretary of De-

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

## 12 PROCUREMENT

### 13 AIRCRAFT PROCUREMENT, ARMY

14 For an additional amount for “Aircraft Procurement,  
15 Army”, \$347,563,000, to remain available until Sep-  
16 tember 30, 2021: *Provided*, That such amount is des-  
17 ignated by the Congress for Overseas Contingency Oper-  
18 ations/Global War on Terrorism pursuant to section  
19 251(b)(2)(A)(ii) of the Balanced Budget and Emergency  
20 Deficit Control Act of 1985.

### 21 MISSILE PROCUREMENT, ARMY

22 For an additional amount for “Missile Procurement,  
23 Army”, \$1,770,270,000, to remain available until Sep-  
24 tember 30, 2021: *Provided*, That such amount is des-  
25 ignated by the Congress for Overseas Contingency Oper-



1 ignated by the Congress for Overseas Contingency Oper-  
2 ations/Global War on Terrorism pursuant to section  
3 251(b)(2)(A)(ii) of the Balanced Budget and Emergency  
4 Deficit Control Act of 1985.

5 AIRCRAFT PROCUREMENT, NAVY

6 For an additional amount for “Aircraft Procurement,  
7 Navy”, \$232,119,000, to remain available until September  
8 30, 2021: *Provided*, That such amount is designated by  
9 the Congress for Overseas Contingency Operations/Global  
10 War on Terrorism pursuant to section 251(b)(2)(A)(ii) of  
11 the Balanced Budget and Emergency Deficit Control Act  
12 of 1985.

13 WEAPONS PROCUREMENT, NAVY

14 For an additional amount for “Weapons Procure-  
15 ment, Navy”, \$14,134,000, to remain available until Sep-  
16 tember 30, 2021: *Provided*, That such amount is des-  
17 ignated by the Congress for Overseas Contingency Oper-  
18 ations/Global War on Terrorism pursuant to section  
19 251(b)(2)(A)(ii) of the Balanced Budget and Emergency  
20 Deficit Control Act of 1985.

21 PROCUREMENT OF AMMUNITION, NAVY AND MARINE

22 CORPS

23 For an additional amount for “Procurement of Am-  
24 munition, Navy and Marine Corps”, \$246,012,000, to re-  
25 main available until September 30, 2021: *Provided*, That

1 such amount is designated by the Congress for Overseas  
2 Contingency Operations/Global War on Terrorism pursu-  
3 ant to section 251(b)(2)(A)(ii) of the Balanced Budget  
4 and Emergency Deficit Control Act of 1985.

5 OTHER PROCUREMENT, NAVY

6 For an additional amount for “Other Procurement,  
7 Navy”, \$182,260,000, to remain available until September  
8 30, 2021: *Provided*, That such amount is designated by  
9 the Congress for Overseas Contingency Operations/Global  
10 War on Terrorism pursuant to section 251(b)(2)(A)(ii) of  
11 the Balanced Budget and Emergency Deficit Control Act  
12 of 1985.

13 PROCUREMENT, MARINE CORPS

14 For an additional amount for “Procurement, Marine  
15 Corps”, \$58,023,000, to remain available until September  
16 30, 2021: *Provided*, That such amount is designated by  
17 the Congress for Overseas Contingency Operations/Global  
18 War on Terrorism pursuant to section 251(b)(2)(A)(ii) of  
19 the Balanced Budget and Emergency Deficit Control Act  
20 of 1985.

21 AIRCRAFT PROCUREMENT, AIR FORCE

22 For an additional amount for “Aircraft Procurement,  
23 Air Force”, \$966,248,000, to remain available until Sep-  
24 tember 30, 2021: *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 MISSILE PROCUREMENT, AIR FORCE

5 For an additional amount for “Missile Procurement,  
6 Air Force”, \$493,526,000, to remain available until Sep-  
7 tember 30, 2021: *Provided*, 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 PROCUREMENT OF AMMUNITION, AIR FORCE

13 For an additional amount for “Procurement of Am-  
14 munition, Air Force”, \$1,421,516,000, to remain available  
15 until September 30, 2021: *Provided*, That such amount  
16 is designated by the Congress for Overseas Contingency  
17 Operations/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, AIR FORCE

21 For an additional amount for “Other Procurement,  
22 Air Force”, \$3,665,336,000, to remain available until  
23 September 30, 2021: *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                   PROCUREMENT, DEFENSE-WIDE

4       For an additional amount for “Procurement, De-  
5 fense-Wide”, \$572,135,000, to remain available until Sep-  
6 tember 30, 2021: *Provided*, That such amount is des-  
7 ignated by the Congress for Overseas Contingency Oper-  
8 ations/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                   RESEARCH, DEVELOPMENT, TEST AND  
12                   EVALUATION

13       RESEARCH, DEVELOPMENT, TEST AND EVALUATION,  
14                   ARMY

15       For an additional amount for “Research, Develop-  
16 ment, Test and Evaluation, Army”, \$300,604,000, to re-  
17 main available until September 30, 2020: *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  
21 and Emergency Deficit Control Act of 1985.

22       RESEARCH, DEVELOPMENT, TEST AND EVALUATION,  
23                   NAVY

24       For an additional amount for “Research, Develop-  
25 ment, Test and Evaluation, Navy”, \$167,812,000, to re-

1 main available until September 30, 2020: *Provided*, That  
2 such amount is designated by the Congress for Overseas  
3 Contingency Operations/Global War on Terrorism pursu-  
4 ant to section 251(b)(2)(A)(ii) of the Balanced Budget  
5 and Emergency Deficit Control Act of 1985.

6 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,

7 AIR FORCE

8 For an additional amount for “Research, Develop-  
9 ment, Test and Evaluation, Air Force”, \$301,876,000, to  
10 remain available until September 30, 2020: *Provided*,  
11 That such amount is designated by the Congress for Over-  
12 seas Contingency Operations/Global War on Terrorism  
13 pursuant to section 251(b)(2)(A)(ii) of the Balanced  
14 Budget and Emergency Deficit Control Act of 1985.

15 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,

16 DEFENSE-WIDE

17 For an additional amount for “Research, Develop-  
18 ment, Test and Evaluation, Defense-Wide”,  
19 \$410,544,000, to remain available until September 30,  
20 2020: *Provided*, That such amount is designated by the  
21 Congress for Overseas Contingency Operations/Global  
22 War on Terrorism pursuant to section 251(b)(2)(A)(ii) of  
23 the Balanced Budget and Emergency Deficit Control Act  
24 of 1985.

## 1 REVOLVING AND MANAGEMENT FUNDS

## 2 DEFENSE WORKING CAPITAL FUNDS

3 For an additional amount for “Defense Working  
4 Capital Funds”, \$15,190,000: *Provided*, That such  
5 amount is designated by the Congress for Overseas Con-  
6 tingency Operations/Global War on Terrorism pursuant to  
7 section 251(b)(2)(A)(ii) of the Balanced Budget and  
8 Emergency Deficit Control Act of 1985.

## 9 OTHER DEPARTMENT OF DEFENSE PROGRAMS

## 10 DEFENSE HEALTH PROGRAM

11 For an additional amount for “Defense Health Pro-  
12 gram”, \$352,068,000, which shall be for operation and  
13 maintenance: *Provided*, That such amount is designated  
14 by the Congress for Overseas Contingency Operations/  
15 Global War on Terrorism pursuant to section  
16 251(b)(2)(A)(ii) of the Balanced Budget and Emergency  
17 Deficit Control Act of 1985.

## 18 DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES,

## 19 DEFENSE

20 For an additional amount for “Drug Interdiction and  
21 Counter-Drug Activities, Defense”, \$153,100,000: *Pro-  
22 vided*, That such amount is designated by the Congress  
23 for Overseas Contingency Operations/Global War on Ter-  
24 rorism pursuant to section 251(b)(2)(A)(ii) of the Bal-  
25 anced Budget and Emergency Deficit Control Act of 1985.

## 1 OFFICE OF THE INSPECTOR GENERAL

2 For an additional amount for the “Office of the In-  
3 spector General”, \$24,692,000: *Provided*, That such  
4 amount is designated by the Congress for Overseas Con-  
5 tingency Operations/Global War on Terrorism pursuant to  
6 section 251(b)(2)(A)(ii) of the Balanced Budget and  
7 Emergency Deficit Control Act of 1985.

## 8 GENERAL PROVISIONS—THIS TITLE

9 SEC. 9001. Notwithstanding any other provision of  
10 law, funds made available in this title are in addition to  
11 amounts appropriated or otherwise made available for the  
12 Department of Defense for fiscal year 2019.

## 13 (INCLUDING TRANSFER OF FUNDS)

14 SEC. 9002. Upon the determination of the Secretary  
15 of Defense that such action is necessary in the national  
16 interest, the Secretary may, with the approval of the Of-  
17 fice of Management and Budget, transfer up to  
18 \$2,250,000,000 between the appropriations or funds made  
19 available to the Department of Defense in this title: *Pro-*  
20 *vided*, That the Secretary shall notify the Congress  
21 promptly of each transfer made pursuant to the authority  
22 in this section: *Provided further*, That the authority pro-  
23 vided in this section is in addition to any other transfer  
24 authority available to the Department of Defense and is

1 subject to the same terms and conditions as the authority  
2 provided in section 8005 of this Act.

3       SEC. 9003. Supervision and administration costs and  
4 costs for design during construction associated with a con-  
5 struction project funded with appropriations available for  
6 operation and maintenance, or the “Afghanistan Security  
7 Forces Fund” provided in this Act and executed in direct  
8 support of overseas contingency operations in Afghani-  
9 stan, may be obligated at the time a construction contract  
10 is awarded: *Provided*, That, for the purpose of this section,  
11 supervision and administration costs and costs for design  
12 during construction include all in-house Government costs.

13       SEC. 9004. From funds made available in this title,  
14 the Secretary of Defense may purchase for use by military  
15 and civilian employees of the Department of Defense in  
16 the United States Central Command area of responsi-  
17 bility: (1) passenger motor vehicles up to a limit of  
18 \$75,000 per vehicle; and (2) heavy and light armored vehi-  
19 cles for the physical security of personnel or for force pro-  
20 tection purposes up to a limit of \$450,000 per vehicle, not-  
21 withstanding price or other limitations applicable to the  
22 purchase of passenger carrying vehicles.

23       SEC. 9005. Not to exceed \$10,000,000 of the  
24 amounts appropriated by this title under the heading “Op-  
25 eration and Maintenance, Army” may be used, notwith-

1 standing any other provision of law, to fund the Com-  
2 manders' Emergency Response Program (CERP), for the  
3 purpose of enabling military commanders in Afghanistan  
4 to respond to urgent, small-scale, humanitarian relief and  
5 reconstruction requirements within their areas of responsi-  
6 bility: *Provided*, That each project (including any ancillary  
7 or related elements in connection with such project) exe-  
8 cuted under this authority shall not exceed \$2,000,000:  
9 *Provided further*, That not later than 45 days after the  
10 end of each 6 months of the fiscal year, the Secretary of  
11 Defense shall submit to the congressional defense commit-  
12 tees a report regarding the source of funds and the alloca-  
13 tion and use of funds during that 6-month period that  
14 were made available pursuant to the authority provided  
15 in this section or under any other provision of law for the  
16 purposes described herein: *Provided further*, That, not  
17 later than 30 days after the end of each fiscal year quar-  
18 ter, the Army shall submit to the congressional defense  
19 committees quarterly commitment, obligation, and expend-  
20 iture data for the CERP in Afghanistan: *Provided further*,  
21 That, not less than 15 days before making funds available  
22 pursuant to the authority provided in this section or under  
23 any other provision of law for the purposes described here-  
24 in for a project with a total anticipated cost for completion  
25 of \$500,000 or more, the Secretary shall submit to the

1 congressional defense committees a written notice con-  
2 taining each of the following:

3           (1) The location, nature and purpose of the  
4           proposed project, including how the project is in-  
5           tended to advance the military campaign plan for  
6           the country in which it is to be carried out.

7           (2) The budget, implementation timeline with  
8           milestones, and completion date for the proposed  
9           project, including any other CERP funding that has  
10          been or is anticipated to be contributed to the com-  
11          pletion of the project.

12          (3) A plan for the sustainment of the proposed  
13          project, including the agreement with either the host  
14          nation, a non-Department of Defense agency of the  
15          United States Government or a third-party contrib-  
16          utor to finance the sustainment of the activities and  
17          maintenance of any equipment or facilities to be pro-  
18          vided through the proposed project.

19          SEC. 9006. Funds available to the Department of De-  
20          fense for operation and maintenance may be used, not-  
21          withstanding any other provision of law, to provide sup-  
22          plies, services, transportation, including airlift and sealift,  
23          and other logistical support to allied forces participating  
24          in a combined operation with the armed forces of the  
25          United States and coalition forces supporting military and



1 stability operations in Afghanistan and to counter the Is-  
2 lamic State of Iraq and Syria: *Provided*, That the Sec-  
3 retary of Defense shall provide quarterly reports to the  
4 congressional defense committees regarding support pro-  
5 vided under this section.

6 SEC. 9007. None of the funds appropriated or other-  
7 wise made available by this or any other Act shall be obli-  
8 gated or expended by the United States Government for  
9 a purpose as follows:

10 (1) To establish any military installation or  
11 base for the purpose of providing for the permanent  
12 stationing of United States Armed Forces in Iraq.

13 (2) To exercise United States control over any  
14 oil resource of Iraq.

15 (3) To establish any military installation or  
16 base for the purpose of providing for the permanent  
17 stationing of United States Armed Forces in Af-  
18 ghanistan.

19 SEC. 9008. None of the funds made available in this  
20 Act may be used in contravention of the following laws  
21 enacted or regulations promulgated to implement the  
22 United Nations Convention Against Torture and Other  
23 Cruel, Inhuman or Degrading Treatment or Punishment  
24 (done at New York on December 10, 1984):

1           (1) Section 2340A of title 18, United States  
2 Code.

3           (2) Section 2242 of the Foreign Affairs Reform  
4 and Restructuring Act of 1998 (division G of Public  
5 Law 105–277; 112 Stat. 2681–822; 8 U.S.C. 1231  
6 note) and regulations prescribed thereto, including  
7 regulations under part 208 of title 8, Code of Fed-  
8 eral Regulations, and part 95 of title 22, Code of  
9 Federal Regulations.

10           (3) Sections 1002 and 1003 of the Department  
11 of Defense, Emergency Supplemental Appropriations  
12 to Address Hurricanes in the Gulf of Mexico, and  
13 Pandemic Influenza Act, 2006 (Public Law 109–  
14 148).

15       SEC. 9009. None of the funds provided for the “Af-  
16 ghanistan Security Forces Fund” (ASFF) may be obli-  
17 gated prior to the approval of a financial and activity plan  
18 by the Afghanistan Resources Oversight Council (AROC)  
19 of the Department of Defense: *Provided*, That the AROC  
20 must approve the requirement and acquisition plan for any  
21 service requirements in excess of \$50,000,000 annually  
22 and any non-standard equipment requirements in excess  
23 of \$100,000,000 using ASFF: *Provided further*, That the  
24 Department of Defense must certify to the congressional  
25 defense committees that the AROC has convened and ap-

1 proved a process for ensuring compliance with the require-  
2 ments in the preceding proviso and accompanying report  
3 language for the ASFF.

4       SEC. 9010. Funds made available in this title to the  
5 Department of Defense for operation and maintenance  
6 may be used to purchase items having an investment unit  
7 cost of not more than \$250,000: *Provided*, That, upon de-  
8 termination by the Secretary of Defense that such action  
9 is necessary to meet the operational requirements of a  
10 Commander of a Combatant Command engaged in contin-  
11 gency operations overseas, such funds may be used to pur-  
12 chase items having an investment item unit cost of not  
13 more than \$500,000.

14       SEC. 9011. Up to \$500,000,000 of funds appro-  
15 priated by this Act for the Defense Security Cooperation  
16 Agency in “Operation and Maintenance, Defense-Wide”  
17 may be used to provide assistance to the Government of  
18 Jordan to support the armed forces of Jordan and to en-  
19 hance security along its borders.

20       SEC. 9012. None of the funds made available by this  
21 Act under the heading “Counter-ISIS Train and Equip  
22 Fund” may be used to procure or transfer man-portable  
23 air defense systems.

24       SEC. 9013. For the “Ukraine Security Assistance Ini-  
25 tiative”, \$250,000,000 is hereby appropriated, to remain

1 available until September 30, 2019: *Provided*, That such  
2 funds shall be available to the Secretary of Defense, in  
3 coordination with the Secretary of State, to provide assist-  
4 ance, including training; equipment; lethal assistance; lo-  
5 gistics support, supplies and services; sustainment; and in-  
6 telligence support to the military and national security  
7 forces of Ukraine, and for replacement of any weapons  
8 or articles provided to the Government of Ukraine from  
9 the inventory of the United States: *Provided further*, That  
10 of the amounts made available in this section,  
11 \$50,000,000 shall be available only for lethal assistance  
12 described in paragraphs (2) and (3) of section 1250(b)  
13 of the National Defense Authorization Act for Fiscal Year  
14 2016 (Public Law 114–92; 129 Stat. 1068): *Provided fur-*  
15 *ther*, That the Secretary of Defense shall, not less than  
16 15 days prior to obligating funds provided under this  
17 heading, notify the congressional defense committees in  
18 writing of the details of any such obligation: *Provided fur-*  
19 *ther*, That the United States may accept equipment pro-  
20 cured using funds provided under this heading in this or  
21 prior Acts that was transferred to the security forces of  
22 Ukraine and returned by such forces to the United States:  
23 *Provided further*, That equipment procured using funds  
24 provided under this heading in this or prior Acts, and not  
25 yet transferred to the military or National Security Forces

1 of Ukraine or returned by such forces to the United  
2 States, may be treated as stocks of the Department of De-  
3 fense upon written notification to the congressional de-  
4 fense committees: *Provided further*, That amounts made  
5 available by this section are designated by the Congress  
6 for Overseas Contingency Operations/Global War on Ter-  
7 rorism pursuant to section 251(b)(2)(A)(ii) of the Bal-  
8 anced Budget and Emergency Deficit Control Act of 1985.

9       SEC. 9014. Funds appropriated in this title shall be  
10 available for replacement of funds for items provided to  
11 the Government of Ukraine from the inventory of the  
12 United States to the extent specifically provided for in sec-  
13 tion 9013 of this Act.

14       SEC. 9015. None of the funds made available by this  
15 Act under section 9013 may be used to procure or transfer  
16 man-portable air defense systems.

17       SEC. 9016. (a) None of the funds appropriated or  
18 otherwise made available by this Act under the heading  
19 “Operation and Maintenance, Defense-Wide” for pay-  
20 ments under section 1233 of Public Law 110–181 for re-  
21 imbursement to the Government of Pakistan may be made  
22 available unless the Secretary of Defense, in coordination  
23 with the Secretary of State, certifies to the congressional  
24 defense committees that the Government of Pakistan is—

1           (1) cooperating with the United States in  
2 counterterrorism efforts against the Haqqani Net-  
3 work, the Quetta Shura Taliban, Lashkar e-Tayyiba,  
4 Jaish-e-Mohammed, Al Qaeda, and other domestic  
5 and foreign terrorist organizations, including taking  
6 steps to end support for such groups and prevent  
7 them from basing and operating in Pakistan and  
8 carrying out cross border attacks into neighboring  
9 countries;

10           (2) not supporting terrorist activities against  
11 United States or coalition forces in Afghanistan, and  
12 Pakistan's military and intelligence agencies are not  
13 intervening extra-judicially into political and judicial  
14 processes in Pakistan;

15           (3) dismantling improvised explosive device  
16 (IED) networks and interdicting precursor chemicals  
17 used in the manufacture of IEDs;

18           (4) preventing the proliferation of nuclear-re-  
19 lated material and expertise;

20           (5) implementing policies to protect judicial  
21 independence and due process of law;

22           (6) issuing visas in a timely manner for United  
23 States visitors engaged in counterterrorism efforts  
24 and assistance programs in Pakistan; and



1 *further*, That not later than 30 days prior to exercising  
2 the transfer authority provided in this section, the Sec-  
3 retary of Defense shall submit a report to the congres-  
4 sional defense committees on the proposed uses of these  
5 funds: *Provided further*, That the funds provided in this  
6 section may not be transferred to any program, project,  
7 or activity specifically limited or denied by this Act: *Pro-*  
8 *vided further*, That amounts made available by this section  
9 are designated by the Congress for Overseas Contingency  
10 Operations/Global War on Terrorism pursuant to section  
11 251(b)(2)(A)(ii) of the Balanced Budget and Emergency  
12 Deficit Control Act of 1985: *Provided further*, That the  
13 authority to provide funding under this section shall termi-  
14 nate on September 30, 2019.

15       SEC. 9018. None of the funds made available by this  
16 Act may be used with respect to Syria in contravention  
17 of the War Powers Resolution (50 U.S.C. 1541 et seq.),  
18 including for the introduction of United States armed or  
19 military forces into hostilities in Syria, into situations in  
20 Syria where imminent involvement in hostilities is clearly  
21 indicated by the circumstances, or into Syrian territory,  
22 airspace, or waters while equipped for combat, in con-  
23 travention of the congressional consultation and reporting  
24 requirements of sections 3 and 4 of that law (50 U.S.C.  
25 1542 and 1543).



1        SEC. 9019. None of the funds in this Act may be  
2 made available for the transfer of additional C-130 cargo  
3 aircraft to the Afghanistan National Security Forces or  
4 the Afghanistan Air Force until the Department of De-  
5 fense provides a report to the congressional defense com-  
6 mittees of the Afghanistan Air Force's medium airlift re-  
7 quirements. The report should identify Afghanistan's abil-  
8 ity to utilize and maintain existing medium lift aircraft  
9 in the inventory and the best alternative platform, if nec-  
10 essary, to provide additional support to the Afghanistan  
11 Air Force's current medium airlift capacity.

12    (RESCISSIONS)

13        SEC. 9020. Of the funds appropriated in Department  
14 of Defense Appropriations Acts, the following funds are  
15 hereby rescinded from the following accounts and pro-  
16 grams in the specified amounts: *Provided*, That such  
17 amounts are designated by the Congress for Overseas  
18 Contingency Operations/Global War on Terrorism pursu-  
19 ant to section 251(b)(2)(A)(ii) of the Balanced Budget  
20 and Emergency Deficit Control Act of 1985:

21        “Procurement of Ammunition, Navy and Marine  
22 Corps”, 2017/2019, \$2,216,000;

23        “Counter-ISIS Train and Equip Fund”, 2018/2019,  
24 \$25,000,000; and

1 “Coalition Support Fund”, 2018/2019,  
2 \$350,000,000.

3 SEC. 9021. Funds available for the Afghanistan Se-  
4 curity Forces Fund may be used to provide limited train-  
5 ing, equipment, and other assistance that would otherwise  
6 be prohibited by 10 U.S.C. 362 to a unit of the security  
7 forces of Afghanistan only if the Secretary certifies to the  
8 congressional defense committees, within 30 days of a de-  
9 cision to provide such assistance, that (1) a denial of such  
10 assistance would present significant risk to U.S. or coal-  
11 ition forces or significantly undermine United States na-  
12 tional security objectives in Afghanistan; and (2) the Sec-  
13 retary has sought a commitment by the Government of  
14 Afghanistan to take all necessary corrective steps: *Pro-*  
15 *vided*, That such certification shall be accompanied by a  
16 report describing: (1) the information relating to the gross  
17 violation of human rights; (2) the circumstances that ne-  
18 cessitated the provision of such assistance; (3) the Afghan  
19 security force unit involved; (4) the assistance provided  
20 and the assistance withheld; and (5) the corrective steps  
21 to be taken by the Government of Afghanistan: *Provided*  
22 *further*, That every 120 days after the initial report an  
23 additional report shall be submitted detailing the status  
24 of any corrective steps taken by the Government of Af-  
25 ghanistan: *Provided further*, That if the Government of Af-

1 ghanistan has not initiated necessary corrective steps  
2 within one year of the certification, the authority under  
3 this section to provide assistance to such unit shall no  
4 longer apply: *Provided further*, That the Secretary shall  
5 submit a report to such committees detailing the final dis-  
6 position of the case by the Government of Afghanistan.

7 SEC. 9022. Each amount designated in this Act by  
8 the Congress for Overseas Contingency Operations/Global  
9 War on Terrorism pursuant to section 251(b)(2)(A)(ii) of  
10 the Balanced Budget and Emergency Deficit Control Act  
11 of 1985 shall be available only if the President subse-  
12 quently so designates all such amounts and transmits such  
13 designations to the Congress.

## 14 TITLE X

### 15 ADDITIONAL GENERAL PROVISIONS

#### 16 SPENDING REDUCTION ACCOUNT

17 SEC. 10001. The amount by which the applicable al-  
18 location of new budget authority made by the Committee  
19 on Appropriations of the House of Representatives under  
20 section 302(b) of the Congressional Budget Act of 1974  
21 exceeds the amount of proposed new budget authority is  
22 \$0.

23 SEC. 10002. None of the funds made available by this  
24 Act may be used in contravention of—

1           (1) Executive Order No. 13175 (65 Fed. Reg.  
2           67249; relating to consultation and coordination  
3           with Indian Tribal governments); or

4           (2) section 1501.2(d)(2) of title 40, Code of  
5           Federal Regulations.

6           SEC. 10003. None of the funds made available by this  
7           Act may be used to transfer the information technology  
8           contracting and acquisition services or the Senior Leader  
9           Communications functions of the Defense Information  
10          Systems Agency.

11          SEC. 10004. None of the funds made available by this  
12          Act may be used to terminate a Reserve Officers' Training  
13          Corps program at—

14               (1) a Historically Black College or University  
15               (which has the meaning given the term “part B in-  
16               stitution” in section 322 of the Higher Education  
17               Act of 1965 (20 U.S.C. 1061));

18               (2) a Hispanic-serving institution (as defined in  
19               section 502 of such Act (20 U.S.C. 1101a)); or

20               (3) a Tribal College or University (as defined in  
21               section 316 of such Act (20 U.S.C. 1059c)).

22          SEC. 10005. None of the funds made available by this  
23          Act may be used to procure, or to extend or renew a con-  
24          tract to procure, any good or service from Zhongxing Tele-  
25          communications Equipment Corporation, ZTE Kangxun

1 Telecommunications Ltd., or Huawei Technologies Co.,  
2 Ltd.

3 This Act may be cited as the “Department of Defense  
4 Appropriations Act, 2019”.

Passed the House of Representatives June 28, 2018.

Attest: KAREN L. HAAS,  
*Clerk.*

Calendar No. 500

115<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

**H. R. 6157**

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**AN ACT**

Making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes.

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JUNE 28, 2018

Received; read twice and placed on the calendar