

~~[FULL COMMITTEE PRINT]~~

Union Calendar No. \_\_\_\_\_

113TH CONGRESS  
2D SESSION

**H. R.** \_\_\_\_\_

[Report No. 113- \_\_\_\_\_]

Making appropriations for the Department of Defense for the fiscal year ending September 30, 2015, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

\_\_\_\_\_, 2014

Mr. FRELINGHUYSEN, from the Committee on Appropriations, reported the following bill; which was committed to the Committee of the Whole House on the State of the Union and ordered to be printed

**A BILL**

Making appropriations for the Department of Defense for the fiscal year ending September 30, 2015, and for other purposes.



1 tion travel (including all expenses thereof for organiza-  
2 tional movements), and expenses of temporary duty travel  
3 between permanent duty stations, for members of the  
4 Navy on active duty (except members of the Reserve pro-  
5 vided for elsewhere), midshipmen, and aviation cadets; for  
6 members of the Reserve Officers' Training Corps; and for  
7 payments pursuant to section 156 of Public Law 97-377,  
8 as amended (42 U.S.C. 402 note), and to the Department  
9 of Defense Military Retirement Fund, \$27,387,344,000.

10           MILITARY PERSONNEL, MARINE CORPS

11       For pay, allowances, individual clothing, subsistence,  
12 interest on deposits, gratuities, permanent change of sta-  
13 tion travel (including all expenses thereof for organiza-  
14 tional movements), and expenses of temporary duty travel  
15 between permanent duty stations, for members of the Ma-  
16 rine Corps on active duty (except members of the Reserve  
17 provided for elsewhere); and for payments pursuant to sec-  
18 tion 156 of Public Law 97-377, as amended (42 U.S.C.  
19 402 note), and to the Department of Defense Military Re-  
20 tirement Fund, \$12,785,431,000.

21           MILITARY PERSONNEL, AIR FORCE

22       For pay, allowances, individual clothing, subsistence,  
23 interest on deposits, gratuities, permanent change of sta-  
24 tion travel (including all expenses thereof for organiza-  
25 tional movements), and expenses of temporary duty travel

1 between permanent duty stations, for members of the Air  
2 Force on active duty (except members of reserve compo-  
3 nents provided for elsewhere), cadets, and aviation cadets;  
4 for members of the Reserve Officers' Training Corps; and  
5 for payments pursuant to section 156 of Public Law 97-  
6 377, as amended (42 U.S.C. 402 note), and to the Depart-  
7 ment of Defense Military Retirement Fund,  
8 \$27,564,362,000.

9 RESERVE PERSONNEL, ARMY

10 For pay, allowances, clothing, subsistence, gratuities,  
11 travel, and related expenses for personnel of the Army Re-  
12 serve on active duty under sections 10211, 10302, and  
13 3038 of title 10, United States Code, or while serving on  
14 active duty under section 12301(d) of title 10, United  
15 States Code, in connection with performing duty specified  
16 in section 12310(a) of title 10, United States Code, or  
17 while undergoing reserve training, or while performing  
18 drills or equivalent duty or other duty, and expenses au-  
19 thorized by section 16131 of title 10, United States Code;  
20 and for payments to the Department of Defense Military  
21 Retirement Fund, \$4,304,159,000.

22 RESERVE PERSONNEL, NAVY

23 For pay, allowances, clothing, subsistence, gratuities,  
24 travel, and related expenses for personnel of the Navy Re-  
25 serve on active duty under section 10211 of title 10,

1 United States Code, or while serving on active duty under  
2 section 12301(d) of title 10, United States Code, in con-  
3 nection with performing duty specified in section 12310(a)  
4 of title 10, United States Code, or while undergoing re-  
5 serve training, or while performing drills or equivalent  
6 duty, and expenses authorized by section 16131 of title  
7 10, United States Code; and for payments to the Depart-  
8 ment of Defense Military Retirement Fund,  
9 \$1,836,024,000.

10 RESERVE PERSONNEL, MARINE CORPS

11 For pay, allowances, clothing, subsistence, gratuities,  
12 travel, and related expenses for personnel of the Marine  
13 Corps Reserve on active duty under section 10211 of title  
14 10, United States Code, or while serving on active duty  
15 under section 12301(d) of title 10, United States Code,  
16 in connection with performing duty specified in section  
17 12310(a) of title 10, United States Code, or while under-  
18 going reserve training, or while performing drills or equiv-  
19 alent duty, and for members of the Marine Corps platoon  
20 leaders class, and expenses authorized by section 16131  
21 of title 10, United States Code; and for payments to the  
22 Department of Defense Military Retirement Fund,  
23 \$659,224,000.

## 1                   RESERVE PERSONNEL, AIR FORCE

2           For pay, allowances, clothing, subsistence, gratuities,  
3 travel, and related expenses for personnel of the Air Force  
4 Reserve on active duty under sections 10211, 10305, and  
5 8038 of title 10, United States Code, or while serving on  
6 active duty under section 12301(d) of title 10, United  
7 States Code, in connection with performing duty specified  
8 in section 12310(a) of title 10, United States Code, or  
9 while undergoing reserve training, or while performing  
10 drills or equivalent duty or other duty, and expenses au-  
11 thorized by section 16131 of title 10, United States Code;  
12 and for payments to the Department of Defense Military  
13 Retirement Fund, \$1,652,148,000.

## 14                   NATIONAL GUARD PERSONNEL, ARMY

15           For pay, allowances, clothing, subsistence, gratuities,  
16 travel, and related expenses for personnel of the Army Na-  
17 tional Guard while on duty under section 10211, 10302,  
18 or 12402 of title 10 or section 708 of title 32, United  
19 States Code, or while serving on duty under section  
20 12301(d) of title 10 or section 502(f) of title 32, United  
21 States Code, in connection with performing duty specified  
22 in section 12310(a) of title 10, United States Code, or  
23 while undergoing training, or while performing drills or  
24 equivalent duty or other duty, and expenses authorized by  
25 section 16131 of title 10, United States Code; and for pay-

1 ments to the Department of Defense Military Retirement  
2 Fund, \$7,644,632,000.

3 NATIONAL GUARD PERSONNEL, AIR FORCE

4 For pay, allowances, clothing, subsistence, gratuities,  
5 travel, and related expenses for personnel of the Air Na-  
6 tional Guard on duty under section 10211, 10305, or  
7 12402 of title 10 or section 708 of title 32, United States  
8 Code, or while serving on duty under section 12301(d) of  
9 title 10 or section 502(f) of title 32, United States Code,  
10 in connection with performing duty specified in section  
11 12310(a) of title 10, United States Code, or while under-  
12 going training, or while performing drills or equivalent  
13 duty or other duty, and expenses authorized by section  
14 16131 of title 10, United States Code; and for payments  
15 to the Department of Defense Military Retirement Fund,  
16 \$3,110,587,000.

17 TITLE II

18 OPERATION AND MAINTENANCE

19 OPERATION AND MAINTENANCE, ARMY

20 For expenses, not otherwise provided for, necessary  
21 for the operation and maintenance of the Army, as author-  
22 ized by law, \$32,671,980,000: *Provided*, That not to ex-  
23 ceed \$12,478,000 can be used for emergencies and ex-  
24 traordinary expenses, to be expended on the approval or  
25 authority of the Secretary of the Army, and payments may

1 be made on his certificate of necessity for confidential mili-  
2 tary purposes.

3 OPERATION AND MAINTENANCE, NAVY

4 For expenses, not otherwise provided for, necessary  
5 for the operation and maintenance of the Navy and the  
6 Marine Corps, as authorized by law, \$39,073,543,000:  
7 *Provided*, That not to exceed \$15,055,000 can be used for  
8 emergencies and extraordinary expenses, to be expended  
9 on the approval or authority of the Secretary of the Navy,  
10 and payments may be made on his certificate of necessity  
11 for confidential military purposes.

12 OPERATION AND MAINTENANCE, MARINE CORPS

13 For expenses, not otherwise provided for, necessary  
14 for the operation and maintenance of the Marine Corps,  
15 as authorized by law, \$5,984,680,000.

16 OPERATION AND MAINTENANCE, AIR FORCE

17 For expenses, not otherwise provided for, necessary  
18 for the operation and maintenance of the Air Force, as  
19 authorized by law, \$35,024,160,000: *Provided*, That not  
20 to exceed \$7,699,000 can be used for emergencies and ex-  
21 traordinary expenses, to be expended on the approval or  
22 authority of the Secretary of the Air Force, and payments  
23 may be made on his certificate of necessity for confidential  
24 military purposes.

1 OPERATION AND MAINTENANCE, DEFENSE-WIDE

2 (INCLUDING TRANSFER OF FUNDS)

3 For expenses, not otherwise provided for, necessary  
4 for the operation and maintenance of activities and agen-  
5 cies of the Department of Defense (other than the military  
6 departments), as authorized by law, \$30,896,741,000:  
7 *Provided*, That not more than \$15,000,000 may be used  
8 for the Combatant Commander Initiative Fund authorized  
9 under section 166a of title 10, United States Code: *Pro-*  
10 *vided further*, That not to exceed \$36,000,000 can be used  
11 for emergencies and extraordinary expenses, to be ex-  
12 pended on the approval or authority of the Secretary of  
13 Defense, and payments may be made on his certificate of  
14 necessity for confidential military purposes: *Provided fur-*  
15 *ther*, That of the funds provided under this heading, not  
16 less than \$36,262,000 shall be made available for the Pro-  
17 curement Technical Assistance Cooperative Agreement  
18 Program, of which not less than \$3,600,000 shall be avail-  
19 able for centers defined in 10 U.S.C. 2411(1)(D): *Pro-*  
20 *vided further*, That none of the funds appropriated or oth-  
21 erwise made available by this Act may be used to plan  
22 or implement the consolidation of a budget or appropria-  
23 tions liaison office of the Office of the Secretary of De-  
24 fense, the office of the Secretary of a military department,  
25 or the service headquarters of one of the Armed Forces

1 into a legislative affairs or legislative liaison office: *Pro-*  
2 *vided further*, That \$8,881,000, to remain available until  
3 expended, is available only for expenses relating to certain  
4 classified activities, and may be transferred as necessary  
5 by the Secretary of Defense to operation and maintenance  
6 appropriations or research, development, test and evalua-  
7 tion appropriations, to be merged with and to be available  
8 for the same time period as the appropriations to which  
9 transferred: *Provided further*, That any ceiling on the in-  
10 vestment item unit cost of items that may be purchased  
11 with operation and maintenance funds shall not apply to  
12 the funds described in the preceding proviso: *Provided fur-*  
13 *ther*, That the transfer authority provided under this head-  
14 ing is in addition to any other transfer authority provided  
15 elsewhere in this Act.

16 OPERATION AND MAINTENANCE, ARMY RESERVE

17 For expenses, not otherwise provided for, necessary  
18 for the operation and maintenance, including training, or-  
19 ganization, and administration, of the Army Reserve; re-  
20 pair of facilities and equipment; hire of passenger motor  
21 vehicles; travel and transportation; care of the dead; re-  
22 cruiting; procurement of services, supplies, and equip-  
23 ment; and communications, \$2,535,606,000.

## 1 OPERATION AND MAINTENANCE, NAVY RESERVE

2 For expenses, not otherwise provided for, necessary  
3 for the operation and maintenance, including training, or-  
4 ganization, and administration, of the Navy 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, \$1,011,827,000.

## 9 OPERATION AND MAINTENANCE, MARINE CORPS

## 10 RESERVE

11 For expenses, not otherwise provided for, necessary  
12 for the operation and maintenance, including training, or-  
13 ganization, and administration, of the Marine Corps Re-  
14 serve; repair of facilities and equipment; hire of passenger  
15 motor vehicles; travel and transportation; care of the dead;  
16 recruiting; procurement of services, supplies, and equip-  
17 ment; and communications, \$270,485,000.

## 18 OPERATION AND MAINTENANCE, AIR FORCE RESERVE

19 For expenses, not otherwise provided for, necessary  
20 for the operation and maintenance, including training, or-  
21 ganization, and administration, of the Air Force Reserve;  
22 repair of facilities and equipment; hire of passenger motor  
23 vehicles; travel and transportation; care of the dead; re-  
24 cruiting; procurement of services, supplies, and equip-  
25 ment; and communications, \$2,989,214,000.

## 1 OPERATION AND MAINTENANCE, ARMY NATIONAL

## 2 GUARD

3 For expenses of training, organizing, and admin-  
4 istering the Army National Guard, including medical and  
5 hospital treatment and related expenses in non-Federal  
6 hospitals; maintenance, operation, and repairs to struc-  
7 tures and facilities; hire of passenger motor vehicles; per-  
8 sonnel services in the National Guard Bureau; travel ex-  
9 penses (other than mileage), as authorized by law for  
10 Army personnel on active duty, for Army National Guard  
11 division, regimental, and battalion commanders while in-  
12 specting units in compliance with National Guard Bureau  
13 regulations when specifically authorized by the Chief, Na-  
14 tional Guard Bureau; supplying and equipping the Army  
15 National Guard as authorized by law; and expenses of re-  
16 pair, modification, maintenance, and issue of supplies and  
17 equipment (including aircraft), \$6,116,307,000.

## 18 OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

19 For expenses of training, organizing, and admin-  
20 istering the Air National Guard, including medical and  
21 hospital treatment and related expenses in non-Federal  
22 hospitals; maintenance, operation, and repairs to struc-  
23 tures and facilities; transportation of things, hire of pas-  
24 senger motor vehicles; supplying and equipping the Air  
25 National Guard, as authorized by law; expenses for repair,

1 modification, maintenance, and issue of supplies and  
2 equipment, including those furnished from stocks under  
3 the control of agencies of the Department of Defense;  
4 travel expenses (other than mileage) on the same basis as  
5 authorized by law for Air National Guard personnel on  
6 active Federal duty, for Air National Guard commanders  
7 while inspecting units in compliance with National Guard  
8 Bureau regulations when specifically authorized by the  
9 Chief, National Guard Bureau, \$6,393,919,000.

10 UNITED STATES COURT OF APPEALS FOR THE ARMED  
11 FORCES

12 For salaries and expenses necessary for the United  
13 States Court of Appeals for the Armed Forces,  
14 \$13,723,000, of which not to exceed \$5,000 may be used  
15 for official representation purposes.

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

18 For the Department of the Army, \$201,560,000, to  
19 remain available until transferred: *Provided*, That the Sec-  
20 retary of the Army shall, upon determining that such  
21 funds are required for environmental restoration, reduc-  
22 tion and recycling of hazardous waste, removal of unsafe  
23 buildings and debris of the Department of the Army, or  
24 for similar purposes, transfer the funds made available by  
25 this appropriation to other appropriations made available

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

11 ENVIRONMENTAL RESTORATION, NAVY

12 (INCLUDING TRANSFER OF FUNDS)

13 For the Department of the Navy, \$277,294,000, to  
14 remain available until transferred: *Provided*, That the Sec-  
15 retary of the Navy shall, upon determining that such  
16 funds are required for environmental restoration, reduc-  
17 tion and recycling of hazardous waste, removal of unsafe  
18 buildings and debris of the Department of the Navy, or  
19 for similar purposes, transfer the funds made available by  
20 this appropriation to other appropriations made available  
21 to the Department of the Navy, to be merged with and  
22 to be available for the same purposes and for the same  
23 time period as the appropriations to which transferred:  
24 *Provided further*, That upon a determination that all or  
25 part of the funds transferred from this appropriation are

1 not necessary for the purposes provided herein, such  
2 amounts may be transferred back to this appropriation:  
3 *Provided further*, That the transfer authority provided  
4 under this heading is in addition to any other transfer au-  
5 thority provided elsewhere in this Act.

6 ENVIRONMENTAL RESTORATION, AIR FORCE

7 (INCLUDING TRANSFER OF FUNDS)

8 For the Department of the Air Force, \$408,716,000,  
9 to remain available until transferred: *Provided*, That the  
10 Secretary of the Air Force shall, upon determining that  
11 such funds are required for environmental restoration, re-  
12 duction and recycling of hazardous waste, removal of un-  
13 safe buildings and debris of the Department of the Air  
14 Force, or for similar purposes, transfer the funds made  
15 available by this appropriation to other appropriations  
16 made available to the Department of the Air Force, to be  
17 merged with and to be available for the same purposes  
18 and for the same time period as the appropriations to  
19 which transferred: *Provided further*, That upon a deter-  
20 mination that all or part of the funds transferred from  
21 this appropriation are not necessary for the purposes pro-  
22 vided herein, such amounts may be transferred back to  
23 this appropriation: *Provided further*, That the transfer au-  
24 thority provided under this heading is in addition to any  
25 other transfer authority provided elsewhere in this Act.

## 1 ENVIRONMENTAL RESTORATION, DEFENSE-WIDE

## 2 (INCLUDING TRANSFER OF FUNDS)

3 For the Department of Defense, \$8,547,000, to re-  
4 main available until transferred: *Provided*, That the Sec-  
5 retary of Defense shall, upon determining that such funds  
6 are required for environmental restoration, reduction and  
7 recycling of hazardous waste, removal of unsafe buildings  
8 and debris of the Department of Defense, or for similar  
9 purposes, transfer the funds made available by this appro-  
10 priation to other appropriations made available to the De-  
11 partment of Defense, to be merged with and to be avail-  
12 able for the same purposes and for the same time period  
13 as the appropriations to which transferred: *Provided fur-*  
14 *ther*, That upon a determination that all or part of the  
15 funds transferred from this appropriation are not nec-  
16 essary for the purposes provided herein, such amounts  
17 may be transferred back to this appropriation: *Provided*  
18 *further*, That the transfer authority provided under this  
19 heading is in addition to any other transfer authority pro-  
20 vided elsewhere in this Act.

## 21 ENVIRONMENTAL RESTORATION, FORMERLY USED

## 22 DEFENSE SITES

## 23 (INCLUDING TRANSFER OF FUNDS)

24 For the Department of the Army, \$233,353,000, to  
25 remain available until transferred: *Provided*, That the Sec-

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

17 OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AID

18 For expenses relating to the Overseas Humanitarian,  
19 Disaster, and Civic Aid programs of the Department of  
20 Defense (consisting of the programs provided under sec-  
21 tions 401, 402, 404, 407, 2557, and 2561 of title 10,  
22 United States Code), \$103,000,000 to remain available  
23 until September 30, 2016.

## 1 COOPERATIVE THREAT REDUCTION ACCOUNT

2 For assistance to the republics of the former Soviet  
3 Union and, with appropriate authorization by the Depart-  
4 ment of Defense and Department of State, to countries  
5 outside of the former Soviet Union, including assistance  
6 provided by contract or by grants, for facilitating the  
7 elimination and the safe and secure transportation and  
8 storage of nuclear, chemical and other weapons; for estab-  
9 lishing programs to prevent the proliferation of weapons,  
10 weapons components, and weapon-related technology and  
11 expertise; for programs relating to the training and sup-  
12 port of defense and military personnel for demilitarization  
13 and protection of weapons, weapons components and  
14 weapons technology and expertise, and for defense and  
15 military contacts, \$365,108,000, to remain available until  
16 September 30, 2017.

17 DEPARTMENT OF DEFENSE ACQUISITION WORKFORCE  
18 DEVELOPMENT FUND

19 For the Department of Defense Acquisition Work-  
20 force Development Fund, \$51,875,000.

## 21 TITLE III

## 22 PROCUREMENT

## 23 AIRCRAFT PROCUREMENT, ARMY

24 For construction, procurement, production, modifica-  
25 tion, and modernization of aircraft, equipment, including

1 ordnance, ground handling equipment, spare parts, and  
2 accessories therefor; specialized equipment and training  
3 devices; expansion of public and private plants, including  
4 the land necessary therefor, for the foregoing purposes,  
5 and such lands and interests therein, may be acquired,  
6 and construction prosecuted thereon prior to approval of  
7 title; and procurement and installation of equipment, ap-  
8 pliances, and machine tools in public and private plants;  
9 reserve plant and Government and contractor-owned  
10 equipment layaway; and other expenses necessary for the  
11 foregoing purposes, \$5,295,957,000, to remain available  
12 for obligation until September 30, 2017.

13                                   MISSILE PROCUREMENT, ARMY

14         For construction, procurement, production, modifica-  
15 tion, and modernization of missiles, equipment, including  
16 ordnance, ground handling equipment, spare parts, and  
17 accessories therefor; specialized equipment and training  
18 devices; expansion of public and private plants, including  
19 the land necessary therefor, for the foregoing purposes,  
20 and such lands and interests therein, may be acquired,  
21 and construction prosecuted thereon prior to approval of  
22 title; and procurement and installation of equipment, ap-  
23 pliances, and machine tools in public and private plants;  
24 reserve plant and Government and contractor-owned  
25 equipment layaway; and other expenses necessary for the



1 poses, and such lands and interests therein, may be ac-  
2 quired, and construction prosecuted thereon prior to ap-  
3 proval of title; and procurement and installation of equip-  
4 ment, appliances, and machine tools in public and private  
5 plants; reserve plant and Government and contractor-  
6 owned equipment layaway; and other expenses necessary  
7 for the foregoing purposes, \$1,011,477,000, to remain  
8 available for obligation until September 30, 2017.

9                   OTHER PROCUREMENT, ARMY

10       For construction, procurement, production, and  
11 modification of vehicles, including tactical, support, and  
12 non-tracked combat vehicles; the purchase of passenger  
13 motor vehicles for replacement only; communications and  
14 electronic equipment; other support equipment; spare  
15 parts, ordnance, and accessories therefor; specialized  
16 equipment and training devices; expansion of public and  
17 private plants, including the land necessary therefor, 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; and procurement and  
21 installation of equipment, appliances, and machine tools  
22 in public and private plants; reserve plant and Govern-  
23 ment and contractor-owned equipment layaway; and other  
24 expenses necessary for the foregoing purposes,

1 \$4,812,234,000, to remain available for obligation until  
2 September 30, 2017.

3 AIRCRAFT PROCUREMENT, NAVY

4 For construction, procurement, production, modifica-  
5 tion, and modernization of aircraft, equipment, including  
6 ordnance, spare parts, and accessories therefor; specialized  
7 equipment; expansion of public and private plants, includ-  
8 ing the land necessary therefor, and such lands and inter-  
9 ests therein, may be acquired, and construction prosecuted  
10 thereon prior to approval of title; and procurement and  
11 installation of equipment, appliances, and machine tools  
12 in public and private plants; reserve plant and Govern-  
13 ment and contractor-owned equipment layaway,  
14 \$14,054,523,000, to remain available for obligation until  
15 September 30, 2017.

16 WEAPONS PROCUREMENT, NAVY

17 For construction, procurement, production, modifica-  
18 tion, and modernization of missiles, torpedoes, other weap-  
19 ons, and related support equipment including spare parts,  
20 and accessories therefor; expansion of public and private  
21 plants, including the land necessary therefor, and such  
22 lands and interests therein, may be acquired, and con-  
23 struction prosecuted thereon prior to approval of title; and  
24 procurement and installation of equipment, appliances,  
25 and machine tools in public and private plants; reserve



1 tractor-owned equipment layaway; procurement of critical,  
2 long lead time components and designs for vessels to be  
3 constructed or converted in the future; and expansion of  
4 public and private plants, including land necessary there-  
5 for, and such lands and interests therein, may be acquired,  
6 and construction prosecuted thereon prior to approval of  
7 title, as follows:

8           Carrier Replacement Program, \$1,289,425,000;  
9           Virginia Class Submarine, \$3,507,175,000;  
10          Virginia        Class        Submarine        (AP),  
11          \$2,301,825,000;  
12          CVN Refueling Overhauls (AP), \$491,100,000;  
13          DDG-1000 Program, \$419,532,000;  
14          DDG-51 Destroyer, \$2,655,785,000;  
15          DDG-51 Destroyer (AP), \$134,039,000;  
16          Littoral Combat Ship, \$951,366,000;  
17          LPD-17 Amphibious Transport Dock,  
18          \$12,565,000;  
19          LHA replacement (AP), \$29,093,000;  
20          Moored Training Ship, \$737,268,000;  
21          Moored Training Ship (AP), \$64,388,000;  
22          LCAC Service Life Extension Program,  
23          \$40,485,000;  
24          Outfitting, post delivery, conversions, and first  
25          destination transportation, \$491,797,000; and

1 Ship to Shore Connector, \$123,233,000;

2 For completion of Prior Year Shipbuilding Pro-  
3 grams, \$1,007,285,000.

4 In all: \$14,256,361,000, to remain available for obli-  
5 gation until September 30, 2019: *Provided*, That addi-  
6 tional obligations may be incurred after September 30,  
7 2019, for engineering services, tests, evaluations, and  
8 other such budgeted work that must be performed in the  
9 final stage of ship construction: *Provided further*, That  
10 none of the funds provided under this heading for the con-  
11 struction or conversion of any naval vessel to be con-  
12 structed in shipyards in the United States shall be ex-  
13 pended in foreign facilities for the construction of major  
14 components of such vessel: *Provided further*, That none  
15 of the funds provided under this heading shall be used  
16 for the construction of any naval vessel in foreign ship-  
17 yards.

18 OTHER PROCUREMENT, NAVY

19 For procurement, production, and modernization of  
20 support equipment and materials not otherwise provided  
21 for, Navy ordnance (except ordnance for new aircraft, new  
22 ships, and ships authorized for conversion); the purchase  
23 of passenger motor vehicles for replacement only; expan-  
24 sion of public and private plants, including the land nec-  
25 essary therefor, and such lands and interests therein, may

1 be acquired, and construction prosecuted thereon prior to  
2 approval of title; and procurement and installation of  
3 equipment, appliances, and machine tools in public and  
4 private plants; reserve plant and Government and con-  
5 tractor-owned equipment layaway, \$5,923,379,000, to re-  
6 main available for obligation until September 30, 2017.

7                   PROCUREMENT, MARINE CORPS

8           For expenses necessary for the procurement, manu-  
9 facture, and modification of missiles, armament, military  
10 equipment, spare parts, and accessories therefor; plant  
11 equipment, appliances, and machine tools, and installation  
12 thereof in public and private plants; reserve plant and  
13 Government and contractor-owned equipment layaway; ve-  
14 hicles for the Marine Corps, including the purchase of pas-  
15 senger motor vehicles for replacement only; and expansion  
16 of public and private plants, including land necessary  
17 therefor, and such lands and interests therein, may be ac-  
18 quired, and construction prosecuted thereon prior to ap-  
19 proval of title, \$927,232,000, to remain available for obli-  
20 gation until September 30, 2017.

21                   AIRCRAFT PROCUREMENT, AIR FORCE

22           For construction, procurement, and modification of  
23 aircraft and equipment, including armor and armament,  
24 specialized ground handling equipment, and training de-  
25 vices, spare parts, and accessories therefor; specialized

1 equipment; expansion of public and private plants, Gov-  
2 ernment-owned equipment and installation thereof in such  
3 plants, erection of structures, and acquisition of land, for  
4 the foregoing purposes, and such lands and interests  
5 therein, may be acquired, and construction prosecuted  
6 thereon prior to approval of title; reserve plant and Gov-  
7 ernment and contractor-owned equipment layaway; and  
8 other expenses necessary for the foregoing purposes in-  
9 cluding rents and transportation of things,  
10 \$12,046,941,000, to remain available for obligation until  
11 September 30, 2017.

#### 12 MISSILE PROCUREMENT, AIR FORCE

13 For construction, procurement, and modification of  
14 missiles, spacecraft, rockets, and related equipment, in-  
15 cluding spare parts and accessories therefor, ground han-  
16 dling equipment, and training devices; expansion of public  
17 and private plants, Government-owned equipment and in-  
18 stallation thereof in such plants, erection of structures,  
19 and acquisition of land, for the foregoing purposes, and  
20 such lands and interests therein, may be acquired, and  
21 construction prosecuted thereon prior to approval of title;  
22 reserve plant and Government and contractor-owned  
23 equipment layaway; and other expenses necessary for the  
24 foregoing purposes including rents and transportation of

1 things, \$4,546,211,000, to remain available for obligation  
2 until September 30, 2017.

3           PROCUREMENT OF AMMUNITION, AIR FORCE

4           For construction, procurement, production, and  
5 modification of ammunition, and accessories therefor; spe-  
6 cialized equipment and training devices; expansion of pub-  
7 lic and private plants, including ammunition facilities, au-  
8 thorized by section 2854 of title 10, United States Code,  
9 and the land necessary therefor, for the foregoing pur-  
10 poses, and such lands and interests therein, may be ac-  
11 quired, and construction prosecuted thereon prior to ap-  
12 proval of title; and procurement and installation of equip-  
13 ment, appliances, and machine tools in public and private  
14 plants; reserve plant and Government and contractor-  
15 owned equipment layaway; and other expenses necessary  
16 for the foregoing purposes, \$648,200,000, to remain avail-  
17 able for obligation until September 30, 2017.

18           OTHER PROCUREMENT, AIR FORCE

19           For procurement and modification of equipment (in-  
20 cluding ground guidance and electronic control equipment,  
21 and ground electronic and communication equipment),  
22 and supplies, materials, and spare parts therefor, not oth-  
23 erwise provided for; the purchase of passenger motor vehi-  
24 cles for replacement only; lease of passenger motor vehi-  
25 cles; and expansion of public and private plants, Govern-

1 ment-owned equipment and installation thereof in such  
2 plants, erection of structures, and acquisition of land, for  
3 the foregoing purposes, and such lands and interests  
4 therein, may be acquired, and construction prosecuted  
5 thereon, prior to approval of title; reserve plant and Gov-  
6 ernment and contractor-owned equipment layaway,  
7 \$16,633,023,000, to remain available for obligation until  
8 September 30, 2017.

9                   PROCUREMENT, DEFENSE-WIDE

10       For expenses of activities and agencies of the Depart-  
11 ment of Defense (other than the military departments)  
12 necessary for procurement, production, and modification  
13 of equipment, supplies, materials, and spare parts there-  
14 for, not otherwise provided for; the purchase of passenger  
15 motor vehicles for replacement only; expansion of public  
16 and private plants, equipment, and installation thereof in  
17 such plants, erection of structures, and acquisition of land  
18 for 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,  
22 \$4,358,121,000, to remain available for obligation until  
23 September 30, 2017.

## 1 DEFENSE PRODUCTION ACT PURCHASES

2 For activities by the Department of Defense pursuant  
3 to sections 108, 301, 302, and 303 of the Defense Produc-  
4 tion Act of 1950 (50 U.S.C. App. 2078, 2091, 2092, and  
5 2093), \$51,638,000, to remain available until expended.

## 6 TITLE IV

7 RESEARCH, DEVELOPMENT, TEST AND  
8 EVALUATION9 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,  
10 ARMY

11 For expenses necessary for basic and applied sci-  
12 entific research, development, test and evaluation, includ-  
13 ing maintenance, rehabilitation, lease, and operation of fa-  
14 cilities and equipment, \$6,720,000,000, to remain avail-  
15 able for obligation until September 30, 2016.

16 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,  
17 NAVY

18 For expenses necessary for basic and applied sci-  
19 entific research, development, test and evaluation, includ-  
20 ing maintenance, rehabilitation, lease, and operation of fa-  
21 cilities and equipment, \$15,877,770,000, to remain avail-  
22 able for obligation until September 30, 2016: *Provided*,  
23 That funds appropriated in this paragraph which are  
24 available for the V-22 may be used to meet unique oper-  
25 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, \$23,438,982,000, to remain avail-  
7 able for obligation until September 30, 2016.

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

10 (INCLUDING TRANSFER OF FUNDS)

11 For expenses of activities and agencies of the Depart-  
12 ment of Defense (other than the military departments),  
13 necessary for basic and applied scientific research, devel-  
14 opment, test and evaluation; advanced research projects  
15 as may be designated and determined by the Secretary  
16 of Defense, pursuant to law; maintenance, rehabilitation,  
17 lease, and operation of facilities and equipment,  
18 \$17,077,900,000, to remain available for obligation until  
19 September 30, 2016: *Provided*, That of the funds made  
20 available in this paragraph, \$250,000,000 for the Defense  
21 Rapid Innovation Program shall only be available for ex-  
22 penses, not otherwise provided for, to include program  
23 management and oversight, to conduct research, develop-  
24 ment, test and evaluation to include proof of concept dem-  
25 onstration; engineering, testing, and validation; and tran-

1 sition to full-scale production: *Provided further*, That the  
2 Secretary of Defense may transfer funds provided herein  
3 for the Defense Rapid Innovation Program to appropria-  
4 tions for research, development, test and evaluation to ac-  
5 complish the purpose provided herein: *Provided further*,  
6 That this transfer authority is in addition to any other  
7 transfer authority available to the Department of Defense:  
8 *Provided further*, That the Secretary of Defense shall, not  
9 fewer than 30 days prior to making transfers from this  
10 appropriation, notify the congressional defense committees  
11 in writing of the details of any such transfer.

12       OPERATIONAL TEST AND EVALUATION, DEFENSE

13       For expenses, not otherwise provided for, necessary  
14 for the independent activities of the Director, Operational  
15 Test and Evaluation, in the direction and supervision of  
16 operational test and evaluation, including initial oper-  
17 ational test and evaluation which is conducted prior to,  
18 and in support of, production decisions; joint operational  
19 testing and evaluation; and administrative expenses in  
20 connection therewith, \$248,238,000, to remain available  
21 for obligation until September 30, 2016.

1 TITLE V  
2 REVOLVING AND MANAGEMENT FUNDS  
3 DEFENSE WORKING CAPITAL FUNDS  
4 For the Defense Working Capital Funds,  
5 \$1,334,468,000.

6 TITLE VI  
7 OTHER DEPARTMENT OF DEFENSE PROGRAMS  
8 DEFENSE HEALTH PROGRAM  
9 For expenses, not otherwise provided for, for medical  
10 and health care programs of the Department of Defense  
11 as authorized by law, \$31,634,870,000; of which  
12 \$30,080,563,000 shall be for operation and maintenance,  
13 of which not to exceed one percent shall remain available  
14 for obligation until September 30, 2016, and of which up  
15 to \$14,582,044,000 may be available for contracts entered  
16 into under the TRICARE program; of which  
17 \$308,413,000, to remain available for obligation until Sep-  
18 tember 30, 2017, shall be for procurement; and of which  
19 \$1,245,894,000, to remain available for obligation until  
20 September 30, 2016, shall be for research, development,  
21 test and evaluation: *Provided*, That, notwithstanding any  
22 other provision of law, of the amount made available under  
23 this heading for research, development, test and evalua-  
24 tion, not less than \$8,000,000 shall be available for HIV  
25 prevention educational activities undertaken in connection

1 with United States military training, exercises, and hu-  
2 manitarian assistance activities conducted primarily in Af-  
3 rican nations: *Provided further*, That of the funds provided  
4 under this heading for operation and maintenance, pro-  
5 curement, and research, development, test and evaluation  
6 for the Interagency Program Office, the Defense  
7 Healthcare Management Systems Modernization  
8 (DHMSM) program, and the Defense Medical Informa-  
9 tion Exchange, not more than 25 percent may be obligated  
10 until the Secretary of Defense submits to the Committees  
11 on Appropriations of the House of Representatives and the  
12 Senate, and such Committees approve, a plan for expendi-  
13 ture that describes: (1) the status of the final request for  
14 proposal for DHMSM and how the program office used  
15 comments received from industry from draft requests for  
16 proposal to refine the final request for proposal; (2) any  
17 changes to the deployment timeline, including bench-  
18 marks, for full operating capability; (3) any refinements  
19 to the cost estimate for full operating capability and the  
20 total life cycle cost of the project; (4) an assurance that  
21 the acquisition strategy will comply with the acquisition  
22 rules, requirements, guidelines, and systems acquisition  
23 management practices of the Federal Government; (5) the  
24 status of the effort to achieve interoperability between the  
25 electronic health record systems of the Department of De-

1 fense and the Department of Veterans Affairs, including  
2 the scope, cost, schedule, mapping to health data stand-  
3 ards, and performance benchmarks of the interoperable  
4 record; and (6) the progress toward developing, imple-  
5 menting, and fielding the interoperable electronic health  
6 record throughout the two Departments' medical facilities.

7 CHEMICAL AGENTS AND MUNITIONS DESTRUCTION,  
8 DEFENSE

9 For expenses, not otherwise provided for, necessary  
10 for the destruction of the United States stockpile of lethal  
11 chemical agents and munitions in accordance with the pro-  
12 visions of section 1412 of the Department of Defense Au-  
13 thorization Act, 1986 (50 U.S.C. 1521), and for the de-  
14 struction of other chemical warfare materials that are not  
15 in the chemical weapon stockpile, \$828,868,000, of which  
16 \$222,728,000 shall be for operation and maintenance, of  
17 which no less than \$52,102,000 shall be for the Chemical  
18 Stockpile Emergency Preparedness Program, consisting of  
19 \$21,016,000 for activities on military installations and  
20 \$31,086,000, to remain available until September 30,  
21 2016, to assist State and local governments; \$10,227,000  
22 shall be for procurement, to remain available until Sep-  
23 tember 30, 2017, of which \$3,225,000 shall be for the  
24 Chemical Stockpile Emergency Preparedness Program to  
25 assist State and local governments; and \$595,913,000, to

1 remain available until September 30, 2016, shall be for  
2 research, development, test and evaluation, of which  
3 \$575,808,000 shall only be for the Assembled Chemical  
4 Weapons Alternatives program.

5 DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES,

6 DEFENSE

7 (INCLUDING TRANSFER OF FUNDS)

8 For drug interdiction and counter-drug activities of  
9 the Department of Defense, for transfer to appropriations  
10 available to the Department of Defense for military per-  
11 sonnel of the reserve components serving under the provi-  
12 sions of title 10 and title 32, United States Code; for oper-  
13 ation and maintenance; for procurement; and for research,  
14 development, test and evaluation, \$944,687,000, of which  
15 \$669,631,000 shall be for counter-narcotics support;  
16 \$105,591,000 shall be for the drug demand reduction pro-  
17 gram; and \$169,465,000 shall be for the National Guard  
18 counter-drug program: *Provided*, That the funds appro-  
19 priated under this heading shall be available for obligation  
20 for the same time period and for the same purpose as the  
21 appropriation to which transferred: *Provided further*, That  
22 upon a determination that all or part of the funds trans-  
23 ferred from this appropriation are not necessary for the  
24 purposes provided herein, such amounts may be trans-  
25 ferred back to this appropriation: *Provided further*, That

1 the transfer authority provided under this heading is in  
2 addition to any other transfer authority contained else-  
3 where in this Act.

4 JOINT IMPROVISED EXPLOSIVE DEVICE DEFEAT FUND  
5 (INCLUDING TRANSFER OF FUNDS)

6 For the “Joint Improvised Explosive Device Defeat  
7 Fund”, \$65,464,000, to remain available until September  
8 30, 2017: *Provided*, That such funds shall be available to  
9 the Secretary of Defense, notwithstanding any other provi-  
10 sion of law, for the purpose of allowing the Director of  
11 the Joint Improvised Explosive Device Defeat Organiza-  
12 tion to investigate, develop and provide equipment, sup-  
13 plies, services, training, facilities, personnel and funds to  
14 assist United States forces in the defeat of improvised ex-  
15 plosive devices: *Provided further*, That the Secretary of  
16 Defense may transfer funds provided herein to appropria-  
17 tions for military personnel; operation and maintenance;  
18 procurement; research, development, test and evaluation;  
19 and defense working capital funds to accomplish the pur-  
20 pose provided herein: *Provided further*, That this transfer  
21 authority is in addition to any other transfer authority  
22 available to the Department of Defense: *Provided further*,  
23 That the Secretary of Defense shall, not fewer than 15  
24 days prior to making transfers from this appropriation,

1 notify the congressional defense committees in writing of  
2 the details of any such transfer.

3           OFFICE OF THE INSPECTOR GENERAL

4       For expenses and activities of the Office of the In-  
5 spector General in carrying out the provisions of the In-  
6 spector General Act of 1978, as amended, \$311,830,000,  
7 of which \$310,830,000 shall be for operation and mainte-  
8 nance, of which not to exceed \$700,000 is available for  
9 emergencies and extraordinary expenses to be expended on  
10 the approval or authority of the Inspector General, and  
11 payments may be made on the Inspector General's certifi-  
12 cate of necessity for confidential military purposes; and  
13 of which \$1,000,000, to remain available until September  
14 30, 2017, shall be for procurement.

15           SUPPORT FOR INTERNATIONAL SPORTING

16                           COMPETITIONS

17       For logistical and security support for international  
18 sporting competitions (including pay and non-travel re-  
19 lated allowances only for members of the Reserve Compo-  
20 nents of the Armed Forces of the United States called or  
21 ordered to active duty in connection with providing such  
22 support), \$10,000,000, to remain available until expended.

1 TITLE VII  
2 RELATED AGENCIES  
3 CENTRAL INTELLIGENCE AGENCY RETIREMENT AND  
4 DISABILITY SYSTEM FUND

5 For payment to the Central Intelligence Agency Re-  
6 tirement and Disability System Fund, to maintain the  
7 proper funding level for continuing the operation of the  
8 Central Intelligence Agency Retirement and Disability  
9 System, \$514,000,000.

10 INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT

11 For necessary expenses of the Intelligence Commu-  
12 nity Management Account, \$501,194,000.

13 TITLE VIII  
14 GENERAL PROVISIONS

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

18 SEC. 8002. During the current fiscal year, provisions  
19 of law prohibiting the payment of compensation to, or em-  
20 ployment of, any person not a citizen of the United States  
21 shall not apply to personnel of the Department of Defense:  
22 *Provided*, That salary increases granted to direct and indi-  
23 rect hire foreign national employees of the Department of  
24 Defense funded by this Act shall not be at a rate in excess  
25 of the percentage increase authorized by law for civilian

1 employees of the Department of Defense whose pay is  
2 computed under the provisions of section 5332 of title 5,  
3 United States Code, or at a rate in excess of the percent-  
4 age increase provided by the appropriate host nation to  
5 its own employees, whichever is higher: *Provided further,*  
6 That this section shall not apply to Department of De-  
7 fense foreign service national employees serving at United  
8 States diplomatic missions whose pay is set by the Depart-  
9 ment of State under the Foreign Service Act of 1980: *Pro-*  
10 *vided further,* That the limitations of this provision shall  
11 not apply to foreign national employees of the Department  
12 of Defense in the Republic of Turkey.

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

16 SEC. 8004. No more than 20 percent of the appro-  
17 priations in this Act which are limited for obligation dur-  
18 ing the current fiscal year shall be obligated during the  
19 last 2 months of the fiscal year: *Provided,* That this sec-  
20 tion shall not apply to obligations for support of active  
21 duty training of reserve components or summer camp  
22 training of the Reserve Officers' Training Corps.

23 (TRANSFER OF FUNDS)

24 SEC. 8005. Upon determination by the Secretary of  
25 Defense that such action is necessary in the national inter-

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

1 thority provided in this section shall be made prior to June  
2 30, 2015: *Provided further*, That transfers among military  
3 personnel appropriations shall not be taken into account  
4 for purposes of the limitation on the amount of funds that  
5 may be transferred under this section.

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

19 (b) Amounts specified in the referenced tables de-  
20 scribed in subsection (a) shall not be treated as subdivi-  
21 sions of appropriations for purposes of section 8005 of this  
22 Act: *Provided*, That section 8005 shall apply when trans-  
23 fers of the amounts described in subsection (a) occur be-  
24 tween appropriation accounts.

1           SEC. 8007. (a) Not later than 60 days after enact-  
2 ment of this Act, the Department of Defense shall submit  
3 a report to the congressional defense committees to estab-  
4 lish the baseline for application of reprogramming and  
5 transfer authorities for fiscal year 2015: *Provided*, That  
6 the report shall include—

7                   (1) a table for each appropriation with a  
8                   separate column to display the President's  
9                   budget request, adjustments made by Congress,  
10                  adjustments due to enacted rescissions, if ap-  
11                  propriate, and the fiscal year enacted level;

12                  (2) a delineation in the table for each ap-  
13                  propriation both by budget activity and pro-  
14                  gram, project, and activity as detailed in the  
15                  Budget Appendix; and

16                  (3) an identification of items of special  
17                  congressional interest.

18           (b) Notwithstanding section 8005 of this Act, none  
19 of the funds provided in this Act shall be available for  
20 reprogramming or transfer until the report identified in  
21 subsection (a) is submitted to the congressional defense  
22 committees, unless the Secretary of Defense certifies in  
23 writing to the congressional defense committees that such  
24 reprogramming or transfer is necessary as an emergency  
25 requirement.

1 (TRANSFER OF FUNDS)

2 SEC. 8008. During the current fiscal year, cash bal-  
3 ances in working capital funds of the Department of De-  
4 fense established pursuant to section 2208 of title 10,  
5 United States Code, may be maintained in only such  
6 amounts as are necessary at any time for cash disburse-  
7 ments to be made from such funds: *Provided*, That trans-  
8 fers may be made between such funds: *Provided further*,  
9 That transfers may be made between working capital  
10 funds and the “Foreign Currency Fluctuations, Defense”  
11 appropriation and the “Operation and Maintenance” ap-  
12 propriation accounts in such amounts as may be deter-  
13 mined by the Secretary of Defense, with the approval of  
14 the Office of Management and Budget, except that such  
15 transfers may not be made unless the Secretary of Defense  
16 has notified the Congress of the proposed transfer. Except  
17 in amounts equal to the amounts appropriated to working  
18 capital funds in this Act, no obligations may be made  
19 against a working capital fund to procure or increase the  
20 value of war reserve material inventory, unless the Sec-  
21 retary of Defense has notified the Congress prior to any  
22 such obligation.

23 SEC. 8009. Funds appropriated by this Act may not  
24 be used to initiate a special access program without prior

1 notification 30 calendar days in advance to the congres-  
2 sional defense committees.

3       SEC. 8010. None of the funds provided in this Act  
4 shall be available to initiate: (1) a multiyear contract that  
5 employs economic order quantity procurement in excess of  
6 \$20,000,000 in any one year of the contract or that in-  
7 cludes an unfunded contingent liability in excess of  
8 \$20,000,000; or (2) a contract for advance procurement  
9 leading to a multiyear contract that employs economic  
10 order quantity procurement in excess of \$20,000,000 in  
11 any one year, unless the congressional defense committees  
12 have been notified at least 30 days in advance of the pro-  
13 posed contract award: *Provided*, That no part of any ap-  
14 propriation contained in this Act shall be available to ini-  
15 tiate a multiyear contract for which the economic order  
16 quantity advance procurement is not funded at least to  
17 the limits of the Government's liability: *Provided further*,  
18 That no part of any appropriation contained in this Act  
19 shall be available to initiate multiyear procurement con-  
20 tracts for any systems or component thereof if the value  
21 of the multiyear contract would exceed \$500,000,000 un-  
22 less specifically provided in this Act: *Provided further*,  
23 That no multiyear procurement contract can be termi-  
24 nated without 10-day prior notification to the congres-  
25 sional defense committees: *Provided further*, That the exe-

1 cution of multiyear authority shall require the use of a  
2 present value analysis to determine lowest cost compared  
3 to an annual procurement: *Provided further*, That none of  
4 the funds provided in this Act may be used for a multiyear  
5 contract executed after the date of the enactment of this  
6 Act unless in the case of any such contract—

7           (1) the Secretary of Defense has submitted to  
8 Congress a budget request for full funding of units  
9 to be procured through the contract and, in the case  
10 of a contract for procurement of aircraft, that in-  
11 cludes, for any aircraft unit to be procured through  
12 the contract for which procurement funds are re-  
13 quested in that budget request for production be-  
14 yond advance procurement activities in the fiscal  
15 year covered by the budget, full funding of procure-  
16 ment of such unit in that fiscal year;

17           (2) cancellation provisions in the contract do  
18 not include consideration of recurring manufacturing  
19 costs of the contractor associated with the produc-  
20 tion of unfunded units to be delivered under the con-  
21 tract;

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

1           (4) the contract does not provide for a price ad-  
2           justment based on a failure to award a follow-on  
3           contract.

4           SEC. 8011. Within the funds appropriated for the op-  
5           eration and maintenance of the Armed Forces, funds are  
6           hereby appropriated pursuant to section 401 of title 10,  
7           United States Code, for humanitarian and civic assistance  
8           costs under chapter 20 of title 10, United States Code.  
9           Such funds may also be obligated for humanitarian and  
10          civic assistance costs incidental to authorized operations  
11          and pursuant to authority granted in section 401 of chap-  
12          ter 20 of title 10, United States Code, and these obliga-  
13          tions shall be reported as required by section 401(d) of  
14          title 10, United States Code: *Provided*, That funds avail-  
15          able for operation and maintenance shall be available for  
16          providing humanitarian and similar assistance by using  
17          Civic Action Teams in the Trust Territories of the Pacific  
18          Islands and freely associated states of Micronesia, pursu-  
19          ant to the Compact of Free Association as authorized by  
20          Public Law 99-239: *Provided further*, That upon a deter-  
21          mination by the Secretary of the Army that such action  
22          is beneficial for graduate medical education programs con-  
23          ducted at Army medical facilities located in Hawaii, the  
24          Secretary of the Army may authorize the provision of med-  
25          ical services at such facilities and transportation to such

1 facilities, on a nonreimbursable basis, for civilian patients  
2 from American Samoa, the Commonwealth of the North-  
3 ern Mariana Islands, the Marshall Islands, the Federated  
4 States of Micronesia, Palau, and Guam.

5       SEC. 8012. (a) During fiscal year 2015, the civilian  
6 personnel of the Department of Defense may not be man-  
7 aged on the basis of any end-strength, and the manage-  
8 ment of such personnel during that fiscal year shall not  
9 be subject to any constraint or limitation (known as an  
10 end-strength) on the number of such personnel who may  
11 be employed on the last day of such fiscal year.

12       (b) The fiscal year 2016 budget request for the De-  
13 partment of Defense as well as all justification material  
14 and other documentation supporting the fiscal year 2016  
15 Department of Defense budget request shall be prepared  
16 and submitted to the Congress as if subsections (a) and  
17 (b) of this provision were effective with regard to fiscal  
18 year 2016.

19       (c) As required by section 1107 of the National De-  
20 fense Authorization Act for Fiscal Year 2014 (Public Law  
21 113-66; 10 U.S.C. 2358 note) civilian personnel at the De-  
22 partment of Army Science and Technology Reinvention  
23 Laboratories may not be managed on the basis of the  
24 Table of Distribution and Allowances, and the manage-  
25 ment of the workforce strength shall be done in a manner

1 consistent with the budget available with respect to such  
2 Laboratories.

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

5 SEC. 8013. None of the funds made available by this  
6 Act shall be used in any way, directly or indirectly, to in-  
7 fluence congressional action on any legislation or appro-  
8 priation matters pending before the Congress.

9 SEC. 8014. None of the funds appropriated by this  
10 Act shall be available for the basic pay and allowances of  
11 any member of the Army participating as a full-time stu-  
12 dent and receiving benefits paid by the Secretary of Vet-  
13 erans Affairs from the Department of Defense Education  
14 Benefits Fund when time spent as a full-time student is  
15 credited toward completion of a service commitment: *Pro-*  
16 *vided*, That this section shall not apply to those members  
17 who have reenlisted with this option prior to October 1,  
18 1987: *Provided further*, That this section applies only to  
19 active components of the Army.

20 (TRANSFER OF FUNDS)

21 SEC. 8015. Funds appropriated in title III of this Act  
22 for the Department of Defense Pilot Mentor-Protege Pro-  
23 gram may be transferred to any other appropriation con-  
24 tained in this Act solely for the purpose of implementing  
25 a Mentor-Protege Program developmental assistance

1 agreement pursuant to section 831 of the National De-  
2 fense Authorization Act for Fiscal Year 1991 (Public Law  
3 101–510; 10 U.S.C. 2302 note), as amended, under the  
4 authority of this provision or any other transfer authority  
5 contained in this Act.

6       SEC. 8016. None of the funds in this Act may be  
7 available for the purchase by the Department of Defense  
8 (and its departments and agencies) of welded shipboard  
9 anchor and mooring chain 4 inches in diameter and under  
10 unless the anchor and mooring chain are manufactured  
11 in the United States from components which are substan-  
12 tially manufactured in the United States: *Provided*, That  
13 for the purpose of this section, the term “manufactured”  
14 shall include cutting, heat treating, quality control, testing  
15 of chain and welding (including the forging and shot blast-  
16 ing process): *Provided further*, That for the purpose of this  
17 section substantially all of the components of anchor and  
18 mooring chain shall be considered to be produced or manu-  
19 factured in the United States if the aggregate cost of the  
20 components produced or manufactured in the United  
21 States exceeds the aggregate cost of the components pro-  
22 duced or manufactured outside the United States: *Pro-*  
23 *vided further*, That when adequate domestic supplies are  
24 not available to meet Department of Defense requirements  
25 on a timely basis, the Secretary of the service responsible

1 for the procurement may waive this restriction on a case-  
2 by-case basis by certifying in writing to the Committees  
3 on Appropriations that such an acquisition must be made  
4 in order to acquire capability for national security pur-  
5 poses.

6       SEC. 8017. None of the funds available to the De-  
7 partment of Defense in the current fiscal year or any fiscal  
8 year hereafter may be used to demilitarize or dispose of  
9 M-1 Carbines, M-1 Garand rifles, M-14 rifles, .22 caliber  
10 rifles, .30 caliber rifles, or M-1911 pistols, or to demili-  
11 tarize or destroy small arms ammunition or ammunition  
12 components that are not otherwise prohibited from com-  
13 mercial sale under Federal law, unless the small arms am-  
14 munition or ammunition components are certified by the  
15 Secretary of the Army or designee as unserviceable or un-  
16 safe for further use.

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

1           SEC. 8019. Of the funds made available in this Act,  
2 \$15,000,000 shall be available for incentive payments au-  
3 thorized by section 504 of the Indian Financing Act of  
4 1974 (25 U.S.C. 1544): *Provided*, That a prime contractor  
5 or a subcontractor at any tier that makes a subcontract  
6 award to any subcontractor or supplier as defined in sec-  
7 tion 1544 of title 25, United States Code, or a small busi-  
8 ness owned and controlled by an individual or individuals  
9 defined under section 4221(9) of title 25, United States  
10 Code, shall be considered a contractor for the purposes  
11 of being allowed additional compensation under section  
12 504 of the Indian Financing Act of 1974 (25 U.S.C.  
13 1544) whenever the prime contract or subcontract amount  
14 is over \$500,000 and involves the expenditure of funds  
15 appropriated by an Act making appropriations for the De-  
16 partment of Defense with respect to any fiscal year: *Pro-*  
17 *vided further*, That notwithstanding section 1906 of title  
18 41, United States Code, this section shall be applicable  
19 to any Department of Defense acquisition of supplies or  
20 services, including any contract and any subcontract at  
21 any tier for acquisition of commercial items produced or  
22 manufactured, in whole or in part, by any subcontractor  
23 or supplier defined in section 1544 of title 25, United  
24 States Code, or a small business owned and controlled by

1 an individual or individuals defined under section 4221(9)  
2 of title 25, United States Code.

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

6 SEC. 8021. During the current fiscal year, the De-  
7 partment of Defense is authorized to incur obligations of  
8 not to exceed \$350,000,000 for purposes specified in sec-  
9 tion 2350j(c) of title 10, United States Code, in anticipa-  
10 tion of receipt of contributions, only from the Government  
11 of Kuwait, under that section: *Provided*, That upon re-  
12 ceipt, such contributions from the Government of Kuwait  
13 shall be credited to the appropriations or fund which in-  
14 curred such obligations.

15 SEC. 8022. (a) Of the funds made available in this  
16 Act, not less than \$39,500,000 shall be available for the  
17 Civil Air Patrol Corporation, of which—

18 (1) \$27,400,000 shall be available from “Oper-  
19 ation and Maintenance, Air Force” to support Civil  
20 Air Patrol Corporation operation and maintenance,  
21 readiness, counter-drug activities, and drug demand  
22 reduction activities involving youth programs;

23 (2) \$10,400,000 shall be available from “Air-  
24 craft Procurement, Air Force”; and

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

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

7       SEC. 8023. (a) None of the funds appropriated in this  
8       Act are available to establish a new Department of De-  
9       fense (department) federally funded research and develop-  
10      ment center (FFRDC), either as a new entity, or as a  
11      separate entity administrated by an organization man-  
12      aging another FFRDC, or as a nonprofit membership cor-  
13      poration consisting of a consortium of other FFRDCs and  
14      other nonprofit entities.

15      (b) No member of a Board of Directors, Trustees,  
16      Overseers, Advisory Group, Special Issues Panel, Visiting  
17      Committee, or any similar entity of a defense FFRDC,  
18      and no paid consultant to any defense FFRDC, except  
19      when acting in a technical advisory capacity, may be com-  
20      pensated for his or her services as a member of such enti-  
21      ty, or as a paid consultant by more than one FFRDC in  
22      a fiscal year: *Provided*, That a member of any such entity  
23      referred to previously in this subsection shall be allowed  
24      travel expenses and per diem as authorized under the Fed-

1 eral Joint Travel Regulations, when engaged in the per-  
2 formance of membership duties.

3 (e) Notwithstanding any other provision of law, none  
4 of the funds available to the department from any source  
5 during fiscal year 2015 may be used by a defense FFRDC,  
6 through a fee or other payment mechanism, for construc-  
7 tion of new buildings, for payment of cost sharing for  
8 projects funded by Government grants, for absorption of  
9 contract overruns, or for certain charitable contributions,  
10 not to include employee participation in community service  
11 and/or development.

12 (d) Notwithstanding any other provision of law, of  
13 the funds available to the department during fiscal year  
14 2015, not more than 5,750 staff years of technical effort  
15 (staff years) may be funded for defense FFRDCs: *Pro-*  
16 *vided*, That of the specific amount referred to previously  
17 in this subsection, not more than 1,125 staff years may  
18 be funded for the defense studies and analysis FFRDCs:  
19 *Provided further*, That this subsection shall not apply to  
20 staff years funded in the National Intelligence Program  
21 (NIP) and the Military Intelligence Program (MIP).

22 (e) The Secretary of Defense shall, with the submis-  
23 sion of the department's fiscal year 2016 budget request,  
24 submit a report presenting the specific amounts of staff  
25 years of technical effort to be allocated for each defense

1 FFRDC during that fiscal year and the associated budget  
2 estimates.

3 (f) Notwithstanding any other provision of this Act,  
4 the total amount appropriated in this Act for FFRDCs  
5 is hereby reduced by \$40,000,000.

6 SEC. 8024. None of the funds appropriated or made  
7 available in this Act shall be used to procure carbon, alloy,  
8 or armor steel plate for use in any Government-owned fa-  
9 cility or property under the control of the Department of  
10 Defense which were not melted and rolled in the United  
11 States or Canada: *Provided*, That these procurement re-  
12 strictions shall apply to any and all Federal Supply Class  
13 9515, American Society of Testing and Materials (ASTM)  
14 or American Iron and Steel Institute (AISI) specifications  
15 of carbon, alloy or armor steel plate: *Provided further*,  
16 That the Secretary of the military department responsible  
17 for the procurement may waive this restriction on a case-  
18 by-case basis by certifying in writing to the Committees  
19 on Appropriations of the House of Representatives and the  
20 Senate that adequate domestic supplies are not available  
21 to meet Department of Defense requirements on a timely  
22 basis and that such an acquisition must be made in order  
23 to acquire capability for national security purposes: *Pro-*  
24 *vided further*, That these restrictions shall not apply to

1 contracts which are in being as of the date of the enact-  
2 ment of this Act.

3       SEC. 8025. For the purposes of this Act, the term  
4 “congressional defense committees” means the Armed  
5 Services Committee of the House of Representatives, the  
6 Armed Services Committee of the Senate, the Sub-  
7 committee on Defense of the Committee on Appropriations  
8 of the Senate, and the Subcommittee on Defense of the  
9 Committee on Appropriations of the House of Representa-  
10 tives.

11       SEC. 8026. During the current fiscal year, the De-  
12 partment of Defense may acquire the modification, depot  
13 maintenance and repair of aircraft, vehicles and vessels  
14 as well as the production of components and other De-  
15 fense-related articles, through competition between De-  
16 partment of Defense depot maintenance activities and pri-  
17 vate firms: *Provided*, That the Senior Acquisition Execu-  
18 tive of the military department or Defense Agency con-  
19 cerned, with power of delegation, shall certify that success-  
20 ful bids include comparable estimates of all direct and in-  
21 direct costs for both public and private bids: *Provided fur-*  
22 *ther*, That Office of Management and Budget Circular A-  
23 76 shall not apply to competitions conducted under this  
24 section.

1           SEC. 8027. (a)(1) If the Secretary of Defense, after  
2 consultation with the United States Trade Representative,  
3 determines that a foreign country which is party to an  
4 agreement described in paragraph (2) has violated the  
5 terms of the agreement by discriminating against certain  
6 types of products produced in the United States that are  
7 covered by the agreement, the Secretary of Defense shall  
8 rescind the Secretary's blanket waiver of the Buy Amer-  
9 ican Act with respect to such types of products produced  
10 in that foreign country.

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

17           (b) The Secretary of Defense shall submit to the Con-  
18 gress a report on the amount of Department of Defense  
19 purchases from foreign entities in fiscal year 2015. Such  
20 report shall separately indicate the dollar value of items  
21 for which the Buy American Act was waived pursuant to  
22 any agreement described in subsection (a)(2), the Trade  
23 Agreement Act of 1979 (19 U.S.C. 2501 et seq.), or any  
24 international agreement to which the United States is a  
25 party.

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

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

11          SEC. 8029. (a) Notwithstanding any other provision  
12 of law, the Secretary of the Air Force may convey at no  
13 cost to the Air Force, without consideration, to Indian  
14 tribes located in the States of Nevada, Idaho, North Da-  
15 kota, South Dakota, Montana, Oregon, Minnesota, and  
16 Washington relocatable military housing units located at  
17 Grand Forks Air Force Base, Malmstrom Air Force Base,  
18 Mountain Home Air Force Base, Ellsworth Air Force  
19 Base, and Minot Air Force Base that are excess to the  
20 needs of the Air Force.

21          (b) The Secretary of the Air Force shall convey, at  
22 no cost to the Air Force, military housing units under sub-  
23 section (a) in accordance with the request for such units  
24 that are submitted to the Secretary by the Operation  
25 Walking Shield Program on behalf of Indian tribes located

1 in the States of Nevada, Idaho, North Dakota, South Da-  
2 kota, Montana, Oregon, Minnesota, and Washington. Any  
3 such conveyance shall be subject to the condition that the  
4 housing units shall be removed within a reasonable period  
5 of time, as determined by the Secretary.

6 (c) The Operation Walking Shield Program shall re-  
7 solve any conflicts among requests of Indian tribes for  
8 housing units under subsection (a) before submitting re-  
9 quests to the Secretary of the Air Force under subsection  
10 (b).

11 (d) In this section, the term “Indian tribe” means  
12 any recognized Indian tribe included on the current list  
13 published by the Secretary of the Interior under section  
14 104 of the Federally Recognized Indian Tribe Act of 1994  
15 (Public Law 103–454; 108 Stat. 4792; 25 U.S.C. 479a-  
16 1).

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

22 SEC. 8031. (a) During the current fiscal year, none  
23 of the appropriations or funds available to the Department  
24 of Defense Working Capital Funds shall be used for the  
25 purchase of an investment item for the purpose of acquir-

1 ing a new inventory item for sale or anticipated sale dur-  
2 ing the current fiscal year or a subsequent fiscal year to  
3 customers of the Department of Defense Working Capital  
4 Funds if such an item would not have been chargeable  
5 to the Department of Defense Business Operations Fund  
6 during fiscal year 1994 and if the purchase of such an  
7 investment item would be chargeable during the current  
8 fiscal year to appropriations made to the Department of  
9 Defense for procurement.

10 (b) The fiscal year 2016 budget request for the De-  
11 partment of Defense as well as all justification material  
12 and other documentation supporting the fiscal year 2016  
13 Department of Defense budget shall be prepared and sub-  
14 mitted to the Congress on the basis that any equipment  
15 which was classified as an end item and funded in a pro-  
16 curement appropriation contained in this Act shall be  
17 budgeted for in a proposed fiscal year 2016 procurement  
18 appropriation and not in the supply management business  
19 area or any other area or category of the Department of  
20 Defense Working Capital Funds.

21 SEC. 8032. None of the funds appropriated by this  
22 Act for programs of the Central Intelligence Agency shall  
23 remain available for obligation beyond the current fiscal  
24 year, except for funds appropriated for the Reserve for  
25 Contingencies, which shall remain available until Sep-

1 tember 30, 2016: *Provided*, That funds appropriated,  
2 transferred, or otherwise credited to the Central Intel-  
3 ligence Agency Central Services Working Capital Fund  
4 during this or any prior or subsequent fiscal year shall  
5 remain available until expended: *Provided further*, That  
6 any funds appropriated or transferred to the Central Intel-  
7 ligence Agency for advanced research and development ac-  
8 quisition, for agent operations, and for covert action pro-  
9 grams authorized by the President under section 503 of  
10 the National Security Act of 1947 (50 U.S.C. 3093) shall  
11 remain available until September 30, 2016.

12 SEC. 8033. Notwithstanding any other provision of  
13 law, funds made available in this Act for the Defense In-  
14 telligence Agency may be used for the design, develop-  
15 ment, and deployment of General Defense Intelligence  
16 Program intelligence communications and intelligence in-  
17 formation systems for the Services, the Unified and Speci-  
18 fied Commands, and the component commands.

19 SEC. 8034. Of the funds appropriated to the Depart-  
20 ment of Defense under the heading “Operation and Main-  
21 tenance, Defense-Wide”, not less than \$12,000,000 shall  
22 be made available only for the mitigation of environmental  
23 impacts, including training and technical assistance to  
24 tribes, related administrative support, the gathering of in-  
25 formation, documenting of environmental damage, and de-

1 veloping a system for prioritization of mitigation and cost  
2 to complete estimates for mitigation, on Indian lands re-  
3 sulting from Department of Defense activities.

4       SEC. 8035. (a) None of the funds appropriated in this  
5 Act may be expended by an entity of the Department of  
6 Defense unless the entity, in expending the funds, com-  
7 plies with the Buy American Act. For purposes of this  
8 subsection, the term “Buy American Act” means chapter  
9 83 of title 41, United States Code.

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

18       (c) In the case of any equipment or products pur-  
19 chased with appropriations provided under this Act, it is  
20 the sense of the Congress that any entity of the Depart-  
21 ment of Defense, in expending the appropriation, purchase  
22 only American-made equipment and products, provided  
23 that American-made equipment and products are cost-  
24 competitive, quality competitive, and available in a timely  
25 fashion.

1       SEC. 8036. None of the funds appropriated by this  
2 Act shall be available for a contract for studies, analysis,  
3 or consulting services entered into without competition on  
4 the basis of an unsolicited proposal unless the head of the  
5 activity responsible for the procurement determines—

6           (1) as a result of thorough technical evaluation,  
7 only one source is found fully qualified to perform  
8 the proposed work;

9           (2) the purpose of the contract is to explore an  
10 unsolicited proposal which offers significant sci-  
11 entific or technological promise, represents the prod-  
12 uct of original thinking, and was submitted in con-  
13 fidence by one source; or

14           (3) the purpose of the contract is to take ad-  
15 vantage of unique and significant industrial accom-  
16 plishment by a specific concern, or to insure that a  
17 new product or idea of a specific concern is given fi-  
18 nancial support: *Provided*, That this limitation shall  
19 not apply to contracts in an amount of less than  
20 \$25,000, contracts related to improvements of equip-  
21 ment that is in development or production, or con-  
22 tracts as to which a civilian official of the Depart-  
23 ment of Defense, who has been confirmed by the  
24 Senate, determines that the award of such contract  
25 is in the interest of the national defense.

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

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

5           (2) to pay the basic pay of a member of the  
6 Armed Forces or civilian employee of the depart-  
7 ment who is transferred or reassigned from a head-  
8 quarters activity if the member or employee's place  
9 of duty remains at the location of that headquarters.

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

17          (c) This section does not apply to—

18           (1) field operating agencies funded within the  
19 National Intelligence Program;

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

24           (3) an Army field operating agency established  
25 to improve the effectiveness and efficiencies of bio-

1 metric activities and to integrate common biometric  
2 technologies throughout the Department of Defense;  
3 or

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

8 SEC. 8038. (a) None of the funds appropriated by  
9 this Act shall be available to convert to contractor per-  
10 formance an activity or function of the Department of De-  
11 fense that, on or after the date of the enactment of this  
12 Act, is performed by Department of Defense civilian em-  
13 ployees unless—

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

18 (2) the Competitive Sourcing Official deter-  
19 mines that, over all performance periods stated in  
20 the solicitation of offers for performance of the ac-  
21 tivity or function, the cost of performance of the ac-  
22 tivity or function by a contractor would be less costly  
23 to the Department of Defense by an amount that  
24 equals or exceeds the lesser of—

1 (A) 10 percent of the most efficient organi-  
2 zation's personnel-related costs for performance  
3 of that activity or function by Federal employ-  
4 ees; or

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

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

9 (A) not making an employer-sponsored  
10 health insurance plan available to the workers  
11 who are to be employed in the performance of  
12 that activity or function under the contract; or

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

20 (b)(1) The Department of Defense, without regard  
21 to subsection (a) of this section or subsection (a), (b), or  
22 (c) of section 2461 of title 10, United States Code, and  
23 notwithstanding any administrative regulation, require-  
24 ment, or policy to the contrary shall have full authority  
25 to enter into a contract for the performance of any com-

1 mercial or industrial type function of the Department of  
2 Defense that—

3 (A) is included on the procurement list estab-  
4 lished pursuant to section 2 of the Javits-Wagner-  
5 O'Day Act (section 8503 of title 41, United States  
6 Code);

7 (B) is planned to be converted to performance  
8 by a qualified nonprofit agency for the blind or by  
9 a qualified nonprofit agency for other severely handi-  
10 capped individuals in accordance with that Act; or

11 (C) is planned to be converted to performance  
12 by a qualified firm under at least 51 percent owner-  
13 ship by an Indian tribe, as defined in section 4(e)  
14 of the Indian Self-Determination and Education As-  
15 sistance Act (25 U.S.C. 450b(e)), or a Native Ha-  
16 waiian Organization, as defined in section 8(a)(15)  
17 of the Small Business Act (15 U.S.C. 637(a)(15)).

18 (2) This section shall not apply to depot contracts  
19 or contracts for depot maintenance as provided in sections  
20 2469 and 2474 of title 10, United States Code.

21 (c) The conversion of any activity or function of the  
22 Department of Defense under the authority provided by  
23 this section shall be credited toward any competitive or  
24 outsourcing goal, target, or measurement that may be es-  
25 tablished by statute, regulation, or policy and is deemed

1 to be awarded under the authority of, and in compliance  
2 with, subsection (h) of section 2304 of title 10, United  
3 States Code, for the competition or outsourcing of com-  
4 mercial activities.

5 (RESCISSIONS)

6 SEC. 8039. Of the funds appropriated in Department  
7 of Defense Appropriations Acts, the following funds are  
8 hereby rescinded from the following accounts and pro-  
9 grams in the specified amounts:

10 "Aircraft Procurement, Army", 2013/2015,  
11 \$27,000,000;

12 "Weapons and Tracked Combat Vehicles,  
13 Army", 2013/2015, \$5,000,000;

14 "Other Procurement, Army", 2013/2015,  
15 \$30,000,000;

16 "Aircraft Procurement, Navy", 2013/2015,  
17 \$47,200,000;

18 "Weapons Procurement, Navy", 2013/2015,  
19 \$27,000,000;

20 "Aircraft Procurement, Air Force", 2013/2015,  
21 \$71,100,000;

22 "Missile Procurement, Air Force", 2013/2015,  
23 \$13,800,000;

24 "Other Procurement, Army", 2014/2016,  
25 \$200,000,000;

1           “Aircraft Procurement, Navy”, 2014/2016,  
2       \$171,622,000;

3           “Weapons Procurement, Navy”, 2014/2016,  
4       \$91,436,000;

5           “Other Procurement, Navy”, 2014/2016,  
6       \$1,505,000;

7           “Aircraft Procurement, Air Force”, 2014/2016,  
8       \$47,400,000;

9           “Missile Procurement, Air Force”, 2014/2016,  
10      \$121,185,000;

11          “Research, Development, Test and Evaluation,  
12      Army”, 2014/2015, \$5,000,000; and

13          “Research, Development, Test and Evaluation,  
14      Navy”, 2014/2015, \$105,400,000:

15      *Provided*, That no amounts may be canceled from amounts  
16      that were designated by the Congress for Overseas Contin-  
17      gency Operations/Global War on Terrorism or as an emer-  
18      gency requirement pursuant to the Concurrent Resolution  
19      on the Budget or the Balanced Budget and Emergency  
20      Deficit Control Act of 1985, as amended.

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. During the current fiscal year, none of  
24 the funds appropriated in this Act may be used to reduce  
25 the civilian medical and medical support personnel as-

1 signed to military treatment facilities below the September  
2 30, 2003, level: *Provided*, That the Service Surgeons Gen-  
3 eral may waive this section by certifying to the congres-  
4 sional defense committees that the beneficiary population  
5 is declining in some catchment areas and civilian strength  
6 reductions may be consistent with responsible resource  
7 stewardship and capitation-based budgeting.

8       SEC. 8044. (a) None of the funds available to the  
9 Department of Defense for any fiscal year for drug inter-  
10 diction or counter-drug activities may be transferred to  
11 any other department or agency of the United States ex-  
12 cept as specifically provided in an appropriations law.

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

18       SEC. 8045. None of the funds appropriated by this  
19 Act may be used for the procurement of ball and roller  
20 bearings other than those produced by a domestic source  
21 and of domestic origin: *Provided*, That the Secretary of  
22 the military department responsible for such procurement  
23 may waive this restriction on a case-by-case basis by certi-  
24 fying in writing to the Committees on Appropriations of  
25 the House of Representatives and the Senate, that ade-

1 quate domestic supplies are not available to meet Depart-  
2 ment of Defense requirements on a timely basis and that  
3 such an acquisition must be made in order to acquire ca-  
4 pability for national security purposes: *Provided further,*  
5 That this restriction shall not apply to the purchase of  
6 “commercial items”, as defined by section 4(12) of the  
7 Office of Federal Procurement Policy Act, except that the  
8 restriction shall apply to ball or roller bearings purchased  
9 as end items.

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

17 SEC. 8047. None of the funds made available in this  
18 or any other Act may be used to pay the salary of any  
19 officer or employee of the Department of Defense who ap-  
20 proves or implements the transfer of administrative re-  
21 sponsibilities or budgetary resources of any program,  
22 project, or activity financed by this Act to the jurisdiction  
23 of another Federal agency not financed by this Act with-  
24 out the express authorization of Congress: *Provided, That*  
25 this limitation shall not apply to transfers of funds ex-

1 pressly provided for in Defense Appropriations Acts, or  
2 provisions of Acts providing supplemental appropriations  
3 for the Department of Defense.

4       SEC. 8048. (a) Notwithstanding any other provision  
5 of law, none of the funds available to the Department of  
6 Defense for the current fiscal year may be obligated or  
7 expended to transfer to another nation or an international  
8 organization any defense articles or services (other than  
9 intelligence services) for use in the activities described in  
10 subsection (b) unless the congressional defense commit-  
11 tees, the Committee on Foreign Affairs of the House of  
12 Representatives, and the Committee on Foreign Relations  
13 of the Senate are notified 15 days in advance of such  
14 transfer.

15       (b) This section applies to—

16           (1) any international peacekeeping or peace-en-  
17           forcement operation under the authority of chapter  
18           VI or chapter VII of the United Nations Charter  
19           under the authority of a United Nations Security  
20           Council resolution; and

21           (2) any other international peacekeeping, peace-  
22           enforcement, or humanitarian assistance operation.

23       (c) A notice under subsection (a) shall include the  
24 following:

1           (1) A description of the equipment, supplies, or  
2 services to be transferred.

3           (2) A statement of the value of the equipment,  
4 supplies, or services to be transferred.

5           (3) In the case of a proposed transfer of equip-  
6 ment or supplies—

7           (A) a statement of whether the inventory  
8 requirements of all elements of the Armed  
9 Forces (including the reserve components) for  
10 the type of equipment or supplies to be trans-  
11 ferred have been met; and

12           (B) a statement of whether the items pro-  
13 posed to be transferred will have to be replaced  
14 and, if so, how the President proposes to pro-  
15 vide funds for such replacement.

16       SEC. 8049. None of the funds available to the De-  
17 partment of Defense under this Act shall be obligated or  
18 expended to pay a contractor under a contract with the  
19 Department of Defense for costs of any amount paid by  
20 the contractor to an employee when—

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

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

1 (INCLUDING TRANSFER OF FUNDS)

2 SEC. 8050. During the current fiscal year, no more  
3 than \$30,000,000 of appropriations made in this Act  
4 under the heading “Operation and Maintenance, Defense-  
5 Wide” may be transferred to appropriations available for  
6 the pay of military personnel, to be merged with, and to  
7 be available for the same time period as the appropriations  
8 to which transferred, to be used in support of such per-  
9 sonnel in connection with support and services for eligible  
10 organizations and activities outside the Department of De-  
11 fense pursuant to section 2012 of title 10, United States  
12 Code.

13 SEC. 8051. During the current fiscal year, in the case  
14 of an appropriation account of the Department of Defense  
15 for which the period of availability for obligation has ex-  
16 pired or which has closed under the provisions of section  
17 1552 of title 31, United States Code, and which has a  
18 negative unliquidated or unexpended balance, an obliga-  
19 tion or an adjustment of an obligation may be charged  
20 to any current appropriation account for the same purpose  
21 as the expired or closed account if—

22 (1) the obligation would have been properly  
23 chargeable (except as to amount) to the expired or  
24 closed account before the end of the period of avail-  
25 ability or closing of that account;

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

4           (3) in the case of an expired account, the obli-  
5 gation is not chargeable to a current appropriation  
6 of the Department of Defense under the provisions  
7 of section 1405(b)(8) of the National Defense Au-  
8 thorization Act for Fiscal Year 1991, Public Law  
9 101–510, as amended (31 U.S.C. 1551 note): *Pro-*  
10 *vided*, That in the case of an expired account, if sub-  
11 sequent review or investigation discloses that there  
12 was not in fact a negative unliquidated or unex-  
13 pended balance in the account, any charge to a cur-  
14 rent account under the authority of this section shall  
15 be reversed and recorded against the expired ac-  
16 count: *Provided further*, That the total amount  
17 charged to a current appropriation under this sec-  
18 tion may not exceed an amount equal to 1 percent  
19 of the total appropriation for that account.

20       SEC. 8052. (a) Notwithstanding any other provision  
21 of law, the Chief of the National Guard Bureau may per-  
22 mit the use of equipment of the National Guard Distance  
23 Learning Project by any person or entity on a space-avail-  
24 able, reimbursable basis. The Chief of the National Guard

1 Bureau shall establish the amount of reimbursement for  
2 such use on a case-by-case basis.

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

9 SEC. 8053. Using funds made available by this Act  
10 or any other Act, the Secretary of the Air Force, pursuant  
11 to a determination under section 2690 of title 10, United  
12 States Code, may implement cost-effective agreements for  
13 required heating facility modernization in the  
14 Kaiserslautern Military Community in the Federal Repub-  
15 lic of Germany: *Provided*, That in the City of  
16 Kaiserslautern and at the Rhine Ordnance Barracks area,  
17 such agreements will include the use of United States an-  
18 thracite as the base load energy for municipal district heat  
19 to the United States Defense installations: *Provided fur-*  
20 *ther*, That at Landstuhl Army Regional Medical Center  
21 and Ramstein Air Base, furnished heat may be obtained  
22 from private, regional or municipal services, if provisions  
23 are included for the consideration of United States coal  
24 as an energy source.

1       SEC. 8054. None of the funds appropriated in title  
2 IV of this Act may be used to procure end-items for deliv-  
3 ery to military forces for operational training, operational  
4 use or inventory requirements: *Provided*, That this restric-  
5 tion does not apply to end-items used in development,  
6 prototyping, and test activities preceding and leading to  
7 acceptance for operational use: *Provided further*, That this  
8 restriction does not apply to programs funded within the  
9 National Intelligence Program: *Provided further*, That the  
10 Secretary of Defense may waive this restriction on a case-  
11 by-case basis by certifying in writing to the Committees  
12 on Appropriations of the House of Representatives and the  
13 Senate that it is in the national security interest to do  
14 so.

15       SEC. 8055. (a) The Secretary of Defense may, on a  
16 case-by-case basis, waive with respect to a foreign country  
17 each limitation on the procurement of defense items from  
18 foreign sources provided in law if the Secretary determines  
19 that the application of the limitation with respect to that  
20 country would invalidate cooperative programs entered  
21 into between the Department of Defense and the foreign  
22 country, or would invalidate reciprocal trade agreements  
23 for the procurement of defense items entered into under  
24 section 2531 of title 10, United States Code, and the  
25 country does not discriminate against the same or similar

1 defense items produced in the United States for that coun-  
2 try.

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

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

6 (2) options for the procurement of items that  
7 are exercised after such date under contracts that  
8 are entered into before such date if the option prices  
9 are adjusted for any reason other than the applica-  
10 tion of a waiver granted under subsection (a).

11 (c) Subsection (a) does not apply to a limitation re-  
12 garding construction of public vessels, ball and roller bear-  
13 ings, food, and clothing or textile materials as defined by  
14 section 11 (chapters 50–65) of the Harmonized Tariff  
15 Schedule and products classified under headings 4010,  
16 4202, 4203, 6401 through 6406, 6505, 7019, 7218  
17 through 7229, 7304.41 through 7304.49, 7306.40, 7502  
18 through 7508, 8105, 8108, 8109, 8211, 8215, and 9404.

19 SEC. 8056. (a) IN GENERAL.—(1) None of the funds  
20 made available by this Act may be used for any training,  
21 equipment, or other assistance for the members of a unit  
22 of a foreign security force if the Secretary of Defense has  
23 credible information that the unit has committed a gross  
24 violation of human rights.

1           (2) The Secretary of Defense, in consultation  
2           with the Secretary of State, shall ensure that prior  
3           to a decision to provide any training, equipment, or  
4           other assistance to a unit of a foreign security force  
5           full consideration is given to any credible informa-  
6           tion available to the Department of State relating to  
7           human rights violations by such unit.

8           (b) EXCEPTION.—The prohibition in subsection  
9           (a)(1) shall not apply if the Secretary of Defense, after  
10          consultation with the Secretary of State, determines that  
11          the government of such country has taken all necessary  
12          corrective steps, or if the equipment or other assistance  
13          is necessary to assist in disaster relief operations or other  
14          humanitarian or national security emergencies.

15          (c) WAIVER.—The Secretary of Defense, after con-  
16          sultation with the Secretary of State, may waive the prohi-  
17          bition in subsection (a)(1) if the Secretary of Defense de-  
18          termines that such waiver is required by extraordinary cir-  
19          cumstances.

20          (d) PROCEDURES.—The Secretary of Defense shall  
21          establish, and periodically update, procedures to ensure  
22          that any information in the possession of the Department  
23          of Defense about gross violations of human rights by units  
24          of foreign security forces is shared on a timely basis with  
25          the Department of State.

1 (e) REPORT.—Not more than 15 days after the appli-  
2 cation of any exception under subsection (b) or the exer-  
3 cise of any waiver under subsection (c), the Secretary of  
4 Defense shall submit to the appropriate congressional  
5 committees a report—

6 (1) in the case of an exception under subsection  
7 (b), providing notice of the use of the exception and  
8 stating the grounds for the exception; and

9 (2) in the case of a waiver under subsection (c),  
10 describing the information relating to the gross vio-  
11 lation of human rights; the extraordinary or other  
12 circumstances that necessitate the waiver; the pur-  
13 pose and duration of the training, equipment, or  
14 other assistance; and the United States forces and  
15 the foreign security force unit involved.

16 (f) DEFINITION.—For purposes of this section the  
17 term “appropriate congressional committees” means the  
18 congressional defense committees and the Committees on  
19 Appropriations.

20 SEC. 8057. None of the funds appropriated or other-  
21 wise made available by this or other Department of De-  
22 fense Appropriations Acts may be obligated or expended  
23 for the purpose of performing repairs or maintenance to  
24 military family housing units of the Department of De-  
25 fense, including areas in such military family housing

1 units that may be used for the purpose of conducting offi-  
2 cial Department of Defense business.

3 SEC. 8058. Notwithstanding any other provision of  
4 law, funds appropriated in this Act under the heading  
5 “Research, Development, Test and Evaluation, Defense-  
6 Wide” for any new start advanced concept technology  
7 demonstration project or joint capability demonstration  
8 project may only be obligated 45 days after a report, in-  
9 cluding a description of the project, the planned acquisi-  
10 tion and transition strategy and its estimated annual and  
11 total cost, has been provided in writing to the congres-  
12 sional defense committees: *Provided*, That the Secretary  
13 of Defense may waive this restriction on a case-by-case  
14 basis by certifying to the congressional defense committees  
15 that it is in the national interest to do so.

16 SEC. 8059. The Secretary of Defense shall provide  
17 a classified quarterly report beginning 30 days after enact-  
18 ment of this Act, to the House and Senate Appropriations  
19 Committees, Subcommittees on Defense on certain mat-  
20 ters as directed in the classified annex accompanying this  
21 Act.

22 SEC. 8060. During the current fiscal year, none of  
23 the funds available to the Department of Defense may be  
24 used to provide support to another department or agency  
25 of the United States if such department or agency is more

1 than 90 days in arrears in making payment to the Depart-  
2 ment of Defense for goods or services previously provided  
3 to such department or agency on a reimbursable basis:  
4 *Provided*, That this restriction shall not apply if the de-  
5 partment is authorized by law to provide support to such  
6 department or agency on a nonreimbursable basis, and is  
7 providing the requested support pursuant to such author-  
8 ity: *Provided further*, That the Secretary of Defense may  
9 waive this restriction on a case-by-case basis by certifying  
10 in writing to the Committees on Appropriations of the  
11 House of Representatives and the Senate that it is in the  
12 national security interest to do so.

13 SEC. 8061. Notwithstanding section 12310(b) of title  
14 10, United States Code, a Reserve who is a member of  
15 the National Guard serving on full-time National Guard  
16 duty under section 502(f) of title 32, United States Code,  
17 may perform duties in support of the ground-based ele-  
18 ments of the National Ballistic Missile Defense System.

19 SEC. 8062. None of the funds provided in this Act  
20 may be used to transfer to any nongovernmental entity  
21 ammunition held by the Department of Defense that has  
22 a center-fire cartridge and a United States military no-  
23 menclature designation of “armor penetrator”, “armor  
24 piercing (AP)”, “armor piercing incendiary (API)”, or  
25 “armor-piercing incendiary tracer (API-T)”, except to an

1 entity performing demilitarization services for the Depart-  
2 ment of Defense under a contract that requires the entity  
3 to demonstrate to the satisfaction of the Department of  
4 Defense that armor piercing projectiles are either: (1) ren-  
5 dered incapable of reuse by the demilitarization process;  
6 or (2) used to manufacture ammunition pursuant to a con-  
7 tract with the Department of Defense or the manufacture  
8 of ammunition for export pursuant to a License for Per-  
9 manent Export of Unclassified Military Articles issued by  
10 the Department of State.

11       SEC. 8063. Notwithstanding any other provision of  
12 law, the Chief of the National Guard Bureau, or his des-  
13 ignee, may waive payment of all or part of the consider-  
14 ation that otherwise would be required under section 2667  
15 of title 10, United States Code, in the case of a lease of  
16 personal property for a period not in excess of 1 year to  
17 any organization specified in section 508(d) of title 32,  
18 United States Code, or any other youth, social, or fra-  
19 ternal nonprofit organization as may be approved by the  
20 Chief of the National Guard Bureau, or his designee, on  
21 a case-by-case basis.

22       SEC. 8064. None of the funds appropriated by this  
23 Act shall be used for the support of any nonappropriated  
24 funds activity of the Department of Defense that procures  
25 malt beverages and wine with nonappropriated funds for

1 resale (including such alcoholic beverages sold by the  
2 drink) on a military installation located in the United  
3 States unless such malt beverages and wine are procured  
4 within that State, or in the case of the District of Colum-  
5 bia, within the District of Columbia, in which the military  
6 installation is located: *Provided*, That in a case in which  
7 the military installation is located in more than one State,  
8 purchases may be made in any State in which the installa-  
9 tion is located: *Provided further*, That such local procure-  
10 ment requirements for malt beverages and wine shall  
11 apply to all alcoholic beverages only for military installa-  
12 tions in States which are not contiguous with another  
13 State: *Provided further*, That alcoholic beverages other  
14 than wine and malt beverages, in contiguous States and  
15 the District of Columbia shall be procured from the most  
16 competitive source, price and other factors considered.

17 (INCLUDING TRANSFER OF FUNDS)

18 SEC. 8065. Of the amounts appropriated in this Act  
19 under the heading "Operation and Maintenance, Army",  
20 \$106,189,900 shall remain available until expended: *Pro-*  
21 *vided*, That notwithstanding any other provision of law,  
22 the Secretary of Defense is authorized to transfer such  
23 funds to other activities of the Federal Government: *Pro-*  
24 *vided further*, That the Secretary of Defense is authorized  
25 to enter into and carry out contracts for the acquisition

1 of real property, construction, personal services, and oper-  
2 ations related to projects carrying out the purposes of this  
3 section: *Provided further*, That contracts entered into  
4 under the authority of this section may provide for such  
5 indemnification as the Secretary determines to be nec-  
6 essary: *Provided further*, That projects authorized by this  
7 section shall comply with applicable Federal, State, and  
8 local law to the maximum extent consistent with the na-  
9 tional security, as determined by the Secretary of Defense.

10 SEC. 8066. Section 8106 of the Department of De-  
11 fense Appropriations Act, 1997 (titles I through VIII of  
12 the matter under subsection 101(b) of Public Law 104-  
13 208; 110 Stat. 3009-111; 10 U.S.C. 113 note) shall con-  
14 tinue in effect to apply to disbursements that are made  
15 by the Department of Defense in fiscal year 2015.

16 (INCLUDING TRANSFER OF FUNDS)

17 SEC. 8067. During the current fiscal year, not to ex-  
18 ceed \$200,000,000 from funds available under “Operation  
19 and Maintenance, Defense-Wide” may be transferred to  
20 the Department of State “Global Security Contingency  
21 Fund”: *Provided*, That this transfer authority is in addi-  
22 tion to any other transfer authority available to the De-  
23 partment of Defense: *Provided further*, That the Secretary  
24 of Defense shall, not fewer than 30 days prior to making  
25 transfers to the Department of State “Global Security



1 \$137,934,000 shall be for the Short Range Ballistic Mis-  
2 sile Defense (SRBMD) program, including cruise missile  
3 defense research and development under the SRBMD pro-  
4 gram; \$74,707,000 shall be for an upper-tier component  
5 to the Israeli Missile Defense Architecture; and  
6 \$56,201,000 shall be for the Arrow System Improvement  
7 Program including development of a long range, ground  
8 and airborne, detection suite: *Provided further*, That funds  
9 made available under this provision for production of mis-  
10 siles and missile components may be transferred to appro-  
11 priations available for the procurement of weapons and  
12 equipment, to be merged with and to be available for the  
13 same time period and the same purposes as the appropria-  
14 tion to which transferred: *Provided further*, That the  
15 transfer authority provided under this provision is in addi-  
16 tion to any other transfer authority contained in this Act.

17 SEC. 8070. None of the funds available to the De-  
18 partment of Defense may be obligated to modify command  
19 and control relationships to give Fleet Forces Command  
20 operational and administrative control of U.S. Navy forces  
21 assigned to the Pacific fleet: *Provided*, That the command  
22 and control relationships which existed on October 1,  
23 2004, shall remain in force unless changes are specifically  
24 authorized in a subsequent Act: *Provided further*, That

1 this section does not apply to administrative control of  
2 Navy Air and Missile Defense Command.

3 (INCLUDING TRANSFER OF FUNDS)

4 SEC. 8071. Of the amounts appropriated in this Act  
5 under the heading “Shipbuilding and Conversion, Navy”,  
6 \$1,007,285,000 shall be available until September 30,  
7 2015, to fund prior year shipbuilding cost increases: *Pro-*  
8 *vided*, That upon enactment of this Act, the Secretary of  
9 the Navy shall transfer funds to the following appropria-  
10 tions in the amounts specified: *Provided further*, That the  
11 amounts transferred shall be merged with and be available  
12 for the same purposes as the appropriations to which  
13 transferred to:

14 (1) Under the heading “Shipbuilding and Con-  
15 version, Navy”, 2008/2015: Carrier Replacement  
16 Program \$663,000,000;

17 (2) Under the heading “Shipbuilding and Con-  
18 version, Navy”, 2009/2015: LPD-17 Amphibious  
19 Transport Dock Program \$54,096,000;

20 (3) Under the heading “Shipbuilding and Con-  
21 version, Navy”, 2010/2015: DDG-51 Destroyer  
22 \$65,771,000;

23 (4) Under the heading “Shipbuilding and Con-  
24 version, Navy”, 2010/2015: Littoral Combat Ship  
25 \$51,345,000;

1           (5) Under the heading “Shipbuilding and Con-  
2 version, Navy”, 2011/2015: DDG-51 Destroyer  
3 \$63,373,000;

4           (6) Under the heading “Shipbuilding and Con-  
5 version, Navy”, 2011/2015: Littoral Combat Ship  
6 \$41,700,000;

7           (7) Under the heading “Shipbuilding and Con-  
8 version, Navy”, 2011/2015: Joint High Speed Vessel  
9 \$9,340,000;

10          (8) Under the heading “Shipbuilding and Con-  
11 version, Navy”, 2012/2015: CVN Refueling Over-  
12 hauls Program \$54,000,000;

13          (9) Under the heading “Shipbuilding and Con-  
14 version, Navy”, 2012/2015: Joint High Speed Vessel  
15 \$2,620,000; and

16          (10) Under the heading “Shipbuilding and Con-  
17 version, Navy”, 2013/2015: Joint High Speed Vessel  
18 \$2,040,000.

19       SEC. 8072. Funds appropriated by this Act, or made  
20 available by the transfer of funds in this Act, for intel-  
21 ligence activities are deemed to be specifically authorized  
22 by the Congress for purposes of section 504 of the Na-  
23 tional Security Act of 1947 (50 U.S.C. 3094) during fiscal  
24 year 2015 until the enactment of the Intelligence Author-  
25 ization Act for Fiscal Year 2015.

1           SEC. 8073. None of the funds provided in this Act  
2 shall be available for obligation or expenditure through a  
3 reprogramming of funds that creates or initiates a new  
4 program, project, or activity unless such program, project,  
5 or activity must be undertaken immediately in the interest  
6 of national security and only after written prior notifica-  
7 tion to the congressional defense committees.

8           SEC. 8074. The budget of the President for fiscal  
9 year 2016 submitted to the Congress pursuant to section  
10 1105 of title 31, United States Code, shall include sepa-  
11 rate budget justification documents for costs of United  
12 States Armed Forces' participation in contingency oper-  
13 ations for the Military Personnel accounts, the Operation  
14 and Maintenance accounts, the Procurement accounts,  
15 and the Research, Development, Test and Evaluation ac-  
16 counts: *Provided*, That these documents shall include a de-  
17 scription of the funding requested for each contingency op-  
18 eration, for each military service, to include all Active and  
19 Reserve components, and for each appropriations account:  
20 *Provided further*, That these documents shall include esti-  
21 mated costs for each element of expense or object class,  
22 a reconciliation of increases and decreases for each contin-  
23 gency operation, and programmatic data including, but  
24 not limited to, troop strength for each Active and Reserve  
25 component, and estimates of the major weapons systems

1 deployed in support of each contingency: *Provided further*,  
2 That these documents shall include budget exhibits OP-  
3 5 and OP-32 (as defined in the Department of Defense  
4 Financial Management Regulation) for all contingency op-  
5 erations for the budget year and the two preceding fiscal  
6 years.

7 SEC. 8075. None of the funds in this Act may be  
8 used for research, development, test, evaluation, procure-  
9 ment, or deployment of nuclear armed interceptors of a  
10 missile defense system.

11 SEC. 8076. In addition to the amounts appropriated  
12 or otherwise made available elsewhere in this Act,  
13 \$44,000,000 is hereby appropriated to the Department of  
14 Defense: *Provided*, That upon the determination of the  
15 Secretary of Defense that it shall serve the national inter-  
16 est, the Secretary shall make grants in the amounts speci-  
17 fied as follows: \$20,000,000 to the United Service Organi-  
18 zations and \$24,000,000 to the Red Cross.

19 SEC. 8077. None of the funds appropriated or made  
20 available in this Act shall be used to reduce or disestablish  
21 the operation of the 53rd Weather Reconnaissance Squad-  
22 ron of the Air Force Reserve, if such action would reduce  
23 the WC-130 Weather Reconnaissance mission below the  
24 levels funded in this Act: *Provided*, That the Air Force  
25 shall allow the 53rd Weather Reconnaissance Squadron to

1 perform other missions in support of national defense re-  
2 quirements during the non-hurricane season.

3 SEC. 8078. None of the funds provided in this Act  
4 shall be available for integration of foreign intelligence in-  
5 formation unless the information has been lawfully col-  
6 lected and processed during the conduct of authorized for-  
7 eign intelligence activities: *Provided*, That information  
8 pertaining to United States persons shall only be handled  
9 in accordance with protections provided in the Fourth  
10 Amendment of the United States Constitution as imple-  
11 mented through Executive Order No. 12333.

12 SEC. 8079. (a) At the time members of reserve com-  
13 ponents of the Armed Forces are called or ordered to ac-  
14 tive duty under section 12302(a) of title 10, United States  
15 Code, each member shall be notified in writing of the ex-  
16 pected period during which the member will be mobilized.

17 (b) The Secretary of Defense may waive the require-  
18 ments of subsection (a) in any case in which the Secretary  
19 determines that it is necessary to do so to respond to a  
20 national security emergency or to meet dire operational  
21 requirements of the Armed Forces.

22 SEC. 8080. For purposes of section 7108 of title 41,  
23 United States Code, any subdivision of appropriations  
24 made under the heading “Shipbuilding and Conversion,  
25 Navy” that is not closed at the time reimbursement is

1 made shall be available to reimburse the Judgment Fund  
2 and shall be considered for the same purposes as any sub-  
3 division under the heading “Shipbuilding and Conversion,  
4 Navy” appropriations in the current fiscal year or any  
5 prior fiscal year.

6       SEC. 8081. (a) None of the funds appropriated by  
7 this Act may be used to transfer research and develop-  
8 ment, acquisition, or other program authority relating to  
9 current tactical unmanned aerial vehicles (TUAVs) from  
10 the Army.

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

16       SEC. 8082. Up to \$15,000,000 of the funds appro-  
17 priated under the heading “Operation and Maintenance,  
18 Navy” may be made available for the Asia Pacific Re-  
19 gional Initiative Program for the purpose of enabling the  
20 Pacific Command to execute Theater Security Cooperation  
21 activities such as humanitarian assistance, and payment  
22 of incremental and personnel costs of training and exer-  
23 cising with foreign security forces: *Provided*, That funds  
24 made available for this purpose may be used, notwith-  
25 standing any other funding authorities for humanitarian

1 assistance, security assistance or combined exercise ex-  
2 penses: *Provided further*, That funds may not be obligated  
3 to provide assistance to any foreign country that is other-  
4 wise prohibited from receiving such type of assistance  
5 under any other provision of law.

6       SEC. 8083. None of the funds appropriated by this  
7 Act for programs of the Office of the Director of National  
8 Intelligence shall remain available for obligation beyond  
9 the current fiscal year, except for funds appropriated for  
10 research and technology, which shall remain available until  
11 September 30, 2016.

12       SEC. 8084. For purposes of section 1553(b) of title  
13 31, United States Code, any subdivision of appropriations  
14 made in this Act under the heading “Shipbuilding and  
15 Conversion, Navy” shall be considered to be for the same  
16 purpose as any subdivision under the heading “Ship-  
17 building and Conversion, Navy” appropriations in any  
18 prior fiscal year, and the 1 percent limitation shall apply  
19 to the total amount of the appropriation.

20       SEC. 8085. (a) Not later than 60 days after the date  
21 of enactment of this Act, the Director of National Intel-  
22 ligence shall submit a report to the congressional intel-  
23 ligence committees to establish the baseline for application  
24 of reprogramming and transfer authorities for fiscal year  
25 2015: *Provided*, That the report shall include—

1 (1) a table for each appropriation with a separate  
2 column to display the President's budget request,  
3 adjustments made by Congress, adjustments due to enacted  
4 rescissions, if appropriate, and the fiscal year enacted level;

5  
6 (2) a delineation in the table for each appropriation by  
7 Expenditure Center and project; and

8 (3) an identification of items of special congressional  
9 interest.

10 SEC. 8086. None of the funds made available by this  
11 Act may be used to eliminate, restructure or realign Army  
12 Contracting Command–New Jersey or make disproportionate  
13 personnel reductions at any Army Contracting  
14 Command–New Jersey sites without 30-day prior notification  
15 to the congressional defense committees.

16 (INCLUDING TRANSFER OF FUNDS)

17 SEC. 8087. Of the funds appropriated in the Intelligence  
18 Community Management Account for the Program Manager for the  
19 Information Sharing Environment, \$20,000,000 is available for  
20 transfer by the Director of National Intelligence to other  
21 departments and agencies for purposes of Government-wide  
22 information sharing activities: *Provided*, That funds transferred  
23 under this provision are to be merged with and available for the  
24 same purposes and time period as the appropriation to which trans-

1 ferred: *Provided further*, That the Office of Management  
2 and Budget must approve any transfers made under this  
3 provision.

4 SEC. 8088. (a) None of the funds provided for the  
5 National Intelligence Program in this or any prior appro-  
6 priations Act shall be available for obligation or expendi-  
7 ture through a reprogramming or transfer of funds in ac-  
8 cordance with section 102A(d) of the National Security  
9 Act of 1947 (50 U.S.C. 3024(d)) that—

10 (1) creates a new start effort;

11 (2) terminates a program with appro-  
12 priated funding of \$10,000,000 or more;

13 (3) transfers funding into or out of the  
14 National Intelligence Program; or

15 (4) transfers funding between appropria-  
16 tions,

17 unless the congressional intelligence committees are noti-  
18 fied 30 days in advance of such reprogramming of funds;  
19 this notification period may be reduced for urgent national  
20 security requirements.

21 (b) None of the funds provided for the National Intel-  
22 ligence Program in this or any prior appropriations Act  
23 shall be available for obligation or expenditure through a  
24 reprogramming or transfer of funds in accordance with  
25 section 102A(d) or the National Security Act of 1947 (50

1 U.S.C. 3024(d)) that results in a cumulative increase or  
2 decrease of the levels specified in the classified annex ac-  
3 companying the Act unless the congressional intelligence  
4 committees are notified 30 days in advance of such re-  
5 programming of funds; this notification period may be re-  
6 duced for urgent national security requirements.

7       SEC. 8089. The Director of National Intelligence  
8 shall submit to Congress each year, at or about the time  
9 that the President's budget is submitted to Congress that  
10 year under section 1105(a) of title 31, United States  
11 Code, a future-years intelligence program (including asso-  
12 ciated annexes) reflecting the estimated expenditures and  
13 proposed appropriations included in that budget. Any such  
14 future-years intelligence program shall cover the fiscal  
15 year with respect to which the budget is submitted and  
16 at least the four succeeding fiscal years.

17       SEC. 8090. For the purposes of this Act, the term  
18 "congressional intelligence committees" means the Perma-  
19 nent Select Committee on Intelligence of the House of  
20 Representatives, the Select Committee on Intelligence of  
21 the Senate, the Subcommittee on Defense of the Com-  
22 mittee on Appropriations of the House of Representatives,  
23 and the Subcommittee on Defense of the Committee on  
24 Appropriations of the Senate.



1 sition Workforce Development Fund in accordance with  
2 section 1705 of title 10, United States Code.

3 SEC. 8094. (a) Any agency receiving funds made  
4 available in this Act, shall, subject to subsections (b) and  
5 (c), post on the public website of that agency any report  
6 required to be submitted by the Congress in this or any  
7 other Act, upon the determination by the head of the agen-  
8 cy that it shall serve the national interest.

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

10 (1) the public posting of the report com-  
11 promises national security; or

12 (2) the report contains proprietary information.

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

17 SEC. 8095. (a) None of the funds appropriated or  
18 otherwise made available by this Act may be expended for  
19 any Federal contract for an amount in excess of  
20 \$1,000,000, unless the contractor agrees not to—

21 (1) enter into any agreement with any of its  
22 employees or independent contractors that requires,  
23 as a condition of employment, that the employee or  
24 independent contractor agree to resolve through ar-  
25 bitration any claim under title VII of the Civil

1 Rights Act of 1964 or any tort related to or arising  
2 out of sexual assault or harassment, including as-  
3 sult and battery, intentional infliction of emotional  
4 distress, false imprisonment, or negligent hiring, su-  
5 pervision, or retention; or

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

16 (b) None of the funds appropriated or otherwise  
17 made available by this Act may be expended for any Fed-  
18 eral contract unless the contractor certifies that it requires  
19 each covered subcontractor to agree not to enter into, and  
20 not to take any action to enforce any provision of, any  
21 agreement as described in paragraphs (1) and (2) of sub-  
22 section (a), with respect to any employee or independent  
23 contractor performing work related to such subcontract.  
24 For purposes of this subsection, a “covered subcon-

1 tractor” is an entity that has a subcontract in excess of  
2 \$1,000,000 on a contract subject to subsection (a).

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

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

1 (INCLUDING TRANSFER OF FUNDS)

2 SEC. 8096. From within the funds appropriated for  
3 operation and maintenance for the Defense Health Pro-  
4 gram in this Act, up to \$146,857,000, shall be available  
5 for transfer to the Joint Department of Defense-Depart-  
6 ment of Veterans Affairs Medical Facility Demonstration  
7 Fund in accordance with the provisions of section 1704  
8 of the National Defense Authorization Act for Fiscal Year  
9 2010, Public Law 111–84: *Provided*, That for purposes  
10 of section 1704(b), the facility operations funded are oper-  
11 ations of the integrated Captain James A. Lovell Federal  
12 Health Care Center, consisting of the North Chicago Vet-  
13 erans Affairs Medical Center, the Navy Ambulatory Care  
14 Center, and supporting facilities designated as a combined  
15 Federal medical facility as described by section 706 of  
16 Public Law 110–417: *Provided further*, That additional  
17 funds may be transferred from funds appropriated for op-  
18 eration and maintenance for the Defense Health Program  
19 to the Joint Department of Defense-Department of Vet-  
20 erans Affairs Medical Facility Demonstration Fund upon  
21 written notification by the Secretary of Defense to the  
22 Committees on Appropriations of the House of Represent-  
23 atives and the Senate.

1           SEC. 8097. The Office of the Director of National  
2 Intelligence shall not employ more Senior Executive em-  
3 ployees than are specified in the classified annex.

4           SEC. 8098. None of the funds appropriated or other-  
5 wise made available by this Act may be obligated or ex-  
6 pended to pay a retired general or flag officer to serve  
7 as a senior mentor advising the Department of Defense  
8 unless such retired officer files a Standard Form 278 (or  
9 successor form concerning public financial disclosure  
10 under part 2634 of title 5, Code of Federal Regulations)  
11 to the Office of Government Ethics.

12          SEC. 8099. Appropriations available to the Depart-  
13 ment of Defense may be used for the purchase of heavy  
14 and light armored vehicles for the physical security of per-  
15 sonnel or for force protection purposes up to a limit of  
16 \$250,000 per vehicle, notwithstanding price or other limi-  
17 tations applicable to the purchase of passenger carrying  
18 vehicles.

19          SEC. 8100. Of the amounts appropriated for “Oper-  
20 ation and Maintenance, Defense-Wide” the following  
21 amounts shall be available to the Secretary of Defense,  
22 for the following authorized purposes, notwithstanding  
23 any other provision of law, acting through the Office of  
24 Economic Adjustment of the Department of Defense, to  
25 make grants, conclude cooperative agreements, and sup-

1 plement other Federal funds, to remain available until ex-  
2 pended, to support critical existing and enduring military  
3 installations and missions on Guam, as well as any poten-  
4 tial Department of Defense growth, \$80,596,000 for ad-  
5 dressing the need for civilian water and wastewater im-  
6 provements: *Provided*, That the Secretary of Defense  
7 shall, not fewer than 15 days prior to obligating funds for  
8 the forgoing purposes, notify the congressional defense  
9 committees in writing of the details of any such obligation.

10 SEC. 8101. None of the funds made available by this  
11 Act may be used by the Secretary of Defense to take bene-  
12 ficial occupancy of more than 3,000 parking spaces (other  
13 than handicap-reserved spaces) to be provided by the  
14 BRAC 133 project: *Provided*, That this limitation may be  
15 waived in part if: (1) the Secretary of Defense certifies  
16 to Congress that levels of service at existing intersections  
17 in the vicinity of the project have not experienced failing  
18 levels of service as defined by the Transportation Research  
19 Board Highway Capacity Manual over a consecutive 90-  
20 day period; (2) the Department of Defense and the Vir-  
21 ginia Department of Transportation agree on the number  
22 of additional parking spaces that may be made available  
23 to employees of the facility subject to continued 90-day  
24 traffic monitoring; and (3) the Secretary of Defense noti-  
25 fies the congressional defense committees in writing at

1 least 14 days prior to exercising this waiver of the number  
2 of additional parking spaces to be made available.

3 SEC. 8102. The Secretary of Defense shall report  
4 quarterly the numbers of civilian personnel end strength  
5 by appropriation account for each and every appropriation  
6 account used to finance Federal civilian personnel salaries  
7 to the congressional defense committees within 15 days  
8 after the end of each fiscal quarter.

9 SEC. 8103. (a) None of the funds appropriated in this  
10 or any other Act may be used to take any action to mod-  
11 ify—

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

16 (2) how the National Intelligence Program  
17 budget request is presented, organized, and managed  
18 within the Department of Defense budget;

19 (3) how the National Intelligence Program ap-  
20 propriations are apportioned to the executing agen-  
21 cies; or

22 (4) how the National Intelligence Program ap-  
23 propriations are allotted, obligated and disbursed.

24 (b) The Director of National Intelligence and the Sec-  
25 retary of Defense may jointly, only for the purposes of

1 achieving auditable financial statements and improving  
2 fiscal reporting, study and develop detailed proposals for  
3 alternative financial management processes. Such study  
4 shall include a comprehensive counterintelligence risk as-  
5 sessment to ensure that none of the alternative processes  
6 will adversely affect counterintelligence.

7 (e) Upon development of the detailed proposals de-  
8 fined under subsection (b), the Director of National Intel-  
9 ligence and the Secretary of Defense shall—

10 (1) provide the proposed alternatives to all af-  
11 fected agencies;

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

16 (3) not later than 30 days after receiving all  
17 necessary certifications under paragraph (2), present  
18 the proposed alternatives and certifications to the  
19 congressional defense and intelligence committees.

20 (d) This section shall not be construed to alter or af-  
21 fect the application of section 924 of the National Defense  
22 Authorization Act for Fiscal Year 2014 to the amounts  
23 made available by this Act.

24 (e) The Director of National Intelligence shall carry  
25 out a merger of the Foreign Counterintelligence Program

1 into the General Defense Intelligence Program: *Provided*,  
2 That such merger shall not go into effect until 30 days  
3 after the Director submits to the congressional intelligence  
4 committees a written notification of such merger.

5 (INCLUDING TRANSFER OF FUNDS)

6 SEC. 8104. Upon a determination by the Director of  
7 National Intelligence that such action is necessary and in  
8 the national interest, the Director may, with the approval  
9 of the Office of Management and Budget, transfer not to  
10 exceed \$2,000,000,000 of the funds made available in this  
11 Act for the National Intelligence Program: *Provided*, That  
12 such authority to transfer may not be used unless for  
13 higher priority items, based on unforeseen intelligence re-  
14 quirements, than those for which originally appropriated  
15 and in no case where the item for which funds are re-  
16 quested has been denied by the Congress: *Provided further*,  
17 That a request for multiple reprogrammings of funds  
18 using authority provided in this section shall be made  
19 prior to June 30, 2015.

20 (INCLUDING TRANSFER OF FUNDS)

21 SEC. 8105. There is appropriated \$540,000,000 for  
22 the “Ship Modernization, Operations and Sustainment  
23 Fund”, to remain available until September 30, 2021:  
24 *Provided*, That the Secretary of the Navy shall transfer  
25 funds from the “Ship Modernization, Operations and

1 Sustainment Fund” to appropriations for military per-  
2 sonnel; operation and maintenance; research, development,  
3 test and evaluation; and procurement, only for the pur-  
4 poses of manning, operating, sustaining, equipping and  
5 modernizing the Ticonderoga-class guided missile cruisers  
6 CG-63, CG-64, CG-65, CG-66, CG-67, CG-68, CG-69,  
7 CG-70, CG-71, CG-72, CG-73, and the Whidbey Island-  
8 class dock landing ships LSD-41, LSD-42, and LSD-46:  
9 *Provided further*, That funds transferred shall be merged  
10 with and be available for the same purposes and for the  
11 same time period as the appropriation to which they are  
12 transferred: *Provided further*, That the transfer authority  
13 provided herein shall be in addition to any other transfer  
14 authority available to the Department of Defense: *Pro-*  
15 *vided further*, That the Secretary of the Navy shall, not  
16 less than 30 days prior to making any transfer from the  
17 “Ship Modernization, Operations and Sustainment  
18 Fund”, notify the congressional defense committees in  
19 writing of the details of such transfer: *Provided further*,  
20 That the Secretary of the Navy shall transfer and obligate  
21 funds from the “Ship Modernization, Operations and  
22 Sustainment Fund” for modernization of not more than  
23 two Ticonderoga-class guided missile cruisers as detailed  
24 above in fiscal year 2015: *Provided further*, That no more  
25 than six Ticonderoga-class guided missile cruisers shall be

1 in a phased modernization at any time: *Provided further*,  
2 That the Secretary of the Navy shall contract for the re-  
3 quired modernization equipment in the year prior to in-  
e ) 4 ducting a Ticonderoga-class cruiser for modernization:  
5 *Provided further*, That the prohibition in section 2244a(a)  
6 of title 10, United States Code, shall not apply to the use  
7 of any funds transferred pursuant to this section.

8 SEC. 8106. Notwithstanding any other provision of  
9 this Act, to reflect savings due to favorable foreign ex-  
10 change rates, the total amount appropriated in this Act  
11 is hereby reduced by ~~\$547,100,000~~.

(545,100,000)

12 SEC. 8107. None of the funds appropriated or other-  
13 wise made available in this or any other Act may be used  
14 to transfer, release, or assist in the transfer or release to  
15 or within the United States, its territories, or possessions  
16 Khalid Sheikh Mohammed or any other detainee who—

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

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

22 SEC. 8108. (a) None of the funds appropriated or  
23 otherwise made available in this or any other Act may be  
24 used to construct, acquire, or modify any facility in the  
25 United States, its territories, or possessions to house any

1 individual described in subsection (c) for the purposes of  
2 detention or imprisonment in the custody or under the ef-  
3 fective control of the Department of Defense.

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

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

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

13 (2) is—

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

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

18 SEC. 8109. None of the funds made available by this  
19 Act may be used to enter into a contract, memorandum  
20 of understanding, or cooperative agreement with, make a  
21 grant to, or provide a loan or loan guarantee to, any cor-  
22 poration that any unpaid Federal tax liability that has  
23 been assessed, for which all judicial and administrative  
24 remedies have been exhausted or have lapsed, and that  
25 is not being paid in a timely manner pursuant to an agree-

1 ment with the authority responsible for collecting the tax  
2 liability, where the awarding agency is aware of the unpaid  
3 tax liability, unless the agency has considered suspension  
4 or debarment of the corporation and made a determination  
5 that this further action is not necessary to protect the in-  
6 terests of the Government.

7       SEC. 8110. None of the funds made available by this  
8 Act may be used to enter into a contract, memorandum  
9 of understanding, or cooperative agreement with, make a  
10 grant to, or provide a loan or loan guarantee to, any cor-  
11 poration that was convicted of a felony criminal violation  
12 under any Federal law within the preceding 24 months,  
13 where the awarding agency is aware of the conviction, un-  
14 less the agency has considered suspension or debarment  
15 of the corporation and made a determination that this fur-  
16 ther action is not necessary to protect the interests of the  
17 Government.

18       SEC. 8111. None of the funds made available by this  
19 Act may be used in contravention of section 1590 or 1591  
20 of title 18, United States Code, or in contravention of the  
21 requirements of section 106(g) or (h) of the Trafficking  
22 Victims Protection Act of 2000 (22 U.S.C. 7104(g) or  
23 (h)).

24       SEC. 8112. None of the funds made available by this  
25 Act for excess defense articles, assistance under section

1 1206 of the National Defense Authorization Act for Fiscal  
2 Year 2006 (Public Law 109–163; 119 Stat. 3456), or  
3 peacekeeping operations for the countries designated in  
4 2013 to be in violation of the standards of the Child Sol-  
5 diers Prevention Act of 2008 may be used to support any  
6 military training or operation that includes child soldiers,  
7 as defined by the Child Soldiers Prevention Act of 2008  
8 (Public Law 110–457; 22 U.S.C. 2370c-1), unless such  
9 assistance is otherwise permitted under section 404 of the  
10 Child Soldiers Prevention Act of 2008.

11 SEC. 8113. 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. 8114. None of the funds made available by this  
15 Act may be used by the Department of Defense or any  
16 other Federal agency to lease or purchase new light duty  
17 vehicles, for any executive fleet, or for an agency's fleet  
18 inventory, except in accordance with Presidential Memo-  
19 randum-Federal Fleet Performance, dated May 24, 2011.

20 SEC. 8115. None of the funds made available by this  
21 Act may be used to enter into a contract with any person  
22 or other entity listed in the Excluded Parties List System  
23 (EPLS)/System for Award Management (SAM) as having  
24 been convicted of fraud against the Federal Government.

1 SEC. 8116 (a) None of the funds made available in  
2 this Act for the Department of Defense may be used to  
3 enter into a contract, memorandum of understanding, or  
4 cooperative agreement with, to make a grant to, or to pro-  
5 vide a loan or loan guarantee to Rosoboronexport.

6 (b) The Secretary of Defense may waive the limita-  
7 tion in subsection (a) if the Secretary certifies in writing  
8 that the waiver is in the national security interest of the  
9 United States.

10 (c) REQUIREMENTS RELATING TO OBLIGATION OF  
11 FUNDS PURSUANT TO WAIVER.—

12 (1) Not later than 30 days before obligating  
13 funds pursuant to the waiver under subsection (b),  
14 the Secretary of Defense shall submit to the con-  
15 gressional defense committees a notice on the obliga-  
16 tion of funds pursuant to the waiver.

17 (2) Not later than 15 days after the submittal  
18 of the notice under paragraph (1), the Secretary of  
19 Defense shall submit to the congressional defense  
20 committees a report setting forth the following:

21 (A) An assessment of the number, if any,  
22 of S-300 advanced anti-aircraft missiles that  
23 Rosoboronexport has delivered to the Assad re-  
24 gime in Syria.

*Insert  
P. 115 a-c*

115a

~~AMENDMENT TO DEFENSE APPROPRIATIONS BILL  
OFFERED BY MS. DELAURO OF CONNECTICUT~~

Strike section 8116 and insert the following:

1 SEC. 8116. (a) None of the funds made available by  
2 this Act may be used to enter into a contract (or sub-  
3 contract at any tier under such a contract), memorandum  
4 of understanding, or cooperative agreement with, to make  
5 a grant to, or to provide a loan or loan guarantee to  
6 Rosoboronexport.

7 (b) The Secretary of Defense may waive the limita-  
8 tion in subsection (a) if the Secretary, in consultation with  
9 the Secretary of State and the Director of National Intel-  
10 ligence, certifies in writing to the congressional defense  
11 committees, to the best of the Secretary's knowledge, the  
12 following:

13 (1) Rosoboronexport has ceased the transfer of  
14 lethal military equipment to, and the maintenance of  
15 existing lethal military equipment for, the Govern-  
16 ment of the Syrian Arab Republic.

17 (2) The armed forces of the Russian Federation  
18 have withdrawn from Crimea, other than armed  
19 forces present on military bases subject to agree-

1156

2

1           ments in force between the Government of the Rus-  
2           sian Federation and the Government of Ukraine.

3           (3) The Government of the Russian Federation  
4           has withdrawn substantially all of the armed forces  
5           of the Russian Federation from the immediate vicin-  
6           ity of the eastern border of Ukraine.

7           (4) Agents of the Russian Federation have  
8           ceased taking active measures to destabilize the con-  
9           trol of the Government of Ukraine over eastern  
10          Ukraine.

11          (c)(1) The Inspector General of the Department of  
12          Defense shall conduct a review of any action involving  
13          Rosoboronexport with respect to which a waiver is issued  
14          by the Secretary of Defense pursuant to subsection (b).

15          (2) A review conducted under paragraph (1) shall as-  
16          sess the accuracy of the factual and legal conclusions made  
17          by the Secretary of Defense in the waiver covered by the  
18          review, including—

19                (A) whether there is any viable alternative to  
20                Rosoboronexport for carrying out the functions for  
21                which funds will be obligated;

22                (B) whether the Secretary has previously used  
23                an alternative vendor for carrying out the same  
24                functions regarding the military equipment in ques-  
25                tion, and what vendor was previously used;

115c

1 (C) whether other explanations for the issuance  
2 of the waiver are supportable; and

3 (D) any other matter with respect to the waiver  
4 the Inspector General considers appropriate.

5 (3) Not later than 90 days after the date on which  
6 a waiver is issued by the Secretary of Defense pursuant  
7 to subsection (b), the Inspector General shall submit to  
8 the congressional defense committees a report containing  
9 the results of the review conducted under paragraph (1)  
10 with respect to such waiver.

1 (B) A list of known contracts, if any, that  
2 Rosoboronexport has signed with the Assad re-  
3 gime since January 1, 2013.

4 (C) An explanation why it is in the na-  
5 tional security interest of the United States to  
6 enter into a contract, memorandum of under-  
7 standing, or cooperative agreement with, to  
8 make a grant to, or to provide a loan or loan  
9 guarantee to Rosoboronexport.

10 (D) An explanation why comparable equip-  
11 ment cannot be purchased from another source.

12 SEC. 8117. None of the funds made available in this  
13 Act may be used for the purchase or manufacture of a  
14 flag of the United States unless such flags are treated as  
15 covered items under section 2533a(b) of title 10, United  
16 States Code.

17 (INCLUDING TRANSFER OF FUNDS)

18 SEC. 8118. Of the amounts appropriated in this Act  
19 under the heading "Operation and Maintenance, Defense-  
20 Wide", up to \$5,709,000 shall be available for transfer  
21 to the Army, Navy, Marine Corps, and Air Force, includ-  
22 ing Reserve and National Guard, to support high priority  
23 Sexual Assault Prevention and Response Program require-  
24 ments and activities, including the training and funding  
25 of personnel: *Provided*, That funds transferred under this

1 provision are to be merged with and available for the same  
2 purposes and time period as the appropriation to which  
3 transferred: *Provided further*, That the transfer authority  
4 provided under this heading is in addition to any other  
5 transfer authority provided elsewhere in this Act.

6 SEC. 8119. None of the funds appropriated in this,  
7 or any other Act, may be obligated or expended by the  
8 United States Government for the direct personal benefit  
9 of the President of Afghanistan.

10 SEC. 8120. (a) Of the funds appropriated in this Act  
11 for the Department of Defense, amounts may be made  
12 available, under such regulations as the Secretary may  
13 prescribe, to local military commanders appointed by the  
14 Secretary of Defense, or by an officer or employee des-  
15 ignated by the Secretary, to provide at their discretion ex  
16 gratia payments in amounts consistent with subsection (d)  
17 of this section for damage, personal injury, or death that  
18 is incident to combat operations of the Armed Forces in  
19 a foreign country.

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

22 (1) the prospective foreign civilian recipient is  
23 determined by the local military commander to be  
24 friendly to the United States;

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

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

7           (c) NATURE OF PAYMENTS.—Any payments provided  
8           under a program under subsection (a) shall not be consid-  
9           ered an admission or acknowledgement of any legal obliga-  
10          tion to compensate for any damage, personal injury, or  
11          death.

12          (d) AMOUNT OF PAYMENTS.—If the Secretary of De-  
13          fense determines a program under subsection (a) to be ap-  
14          propriate in a particular setting, the amounts of pay-  
15          ments, if any, to be provided to civilians determined to  
16          have suffered harm incident to combat operations of the  
17          Armed Forces under the program should be determined  
18          pursuant to regulations prescribed by the Secretary and  
19          based on an assessment, which should include such factors  
20          as cultural appropriateness and prevailing economic condi-  
21          tions.

22          (e) LEGAL ADVICE.—Local military commanders  
23          shall receive legal advice before making ex gratia pay-  
24          ments under this subsection. The legal advisor, under reg-  
25          ulations of the Department of Defense, shall advise on

1 whether an ex gratia payment is proper under this section  
2 and applicable Department of Defense regulations.

3 (f) WRITTEN RECORD.—A written record of any ex  
4 gratia payment offered or denied shall be kept by the local  
5 commander and on a timely basis submitted to the appro-  
6 priate office in the Department of Defense as determined  
7 by the Secretary of Defense.

8 (g) REPORT.—The Secretary of Defense shall report  
9 to the congressional defense committees on an annual  
10 basis the efficacy of the ex gratia payment program in-  
11 cluding the number of types of cases considered, amounts  
12 offered, the response from ex gratia payment recipients,  
13 and any recommended modifications to the program.

14 (h) LIMITATION.—Nothing in this section shall be  
15 deemed to provide any new authority to the Secretary of  
16 Defense.

17 SEC. 8121. None of the funds available to the De-  
18 partment of Defense shall be used to conduct any environ-  
19 mental impact study, environmental assessment, or other  
20 environmental study related to Minuteman III silos that  
21 contain a missile as of the date of the enactment of this  
22 Act.

23 SEC. 8122. None of the funds made available by this  
24 Act may be used to cancel the avionics modernization pro-  
25 gram of record for C-130 aircraft.

1           SEC. 8123. None of the funds made available by this  
2 Act may be used by the Secretary of the Air Force to re-  
3 duce the force structure at Lajes Field, Azores, Portugal,  
4 below the force structure at such Air Force Base as of  
5 October 1, 2013, except in accordance with section 1048  
6 of the National Defense Authorization Act for Fiscal Year  
7 2015.

8           SEC. 8124. None of the Operation and Maintenance  
9 funds made available in this Act may be used in con-  
10 travention of section 41106 of title 49, United States  
11 Code.

12           SEC. 8125. None of the funds made available by this  
13 Act may be used to fund the performance of a flight dem-  
14 onstration team at a location outside of the United States:  
15 *Provided*, That this prohibition applies only if a perform-  
16 ance of a flight demonstration team at a location within  
17 the United States was canceled during the current fiscal  
18 year due to insufficient funding.

19           SEC. 8126. None of the funds appropriated or other-  
20 wise made available by this Act or any other Act may be  
21 used by the Department of Defense or a component there-  
22 of in contravention of section 1246(e) of the National De-  
23 fense Authorization Act for Fiscal Year 2014, relating to  
24 limitations on providing certain missile defense informa-  
25 tion to the Russian Federation.

1       SEC. 8127. None of the funds made available by this  
2 Act may be used by the National Security Agency to—

3           (1) conduct an acquisition pursuant to section  
4 702 of the Foreign Intelligence Surveillance Act of  
5 1978 for the purpose of targeting a United States  
6 person; or

7           (2) acquire, monitor, or store the contents (as  
8 such term is defined in section 2510(8) of title 18,  
9 United States Code) of any electronic communica-  
10 tion of a United States person from a provider of  
11 electronic communication services to the public pur-  
12 suant to section 501 of the Foreign Intelligence Sur-  
13 veillance Act of 1978.

14                           (INCLUDING TRANSFER OF FUNDS)

15       SEC. 8128. From amounts appropriated in this Act  
16 for “Operation and Maintenance, Navy”, up to  
17 \$291,000,000 may be transferred to the Ready Reserve  
18 Force, Maritime Administration account of the United  
19 States Department of Transportation, to be merged with,  
20 and to be available for the same purposes and the same  
21 time period as such account, for expenses related to the  
22 National Defense Reserve Fleet established under section  
23 11 of the Merchant Ship Sales Act of 1946 (50 U.S.C.  
24 App. 1744): *Provided*, That the transfer authority pro-

1 vided under this provision is in addition to any other  
2 transfer authority provided elsewhere in this Act.

3 (INCLUDING TRANSFER OF FUNDS)

4 SEC. 8129. Of the amounts appropriated for “Oper-  
5 ation and Maintenance, Navy”, up to \$1,000,000 shall be  
6 available for transfer to the John C. Stennis Center for  
7 Public Service Development Trust Fund established under  
8 section 116 of the John C. Stennis Center for Public Serv-  
9 ice Training and Development Act (2 U.S.C. 1105).

10 (INCLUDING TRANSFER OF FUNDS)

11 SEC. 8130. In addition to amounts provided else-  
12 where in this Act for pay for military personnel, including  
13 active duty, reserve and National Guard personnel,  
14 \$533,500,000 is hereby appropriated to the Department  
15 of Defense and made available for transfer only to military  
16 personnel accounts: *Provided*, That the transfer authority  
17 provided under this heading is in addition to any other  
18 transfer authority provided elsewhere in this Act.

19 (INCLUDING TRANSFER OF FUNDS)

20 SEC. 8131. In addition to amounts provided else-  
21 where in this Act for basic allowance for housing for mili-  
22 tary personnel, including active duty, reserve and National  
23 Guard personnel, \$244,700,000 is hereby appropriated to  
24 the Department of Defense and made available for trans-  
25 fer only to military personnel accounts: *Provided*, That the

1 transfer authority provided under this heading is in addi-  
2 tion to any other transfer authority provided elsewhere in  
3 this Act.

4       SEC. 8132. None of the funds made available by this  
5 Act may be used to reduce, convert, decommission, or oth-  
6 erwise move to nondeployed status (except warm status),  
7 or prepare to reduce, convert, decommission, or otherwise  
8 move to nondeployed status (except warm status), any  
9 Minuteman III ballistic missile silo that contains a de-  
10 ployed missile as of the date of the enactment of this Act:  
11 *Provided*, That “warm status” means a status that en-  
12 ables any such silo to remain a fully functioning element  
13 of the interconnected and redundant command and control  
14 system of a missile field and be made fully operational  
15 with a deployed missile: *Provided further*, That this section  
16 shall continue in effect through the date of enactment of  
17 an Act authorizing appropriations for fiscal year 2015 for  
18 military activities of the Department of Defense.

19       SEC. 8133. None of the funds made available by this  
20 Act may be obligated or expended to divest E-3 airborne  
21 warning and control system aircraft, or disestablish any  
22 units of the active or reserve component associated with  
23 such aircraft: *Provided*, That not later than 90 days fol-  
24 lowing the date of enactment of this Act, the Secretary  
25 of the Air Force shall submit to the congressional defense

1 committees a report providing a detailed explanation of  
2 how the Secretary will meet the priority requirements of  
3 the commanders of the combatant commands related to  
4 airborne warning and control with a fleet of fewer than  
5 31 E-3 aircraft.

6 SEC. 8134. 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 (INCLUDING TRANSFER OF FUNDS)

11 SEC. 8135. In addition to amounts provided else-  
12 where in this Act, there is appropriated \$139,000,000, for  
13 an additional amount for “Operation and Maintenance,  
14 Defense-Wide”, to remain available until expended: *Pro-*  
15 *vided*, That such funds shall only be available to the Sec-  
16 retary of Defense, acting through the Office of Economic  
17 Adjustment of the Department of Defense, or for transfer  
18 to the Secretary of Education, notwithstanding any other  
19 provision of law, to make grants, conclude cooperative  
20 agreements, or supplement other Federal funds to con-  
21 struct, renovate, repair, or expand elementary and sec-  
22 ondary public schools on military installations in order to  
23 address capacity or facility condition deficiencies at such  
24 schools: *Provided further*, That in making such funds  
25 available, the Office of Economic Adjustment or the Sec-

1 retary of Education shall give priority consideration to  
2 those military installations with schools having the most  
3 serious capacity or facility condition deficiencies as deter-  
4 mined by the Secretary of Defense

5       SEC. 8136. None of the funds made available by this  
6 Act may be used to transfer AH-64 Attack helicopters  
7 from the Army National Guard to the active Army: *Pro-*  
8 *vided*, That this section shall continue in effect through  
9 the date of enactment of the National Defense Authoriza-  
10 tion Act for Fiscal Year 2015.

11                               (INCLUDING TRANSFER OF FUNDS)

12       SEC. 8137. In addition to amounts appropriated in  
13 title II or otherwise made available elsewhere in this Act,  
14 \$1,000,000,000 is hereby appropriated to the Department  
15 of Defense and made available for transfer to the oper-  
16 ation and maintenance accounts of the Army, Navy, Ma-  
17 rine Corps, and Air Force (including National Guard and  
18 reserve) for purposes of improving military readiness: *Pro-*  
19 *vided*, That the transfer authority provided under this pro-  
20 vision is in addition to any other transfer authority pro-  
21 vided elsewhere in this Act.

22       SEC. 8138. Of the amounts made available under the  
23 heading "Operation and Maintenance, Defense-Wide" in  
24 title II and "Operation and Maintenance" in title IX of  
25 this Act, not to exceed \$50,000,000 may be obligated for

(insert 125a)

125a

~~On page 125, line 4, after "Defense" insert~~: *Provided further*, That funds may not be made available for a school unless its enrollment of Department of Defense-connected children is greater than 50 percent

1 activities authorized under section 1208 of the Ronald W.  
 2 Reagan National Defense Authorization Act for Fiscal  
 3 Year 2005 (Public Law 112–81; 125 Stat. 1621): *Pro-*  
 4 *vided*, That none of the funds made available in this Act  
 5 may be used under such section 1208 to initiate support  
 6 for, or expand support to, foreign forces, irregular forces,  
 7 groups, or individuals unless the congressional defense  
 8 committees are notified in accordance with the direction  
 9 contained in the classified annex accompanying this Act,  
 10 not less than 15 days before initiating such support: *Pro-*  
 11 *vided further*, That, none of the funds made available in  
 12 this Act may be used under such section 1208 for any  
 13 activity that is not in support of an ongoing military oper-  
 14 ation being conducted by United States Special Operations  
 15 Forces to combat terrorism: *Provided further*, That the  
 16 Secretary of Defense may waive the ~~prohibition~~ in the pre- (prohibitions  
 17 ceding ~~proviso~~ if the Secretary determines that such waiv- (provisos  
 18 er is required by extraordinary circumstances and, by not  
 19 later than 72 hours after making such waiver, notifies the  
 20 congressional defense committees of such waiver.

insert  
 126 a-b

21 TITLE IX—OVERSEAS DEPLOYMENTS AND  
 22 OTHER ACTIVITIES  
 23 MILITARY PERSONNEL

24 For an additional amount for “Military Personnel”,  
 25 \$5,100,000,000: *Provided*, That such amount is des-

1269

~~On page 126, line 21, before Title IX, insert the following.~~

Sec. 8139. None of the funds appropriated or otherwise made available by this Act or any other Act may be used in contravention of Sec. 1035 of the National Defense Authorization Act for Fiscal Year 2014.

1266

~~AMENDMENT TO DEFENSE APPROPRIATIONS BILL~~

~~OFFERED BY MS. LEE OF CALIFORNIA~~

~~At the end of the bill (before the spending reduction account), insert the following:~~

8140

1 SEC.   . None of the funds made available by this  
2 Act may be used to implement the changes to hair stand-  
3 ards and grooming policies for female members of the  
4 Armed Forces, as contained in paragraph 3-2 of Army  
5 Regulation 670-1, issued on March 31, 2014.

~~☒~~

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                   OPERATION AND MAINTENANCE

6           For an additional amount for “Operation and Main-  
7 tenance”, \$58,675,000,000: *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                   PROCUREMENT

13           For an additional amount for “Procurement”,  
14 \$12,220,000,000, to remain available until September 30,  
15 2017: *Provided*, That such amount is designated by the  
16 Congress for Overseas Contingency Operations/Global  
17 War on Terrorism pursuant to section 251(b)(2)(A)(ii) of  
18 the Balanced Budget and Emergency Deficit Control Act  
19 of 1985.

20                   NATIONAL GUARD AND RESERVE EQUIPMENT

21           For procurement of aircraft, missiles, tracked combat  
22 vehicles, ammunition, other weapons, and other procure-  
23 ment for the reserve components of the Armed Forces,  
24 \$2,000,000,000, to remain available for obligation until  
25 September 30, 2017: *Provided*, That the Chiefs of the Na-

1 tional Guard and Reserve components shall, not later than  
2 30 days after the enactment of this Act, individually sub-  
3 mit to the congressional defense committees the mod-  
4 ernization priority assessment for their respective Na-  
5 tional Guard or Reserve component: *Provided further,*  
6 That such amount is designated by the Congress for Over-  
7 seas Contingency Operations/Global War on Terrorism  
8 pursuant to section 251(b)(2)(A)(ii) of the Balanced  
9 Budget and Emergency Deficit Control Act of 1985.

#### 10 OTHER APPROPRIATIONS

11 (INCLUDING TRANSFER OF FUNDS)

12 For an additional amount for “Other Appropria-  
13 tions”, \$1,450,000,000: *Provided,* That “Other Appro-  
14 priations” means the Defense Health Program, Drug  
15 Interdiction and Counter-Drug Activities, Joint Impro-  
16 vised Explosive Device Defeat Fund, Office of the Inspec-  
17 tor General, and Defense Working Capital Funds: *Pro-*  
18 *vided further,* That such amount is designated by the Con-  
19 gress for Overseas Contingency Operations/Global War on  
20 Terrorism pursuant to section 251(b)(2)(A)(ii) of the Bal-  
21 anced Budget and Emergency Deficit Control Act of 1985.

#### 22 GENERAL PROVISIONS—THIS TITLE

23 SEC. 9001. Notwithstanding any other provision of  
24 law, funds made available in this title are in addition to

1 amounts appropriated or otherwise made available for the  
2 Department of Defense for fiscal year 2015.

3 (INCLUDING TRANSFER OF FUNDS)

4 SEC. 9002. Upon the determination of the Secretary  
5 of Defense that such action is necessary in the national  
6 interest, the Secretary may, with the approval of the Of-  
7 fice of Management and Budget, transfer up to  
8 \$4,000,000,000 between the appropriations or funds made  
9 available to the Department of Defense in this title: *Pro-*  
10 *vided*, That the Secretary shall notify the Congress  
11 promptly of each transfer made pursuant to the authority  
12 in this section: *Provided further*, That the authority pro-  
13 vided in this section is in addition to any other transfer  
14 authority available to the Department of Defense and is  
15 subject to the same terms and conditions as the authority  
16 provided in the Department of Defense Appropriations  
17 Act, 2015.

18 SEC. 9003. Supervision and administration costs and  
19 costs for design during construction associated with a con-  
20 struction project funded with appropriations available for  
21 operation and maintenance, “Afghanistan Infrastructure  
22 Fund”, or the “Afghanistan Security Forces Fund” pro-  
23 vided in this Act and executed in direct support of over-  
24 seas contingency operations in Afghanistan, may be obli-  
25 gated at the time a construction contract is awarded: *Pro-*

1 *vided*, That for the purpose of this section, supervision and  
2 administration costs and costs for design during construc-  
3 tion include all in-house Government costs.

4       SEC. 9004. From funds made available in this title,  
5 the Secretary of Defense may purchase for use by military  
6 and civilian employees of the Department of Defense in  
7 the U.S. Central Command area of responsibility: (a) pas-  
8 senger motor vehicles up to a limit of \$75,000 per vehicle;  
9 and (b) heavy and light armored vehicles for the physical  
10 security of personnel or for force protection purposes up  
11 to a limit of \$250,000 per vehicle, notwithstanding price  
12 or other limitations applicable to the purchase of pas-  
13 senger carrying vehicles.

14       SEC. 9005. Not to exceed \$15,000,000 of the amount  
15 appropriated in this title under the heading “Operation  
16 and Maintenance” may be used, notwithstanding any  
17 other provision of law, to fund the Commander’s Emer-  
18 gency Response Program (CERP), for the purpose of ena-  
19 bling military commanders in Afghanistan to respond to  
20 urgent, small-scale, humanitarian relief and reconstruc-  
21 tion requirements within their areas of responsibility: *Pro-*  
22 *vided*, That each project (including any ancillary or related  
23 elements in connection with such project) executed under  
24 this authority shall not exceed \$10,000,000: *Provided fur-*  
25 *ther*, That not later than 45 days after the end of each

1 fiscal year quarter, the Secretary of Defense shall submit  
2 to the congressional defense committees a report regard-  
3 ing the source of funds and the allocation and use of funds  
4 during that quarter that were made available pursuant to  
5 the authority provided in this section or under any other  
6 provision of law for the purposes described herein: *Pro-*  
7 *vided further*, That, not later than 30 days after the end  
8 of each month, the Army shall submit to the congressional  
9 defense committees monthly commitment, obligation, and  
10 expenditure data for the Commander's Emergency Re-  
11 sponse Program in Afghanistan: *Provided further*, That  
12 not less than 15 days before making funds available pur-  
13 suant to the authority provided in this section or under  
14 any other provision of law for the purposes described here-  
15 in for a project with a total anticipated cost for completion  
16 of \$5,000,000 or more, the Secretary shall submit to the  
17 congressional defense committees a written notice con-  
18 taining each of the following:

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

23 (2) The budget, implementation timeline with  
24 milestones, and completion date for the proposed  
25 project, including any other CERP funding that has

1       been or is anticipated to be contributed to the com-  
2       pletion of the project.

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

10       SEC. 9006. Funds available to the Department of De-  
11       fense for operation and maintenance may be used, not-  
12       withstanding any other provision of law, to provide sup-  
13       plies, services, transportation, including airlift and sealift,  
14       and other logistical support to coalition forces supporting  
15       military and stability operations in Afghanistan: *Provided*,  
16       That the Secretary of Defense shall provide quarterly re-  
17       ports to the congressional defense committees regarding  
18       support provided under this section.

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

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

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

3           (3) To establish any military installation or  
4 base for the purpose of providing for the permanent  
5 stationing of United States Armed Forces in Af-  
6 ghanistan.

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

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

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

22           (3) Sections 1002 and 1003 of the Department  
23 of Defense, Emergency Supplemental Appropriations  
24 to Address Hurricanes in the Gulf of Mexico, and

1 Pandemic Influenza Act, 2006 (Public Law 109–  
2 148).

3 SEC. 9009. None of the funds provided for the “Af-  
4 ghanistan Security Forces Fund” (ASFF) may be obli-  
5 gated prior to the approval of a financial and activity plan  
6 by the Afghanistan Resources Oversight Council (AROC)  
7 of the Department of Defense: *Provided*, That the AROC  
8 must approve the requirement and acquisition plan for any  
9 service requirements in excess of \$50,000,000 annually  
10 and any non-standard equipment requirements in excess  
11 of \$100,000,000 using ASFF: *Provided further*, That the  
12 AROC must approve all projects and the execution plan  
13 under the “Afghanistan Infrastructure Fund” (AIF) and  
14 any project in excess of \$5,000,000 from the Com-  
15 mander’s Emergency Response Program (CERP): *Pro-*  
16 *vided further*, That the Department of Defense must cer-  
17 tify to the congressional defense committees that the  
18 AROC has convened and approved a process for ensuring  
19 compliance with the requirements in the preceding pro-  
20 visos and accompanying report language for the ASFF,  
21 AIF, and CERP.

22 SEC. 9010. Funds made available in this title to the  
23 Department of Defense for operation and maintenance  
24 may be used to purchase items having an investment unit  
25 cost of not more than \$250,000: *Provided*, That, upon de-

1 termination by the Secretary of Defense that such action  
2 is necessary to meet the operational requirements of a  
3 Commander of a Combatant Command engaged in contin-  
4 gency operations overseas, such funds may be used to pur-  
5 chase items having an investment item unit cost of not  
6 more than \$500,000.

7       SEC. 9011. From funds made available to the De-  
8 partment of Defense in this title under the heading “Oper-  
9 ation and Maintenance” up to \$150,000,000 may be used  
10 by the Secretary of Defense, notwithstanding any other  
11 provision of law, to support United States Government  
12 transition activities in Iraq by funding the operations and  
13 activities of the Office of Security Cooperation in Iraq and  
14 security assistance teams, including life support, transpor-  
15 tation and personal security, and facilities renovation and  
16 construction, and site closeout activities prior to returning  
17 sites to the Government of Iraq: *Provided*, That to the  
18 extent authorized under the National Defense Authoriza-  
19 tion Act for Fiscal Year 2015, the operations and activi-  
20 ties that may be carried out by the Office of Security Co-  
21 operation in Iraq may, with the concurrence of the Sec-  
22 retary of State, include non-operational training activities  
23 in support of Iraqi Minister of Defense and Counter Ter-  
24 rorism Service personnel in an institutional environment  
25 to address capability gaps, integrate processes relating to

1 intelligence, air sovereignty, combined arms, logistics and  
2 maintenance, and to manage and integrate defense-related  
3 institutions: *Provided further*, That not later than 30 days  
4 following the enactment of this Act, the Secretary of De-  
5 fense and the Secretary of State shall submit to the con-  
6 gressional defense committees a plan for transitioning any  
7 such training activities that they determine are needed  
8 after the end of fiscal year 2015, to existing or new con-  
9 tracts for the sale of defense articles or defense services  
10 consistent with the provisions of the Arms Export Control  
11 Act (22 U.S.C. 2751 et seq.): *Provided further*, That not  
12 less than 15 days before making funds available pursuant  
13 to the authority provided in this section, the Secretary of  
14 Defense shall submit to the congressional defense commit-  
15 tees a written notification containing a detailed justifica-  
16 tion and timeline for the operations and activities of the  
17 Office of Security Cooperation in Iraq at each site where  
18 such operations and activities will be conducted during fis-  
19 cal year 2015.

20       SEC. 9012. (a) None of the funds appropriated or  
21 otherwise made available by this Act under the heading  
22 “Operation and Maintenance” for payments under section  
23 1233 of Public Law 110–181 for reimbursement to the  
24 Government of Pakistan may be made available unless the  
25 Secretary of Defense, in coordination with the Secretary

1 of State, certifies to the Committees on Appropriations  
2 that the Government of Pakistan is—

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

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

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

20           (4) preventing the proliferation of nuclear-re-  
21 lated material and expertise;

22           (5) implementing policies to protect judicial  
23 independence and due process of law;

1           (6) issuing visas in a timely manner for United  
2 States visitors engaged in counterterrorism efforts  
3 and assistance programs in Pakistan; and

4           (7) providing humanitarian organizations access  
5 to detainees, internally displaced persons, and other  
6 Pakistani civilians affected by the conflict.

7           (b) The Secretary of Defense, in coordination with  
8 the Secretary of State, may waive the restriction in para-  
9 graph (a) on a case-by-case basis by certifying in writing  
10 to the Committees on Appropriations of the House of Rep-  
11 resentatives and the Senate that it is in the national secu-  
12 rity interest to do so: *Provided*, That if the Secretary of  
13 Defense, in coordination with the Secretary of State, exer-  
14 cises the authority of the previous proviso, the Secretaries  
15 shall report to the Committees on Appropriations on both  
16 the justification for the waiver and on the requirements  
17 of this section that the Government of Pakistan was not  
18 able to meet: *Provided further*, That such report may be  
19 submitted in classified form if necessary.

20           SEC. 9013. None of the funds made available by this  
21 Act may be used with respect to Syria in contravention  
22 of the War Powers Resolution (50 U.S.C. 1541 et seq.),  
23 including for the introduction of United States armed or  
24 military forces into hostilities in Syria, into situations in  
25 Syria where imminent involvement in hostilities is clearly

1 indicated by the circumstances, or into Syrian territory,  
2 airspace, or waters while equipped for combat, in con-  
3 travention of the congressional consultation and reporting  
4 requirements of sections 3 and 4 of that law (50 U.S.C.  
5 1542 and 1543).

6 SEC. 9014. None of the funds made available by this  
7 Act for the “Afghanistan Infrastructure Fund” may be  
8 used to plan, develop, or construct any project for which  
9 construction has not commenced before the date of the  
10 enactment of this Act.

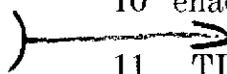
11 TITLE X—ADDITIONAL GENERAL PROVISIONS

12 SPENDING REDUCTION ACCOUNT

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

19 This Act may be cited as the “Department of Defense  
20 Appropriations Act, 2015”.

Insert  
139a



139a

~~On page 139, line 11, before Title X, insert the following:~~

Sec. 9015. No more than 15 percent of the funds made available in Title IX may be obligated, until the Secretary provides the *(of Defense* congressional defense and intelligence committees with a detailed spend plan for the funds provided, including an assurance that no funds will be used in contravention of Sec. 1035 of the National Defense Authorization Act for Fiscal Year 2014.

~~[FULL COMMITTEE PRINT]~~

Union Calendar No.     

113TH CONGRESS  
2D SESSION

**H. R.**     

[Report No. 113-     ]

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**A BILL**

Making appropriations for the Department of Defense for the fiscal year ending September 30, 2015, and for other purposes.

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, 2014

Committed to the Committee of the Whole House on the State of the Union and ordered to be printed