

1 377, as amended (42 U.S.C. 402 note), and to the Depart-
2 ment of Defense Military Retirement Fund,
3 \$43,093,752,000.

4 MILITARY PERSONNEL, NAVY

5 For pay, allowances, individual clothing, subsistence,
6 interest on deposits, gratuities, permanent change of sta-
7 tion travel (including all expenses thereof for organiza-
8 tional movements), and expenses of temporary duty travel
9 between permanent duty stations, for members of the
10 Navy on active duty (except members of the Reserve pro-
11 vided for elsewhere), midshipmen, and aviation cadets; for
12 members of the Reserve Officers' Training Corps; and for
13 payments pursuant to section 156 of Public Law 97-377,
14 as amended (42 U.S.C. 402 note), and to the Department
15 of Defense Military Retirement Fund, \$30,254,211,000.

16 MILITARY PERSONNEL, MARINE CORPS

17 For pay, allowances, individual clothing, subsistence,
18 interest on deposits, gratuities, permanent change of sta-
19 tion travel (including all expenses thereof for organiza-
20 tional movements), and expenses of temporary duty travel
21 between permanent duty stations, for members of the Ma-
22 rine Corps on active duty (except members of the Reserve
23 provided for elsewhere); and for payments pursuant to sec-
24 tion 156 of Public Law 97-377, as amended (42 U.S.C.

1 402 note), and to the Department of Defense Military Re-
2 tirement Fund, \$13,770,968,000.

3 MILITARY PERSONNEL, AIR FORCE

4 For pay, allowances, individual clothing, subsistence,
5 interest on deposits, gratuities, permanent change of sta-
6 tion travel (including all expenses thereof for organiza-
7 tional movements), and expenses of temporary duty travel
8 between permanent duty stations, for members of the Air
9 Force on active duty (except members of reserve compo-
10 nents provided for elsewhere), cadets, and aviation cadets;
11 for members of the Reserve Officers' Training Corps; and
12 for payments pursuant to section 156 of Public Law 97-
13 377, as amended (42 U.S.C. 402 note), and to the Depart-
14 ment of Defense Military Retirement Fund,
15 \$30,357,311,000.

16 RESERVE PERSONNEL, ARMY

17 For pay, allowances, clothing, subsistence, gratuities,
18 travel, and related expenses for personnel of the Army Re-
19 serve on active duty under sections 10211, 10302, and
20 3038 of title 10, United States Code, or while serving on
21 active duty under section 12301(d) of title 10, United
22 States Code, in connection with performing duty specified
23 in section 12310(a) of title 10, United States Code, or
24 while undergoing reserve training, or while performing
25 drills or equivalent duty or other duty, and expenses au-

1 thORIZED by section 16131 of title 10, United States Code;
2 and for payments to the Department of Defense Military
3 Retirement Fund, \$4,848,947,000.

4 RESERVE PERSONNEL, NAVY

5 For pay, allowances, clothing, subsistence, gratuities,
6 travel, and related expenses for personnel of the Navy Re-
7 serve on active duty under section 10211 of title 10,
8 United States Code, or while serving on active duty under
9 section 12301(d) of title 10, United States Code, in con-
10 nection with performing duty specified in section 12310(a)
11 of title 10, United States Code, or while undergoing re-
12 serve training, or while performing drills or equivalent
13 duty, and expenses authorized by section 16131 of title
14 10, United States Code; and for payments to the Depart-
15 ment of Defense Military Retirement Fund,
16 \$2,055,221,000.

17 RESERVE PERSONNEL, MARINE CORPS

18 For pay, allowances, clothing, subsistence, gratuities,
19 travel, and related expenses for personnel of the Marine
20 Corps Reserve on active duty under section 10211 of title
21 10, United States Code, or while serving on active duty
22 under section 12301(d) of title 10, United States Code,
23 in connection with performing duty specified in section
24 12310(a) of title 10, United States Code, or while under-
25 going reserve training, or while performing drills or equiv-

1 alent duty, and for members of the Marine Corps platoon
2 leaders class, and expenses authorized by section 16131
3 of title 10, United States Code; and for payments to the
4 Department of Defense Military Retirement Fund,
5 \$777,390,000.

6 RESERVE PERSONNEL, AIR FORCE

7 For pay, allowances, clothing, subsistence, gratuities,
8 travel, and related expenses for personnel of the Air Force
9 Reserve on active duty under sections 10211, 10305, and
10 8038 of title 10, United States Code, or while serving on
11 active duty under section 12301(d) of title 10, United
12 States Code, in connection with performing duty specified
13 in section 12310(a) of title 10, United States Code, or
14 while undergoing reserve training, or while performing
15 drills or equivalent duty or other duty, and expenses au-
16 thorized by section 16131 of title 10, United States Code;
17 and for payments to the Department of Defense Military
18 Retirement Fund, \$1,853,526,000.

19 NATIONAL GUARD PERSONNEL, ARMY

20 For pay, allowances, clothing, subsistence, gratuities,
21 travel, and related expenses for personnel of the Army Na-
22 tional Guard while on duty under sections 10211, 10302,
23 or 12402 of title 10 or section 708 of title 32, United
24 States Code, or while serving on duty under section
25 12301(d) of title 10 or section 502(f) of title 32, United

1 States Code, in connection with performing duty specified
2 in section 12310(a) of title 10, United States Code, or
3 while undergoing training, or while performing drills or
4 equivalent duty or other duty, and expenses authorized by
5 section 16131 of title 10, United States Code; and for pay-
6 ments to the Department of Defense Military Retirement
7 Fund, \$8,589,785,000.

8 NATIONAL GUARD PERSONNEL, AIR FORCE

9 For pay, allowances, clothing, subsistence, gratuities,
10 travel, and related expenses for personnel of the Air Na-
11 tional Guard on duty under sections 10211, 10305, or
12 12402 of title 10 or section 708 of title 32, United States
13 Code, or while serving on duty under section 12301(d) of
14 title 10 or section 502(f) of title 32, United States Code,
15 in connection with performing duty specified in section
16 12310(a) of title 10, United States Code, or while under-
17 going training, or while performing drills or equivalent
18 duty or other duty, and expenses authorized by section
19 16131 of title 10, United States Code; and for payments
20 to the Department of Defense Military Retirement Fund,
21 \$3,707,240,000.

1 TITLE II
2 OPERATION AND MAINTENANCE
3 OPERATION AND MAINTENANCE, ARMY

4 For expenses, not otherwise provided for, necessary
5 for the operation and maintenance of the Army, as author-
6 ized by law, \$41,334,782,000: *Provided*, That not to ex-
7 ceed \$12,478,000 can be used for emergencies and ex-
8 traordinary expenses, to be expended on the approval or
9 authority of the Secretary of the Army, and payments may
10 be made on his certificate of necessity for confidential mili-
11 tary purposes.

12 OPERATION AND MAINTENANCE, NAVY

13 For expenses, not otherwise provided for, necessary
14 for the operation and maintenance of the Navy and the
15 Marine Corps, as authorized by law, \$48,963,337,000:
16 *Provided*, That not to exceed \$15,055,000 can be used for
17 emergencies and extraordinary expenses, to be expended
18 on the approval or authority of the Secretary of the Navy,
19 and payments may be made on his certificate of necessity
20 for confidential military purposes.

21 OPERATION AND MAINTENANCE, MARINE CORPS

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

1 OPERATION AND MAINTENANCE, AIR FORCE

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

10 OPERATION AND MAINTENANCE, DEFENSE-WIDE

11 (INCLUDING TRANSFER OF FUNDS)

12 For expenses, not otherwise provided for, necessary
13 for the operation and maintenance of activities and agen-
14 cies of the Department of Defense (other than the military
15 departments), as authorized by law, \$35,676,402,000:
16 *Provided*, That not more than \$7,503,000 may be used
17 for the Combatant Commander Initiative Fund authorized
18 under section 166a of title 10, United States Code: *Pro-*
19 *vided further*, That not to exceed \$36,000,000 can be used
20 for emergencies and extraordinary expenses, to be ex-
21 pended on the approval or authority of the Secretary of
22 Defense, and payments may be made on his certificate of
23 necessity for confidential military purposes: *Provided fur-*
24 *ther*, That of the funds provided under this heading, not
25 less than \$42,300,000 shall be made available for the Pro-

1 curement Technical Assistance Cooperative Agreement
2 Program, of which not less than \$4,500,000 shall be avail-
3 able for centers defined in 10 U.S.C. 2411(1)(D): *Pro-*
4 *vided further*, That none of the funds appropriated or oth-
5 erwise made available by this Act may be used to plan
6 or implement the consolidation of a budget or appropria-
7 tions liaison office of the Office of the Secretary of De-
8 fense, the office of the Secretary of a military department,
9 or the service headquarters of one of the Armed Forces
10 into a legislative affairs or legislative liaison office: *Pro-*
11 *vided further*, That \$19,160,000, to remain available until
12 September 30, 2020, is available only for expenses relating
13 to certain classified activities, and may be transferred as
14 necessary by the Secretary of Defense to operation and
15 maintenance appropriations or research, development, test
16 and evaluation appropriations, to be merged with and to
17 be available for the same time period as the appropriations
18 to which transferred: *Provided further*, That any ceiling
19 on the investment item unit cost of items that may be pur-
20 chased with operation and maintenance funds shall not
21 apply to the funds described in the preceding proviso: *Pro-*
22 *vided further*, That of the funds provided under this head-
23 ing, \$496,264,000, of which \$124,066,000, to remain
24 available until September 30, 2020, shall be available to
25 provide support and assistance to foreign security forces

1 or other groups or individuals to conduct, support or facili-
2 tate counterterrorism, crisis response, or other Depart-
3 ment of Defense security cooperation programs: *Provided*
4 *further*, That the transfer authority provided under this
5 heading is in addition to any other transfer authority pro-
6 vided elsewhere in this Act.

7 OPERATION AND MAINTENANCE, ARMY RESERVE

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

15 OPERATION AND MAINTENANCE, NAVY RESERVE

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

1 OPERATION AND MAINTENANCE, MARINE CORPS

2 RESERVE

3 For expenses, not otherwise provided for, necessary
4 for the operation and maintenance, including training, or-
5 ganization, and administration, of the Marine Corps Re-
6 serve; repair of facilities and equipment; hire of passenger
7 motor vehicles; travel and transportation; care of the dead;
8 recruiting; procurement of services, supplies, and equip-
9 ment; and communications, \$281,570,000.

10 OPERATION AND MAINTENANCE, AIR FORCE RESERVE

11 For expenses, not otherwise provided for, necessary
12 for the operation and maintenance, including training, or-
13 ganization, and administration, of the Air Force Reserve;
14 repair of facilities and equipment; hire of passenger motor
15 vehicles; travel and transportation; care of the dead; re-
16 cruiting; procurement of services, supplies, and equip-
17 ment; and communications, \$3,212,234,000.

18 OPERATION AND MAINTENANCE, ARMY NATIONAL

19 GUARD

20 For expenses of training, organizing, and admin-
21 istering the Army National Guard, including medical and
22 hospital treatment and related expenses in non-Federal
23 hospitals; maintenance, operation, and repairs to struc-
24 tures and facilities; hire of passenger motor vehicles; per-
25 sonnel services in the National Guard Bureau; travel ex-

1 penses (other than mileage), as authorized by law for
2 Army personnel on active duty, for Army National Guard
3 division, regimental, and battalion commanders while in-
4 specting units in compliance with National Guard Bureau
5 regulations when specifically authorized by the Chief, Na-
6 tional Guard Bureau; supplying and equipping the Army
7 National Guard as authorized by law; and expenses of re-
8 pair, modification, maintenance, and issue of supplies and
9 equipment (including aircraft), \$7,329,771,000.

10 OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

11 For expenses of training, organizing, and admin-
12 istering the Air National Guard, including medical and
13 hospital treatment and related expenses in non-Federal
14 hospitals; maintenance, operation, and repairs to struc-
15 tures and facilities; transportation of things, hire of pas-
16 senger motor vehicles; supplying and equipping the Air
17 National Guard, as authorized by law; expenses for repair,
18 modification, maintenance, and issue of supplies and
19 equipment, including those furnished from stocks under
20 the control of agencies of the Department of Defense;
21 travel expenses (other than mileage) on the same basis as
22 authorized by law for Air National Guard personnel on
23 active Federal duty, for Air National Guard commanders
24 while inspecting units in compliance with National Guard

1 Bureau regulations when specifically authorized by the
2 Chief, National Guard Bureau, \$6,438,162,000.

3 UNITED STATES COURT OF APPEALS FOR THE ARMED
4 FORCES

5 For salaries and expenses necessary for the United
6 States Court of Appeals for the Armed Forces,
7 \$14,662,000, of which not to exceed \$5,000 may be used
8 for official representation purposes.

9 ENVIRONMENTAL RESTORATION, ARMY
10 (INCLUDING TRANSFER OF FUNDS)

11 For the Department of the Army, \$235,809,000, to
12 remain available until transferred: *Provided*, That the Sec-
13 retary of the Army shall, upon determining that such
14 funds are required for environmental restoration, reduc-
15 tion and recycling of hazardous waste, removal of unsafe
16 buildings and debris of the Department of the Army, or
17 for similar purposes, transfer the funds made available by
18 this appropriation to other appropriations made available
19 to the Department of the Army, to be merged with and
20 to be available for the same purposes and for the same
21 time period as the appropriations to which transferred:
22 *Provided further*, That upon a determination that all or
23 part of the funds transferred from this appropriation are
24 not necessary for the purposes provided herein, such
25 amounts may be transferred back to this appropriation:

1 *Provided further*, That the transfer authority provided
2 under this heading is in addition to any other transfer au-
3 thority provided elsewhere in this Act.

4 ENVIRONMENTAL RESTORATION, NAVY
5 (INCLUDING TRANSFER OF FUNDS)

6 For the Department of the Navy, \$365,883,000, to
7 remain available until transferred: *Provided*, That the Sec-
8 retary of the Navy shall, upon determining that such
9 funds are required for environmental restoration, reduc-
10 tion and recycling of hazardous waste, removal of unsafe
11 buildings and debris of the Department of the Navy, or
12 for similar purposes, transfer the funds made available by
13 this appropriation to other appropriations made available
14 to the Department of the Navy, to be merged with and
15 to be available for the same purposes and for the same
16 time period as the appropriations to which transferred:
17 *Provided further*, That upon a determination that all or
18 part of the funds transferred from this appropriation are
19 not necessary for the purposes provided herein, such
20 amounts may be transferred back to this appropriation:
21 *Provided further*, That the transfer authority provided
22 under this heading is in addition to any other transfer au-
23 thority provided elsewhere in this Act.

1 ENVIRONMENTAL RESTORATION, AIR FORCE

2 (INCLUDING TRANSFER OF FUNDS)

3 For the Department of the Air Force, \$376,808,000,
4 to remain available until transferred: *Provided*, That the
5 Secretary of the Air Force shall, upon determining that
6 such funds are required for environmental restoration, re-
7 duction and recycling of hazardous waste, removal of un-
8 safe buildings and debris of the Department of the Air
9 Force, or for similar purposes, transfer the funds made
10 available by this appropriation to other appropriations
11 made available to the Department of the Air Force, to be
12 merged with and to be available for the same purposes
13 and for the same time period as the appropriations to
14 which transferred: *Provided further*, That upon a deter-
15 mination that all or part of the funds transferred from
16 this appropriation are not necessary for the purposes pro-
17 vided herein, such amounts may be transferred back to
18 this appropriation: *Provided further*, That the transfer au-
19 thority provided under this heading is in addition to any
20 other transfer authority provided elsewhere in this Act.

21 ENVIRONMENTAL RESTORATION, DEFENSE-WIDE

22 (INCLUDING TRANSFER OF FUNDS)

23 For the Department of Defense, \$19,002,000, to re-
24 main available until transferred: *Provided*, That the Sec-
25 retary of Defense shall, upon determining that such funds

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

16 ENVIRONMENTAL RESTORATION, FORMERLY USED
17 DEFENSE SITES
18 (INCLUDING TRANSFER OF FUNDS)

19 For the Department of the Army, \$248,673,000, to
20 remain available until transferred: *Provided*, That the Sec-
21 retary of the Army shall, upon determining that such
22 funds are required for environmental restoration, reduc-
23 tion and recycling of hazardous waste, removal of unsafe
24 buildings and debris at sites formerly used by the Depart-
25 ment of Defense, transfer the funds made available by this

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

12 OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AID

13 For expenses relating to the Overseas Humanitarian,
14 Disaster, and Civic Aid programs of the Department of
15 Defense (consisting of the programs provided under sec-
16 tions 401, 402, 404, 407, 2557, and 2561 of title 10,
17 United States Code), \$117,663,000, to remain available
18 until September 30, 2020.

19 COOPERATIVE THREAT REDUCTION ACCOUNT

20 For assistance, including assistance provided by con-
21 tract or by grants, under programs and activities of the
22 Department of Defense Cooperative Threat Reduction
23 Program authorized under the Department of Defense Co-
24 operative Threat Reduction Act, \$350,240,000, to remain
25 available until September 30, 2021.

1 DEPARTMENT OF DEFENSE ACQUISITION WORKFORCE
2 DEVELOPMENT FUND

3 For the Department of Defense Acquisition Work-
4 force Development Fund, \$400,000,000, to remain avail-
5 able for obligation until September 30, 2020: *Provided*,
6 That no other amounts may be otherwise credited or
7 transferred to the Fund, or deposited into the Fund, in
8 fiscal year 2019 pursuant to section 1705(d) of title 10,
9 United States Code.

10 TITLE III
11 PROCUREMENT
12 AIRCRAFT PROCUREMENT, ARMY

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

1 foregoing purposes, \$4,103,942,000, to remain available
2 for obligation until September 30, 2021.

3 MISSILE PROCUREMENT, ARMY

4 For construction, procurement, production, modifica-
5 tion, and modernization of missiles, equipment, including
6 ordnance, ground handling equipment, spare parts, and
7 accessories therefor; specialized equipment and training
8 devices; expansion of public and private plants, including
9 the land necessary therefor, for the foregoing purposes,
10 and such lands and interests therein, may be acquired,
11 and construction prosecuted thereon prior to approval of
12 title; and procurement and installation of equipment, ap-
13 pliances, and machine tools in public and private plants;
14 reserve plant and Government and contractor-owned
15 equipment layaway; and other expenses necessary for the
16 foregoing purposes, \$3,074,502,000, to remain available
17 for obligation until September 30, 2021.

18 PROCUREMENT OF WEAPONS AND TRACKED COMBAT

19 VEHICLES, ARMY

20 For construction, procurement, production, and
21 modification of weapons and tracked combat vehicles,
22 equipment, including ordnance, spare parts, and acces-
23 sories therefor; specialized equipment and training devices;
24 expansion of public and private plants, including the land
25 necessary therefor, for the foregoing purposes, and such

1 lands and interests therein, may be acquired, and con-
2 struction prosecuted thereon prior to approval of title; and
3 procurement and installation of equipment, appliances,
4 and machine tools in public and private plants; reserve
5 plant and Government and contractor-owned equipment
6 layaway; and other expenses necessary for the foregoing
7 purposes, \$4,590,205,000, to remain available for obliga-
8 tion until September 30, 2021.

9 PROCUREMENT OF AMMUNITION, ARMY

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

1 OTHER PROCUREMENT, ARMY

2 For construction, procurement, production, and
3 modification of vehicles, including tactical, support, and
4 non-tracked combat vehicles; the purchase of passenger
5 motor vehicles for replacement only; communications and
6 electronic equipment; other support equipment; spare
7 parts, ordnance, and accessories therefor; specialized
8 equipment and training devices; expansion of public and
9 private plants, including the land necessary therefor, for
10 the foregoing purposes, and such lands and interests
11 therein, may be acquired, and construction prosecuted
12 thereon prior to approval of title; and procurement and
13 installation of equipment, appliances, and machine tools
14 in public and private plants; reserve plant and Govern-
15 ment and contractor-owned equipment layaway; and other
16 expenses necessary for the foregoing purposes,
17 \$7,683,632,000, to remain available for obligation until
18 September 30, 2021.

19 AIRCRAFT PROCUREMENT, NAVY

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

1 thereon prior to approval of title; and procurement and
2 installation of equipment, appliances, and machine tools
3 in public and private plants; reserve plant and Govern-
4 ment and contractor-owned equipment layaway,
5 \$20,107,195,000, to remain available for obligation until
6 September 30, 2021.

7 WEAPONS PROCUREMENT, NAVY

8 For construction, procurement, production, modifica-
9 tion, and modernization of missiles, torpedoes, other weap-
10 ons, and related support equipment including spare parts,
11 and accessories therefor; expansion of public and private
12 plants, including the land necessary therefor, and such
13 lands and interests therein, may be acquired, and con-
14 struction prosecuted thereon prior to approval of title; and
15 procurement and installation of equipment, appliances,
16 and machine tools in public and private plants; reserve
17 plant and Government and contractor-owned equipment
18 layaway, \$3,555,587,000, to remain available for obliga-
19 tion until September 30, 2021.

20 PROCUREMENT OF AMMUNITION, NAVY AND MARINE

21 CORPS

22 For construction, procurement, production, and
23 modification of ammunition, and accessories therefor; spe-
24 cialized equipment and training devices; expansion of pub-
25 lic and private plants, including ammunition facilities, au-

1 thORIZED by section 2854 of title 10, United States Code,
2 and the land necessary therefor, for the foregoing pur-
3 poses, and such lands and interests therein, may be ac-
4 quired, and construction prosecuted thereon prior to ap-
5 proval of title; and procurement and installation of equip-
6 ment, appliances, and machine tools in public and private
7 plants; reserve plant and Government and contractor-
8 owned equipment layaway; and other expenses necessary
9 for the foregoing purposes, \$973,556,000, to remain avail-
10 able for obligation until September 30, 2021.

11 SHIPBUILDING AND CONVERSION, NAVY

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

24 Columbia Class Submarine (AP), \$2,949,400,000;

1 Carrier Replacement Program (CVN 80),
2 \$1,598,181,000;
3 Virginia Class Submarine, \$4,340,676,000;
4 Virginia Class Submarine (AP), \$2,796,401,000;
5 CVN Refueling Overhauls (AP), \$425,873,000;
6 DDG-1000 Program, \$270,965,000;
7 DDG-51 Destroyer, \$5,187,837,000;
8 DDG-51 Destroyer (AP), \$391,928,000;
9 Littoral Combat Ship, \$1,558,505,000;
10 Expeditionary Sea Base, \$647,000,000;
11 TAO Fleet Oiler, \$977,104,000;
12 TAO Fleet Oiler (AP), \$75,046,000;
13 Towing, Salvage, and Rescue Ship, \$80,517,000;
14 LCU 1700, \$41,520,000;
15 Ship to Shore Connector, \$507,875,000;
16 Service Craft, \$72,062,000;
17 LCAC SLEP, \$23,321,000;
18 For outfitting, post-delivery, conversions, and first
19 destination transportation, \$557,457,000; and
20 Completion of Prior Year Shipbuilding Programs,
21 \$207,099,000.
22 In all: \$22,708,767,000, to remain available for obli-
23 gation until September 30, 2023: *Provided*, That addi-
24 tional obligations may be incurred after September 30,
25 2023, for engineering services, tests, evaluations, and

1 other such budgeted work that must be performed in the
2 final stage of ship construction: *Provided further*, That
3 none of the funds provided under this heading for the con-
4 struction or conversion of any naval vessel to be con-
5 structed in shipyards in the United States shall be ex-
6 pended in foreign facilities for the construction of major
7 components of such vessel: *Provided further*, That none
8 of the funds provided under this heading shall be used
9 for the construction of any naval vessel in foreign ship-
10 yards: *Provided further*, That funds appropriated or other-
11 wise made available by this Act for production of the com-
12 mon missile compartment of nuclear-powered vessels may
13 be available for multiyear procurement of critical compo-
14 nents to support continuous production of such compart-
15 ments only in accordance with the provisions of subsection
16 (i) of section 2218a of title 10, United States Code (as
17 added by section 1023 of the National Defense Authoriza-
18 tion Act for Fiscal Year 2017 (Public Law 114–328)).

19 OTHER PROCUREMENT, NAVY

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

1 essary therefor, and such lands and interests therein, may
2 be acquired, and construction prosecuted thereon prior to
3 approval of title; and procurement and installation of
4 equipment, appliances, and machine tools in public and
5 private plants; reserve plant and Government and con-
6 tractor-owned equipment layaway, \$9,093,835,000, to re-
7 main available for obligation until September 30, 2021.

8 PROCUREMENT, MARINE CORPS

9 For expenses necessary for the procurement, manu-
10 facture, and modification of missiles, armament, military
11 equipment, spare parts, and accessories therefor; plant
12 equipment, appliances, and machine tools, and installation
13 thereof in public and private plants; reserve plant and
14 Government and contractor-owned equipment layaway; ve-
15 hicles for the Marine Corps, including the purchase of pas-
16 senger motor vehicles for replacement only; and expansion
17 of public and private plants, including land necessary
18 therefor, and such lands and interests therein, may be ac-
19 quired, and construction prosecuted thereon prior to ap-
20 proval of title, \$2,647,569,000, to remain available for ob-
21 ligation until September 30, 2021.

22 AIRCRAFT PROCUREMENT, AIR FORCE

23 For construction, procurement, and modification of
24 aircraft and equipment, including armor and armament,
25 specialized ground handling equipment, and training de-

1 vices, spare parts, and accessories therefor; specialized
2 equipment; expansion of public and private plants, Gov-
3 ernment-owned equipment and installation thereof in such
4 plants, erection of structures, and acquisition of land, for
5 the foregoing purposes, and such lands and interests
6 therein, may be acquired, and construction prosecuted
7 thereon prior to approval of title; reserve plant and Gov-
8 ernment and contractor-owned equipment layaway; and
9 other expenses necessary for the foregoing purposes in-
10 cluding rents and transportation of things,
11 \$17,118,921,000, to remain available for obligation until
12 September 30, 2021.

13 MISSILE PROCUREMENT, AIR FORCE

14 For construction, procurement, and modification of
15 missiles, rockets, and related equipment, including spare
16 parts and accessories therefor; ground handling equip-
17 ment, and training devices; expansion of public and pri-
18 vate plants, Government-owned equipment and installa-
19 tion thereof in such plants, erection of structures, and ac-
20 quisition of land, for the foregoing purposes, and such
21 lands and interests therein, may be acquired, and con-
22 struction prosecuted thereon prior to approval of title; re-
23 serve plant and Government and contractor-owned equip-
24 ment layaway; and other expenses necessary for the fore-
25 going purposes including rents and transportation of

1 things, \$2,591,982,000, to remain available for obligation
2 until September 30, 2021.

3 SPACE PROCUREMENT, AIR FORCE

4 For construction, procurement, and modification of
5 spacecraft, rockets, and related equipment, including
6 spare parts and accessories therefor; ground handling
7 equipment, and training devices; expansion of public and
8 private plants, Government-owned equipment and installa-
9 tion thereof in such plants, erection of structures, and ac-
10 quisition of land, for the foregoing purposes, and such
11 lands and interests therein, may be acquired, and con-
12 struction prosecuted thereon prior to approval of title; re-
13 serve plant and Government and contractor-owned equip-
14 ment layaway; and other expenses necessary for the fore-
15 going purposes including rents and transportation of
16 things, \$2,388,642,000, to remain available for obligation
17 until September 30, 2021.

18 PROCUREMENT OF AMMUNITION, AIR FORCE

19 For construction, procurement, production, and
20 modification of ammunition, and accessories therefor; spe-
21 cialized equipment and training devices; expansion of pub-
22 lic and private plants, including ammunition facilities, au-
23 thorized by section 2854 of title 10, United States Code,
24 and the land necessary therefor, for the foregoing pur-
25 poses, and such lands and interests therein, may be ac-

1 quired, and construction prosecuted thereon prior to ap-
2 proval of title; and procurement and installation of equip-
3 ment, appliances, and machine tools in public and private
4 plants; reserve plant and Government and contractor-
5 owned equipment layaway; and other expenses necessary
6 for the foregoing purposes, \$1,468,992,000, to remain
7 available for obligation until September 30, 2021.

8 OTHER PROCUREMENT, AIR FORCE

9 For procurement and modification of equipment (in-
10 cluding ground guidance and electronic control equipment,
11 and ground electronic and communication equipment),
12 and supplies, materials, and spare parts therefor, not oth-
13 erwise provided for; the purchase of passenger motor vehi-
14 cles for replacement only; lease of passenger motor vehi-
15 cles; and expansion of public and private plants, Govern-
16 ment-owned equipment and installation thereof in such
17 plants, erection of structures, and acquisition of land, for
18 the foregoing purposes, and such lands and interests
19 therein, may be acquired, and construction prosecuted
20 thereon, prior to approval of title; reserve plant and Gov-
21 ernment and contractor-owned equipment layaway,
22 \$20,597,574,000, to remain available for obligation until
23 September 30, 2021.

1 PROCUREMENT, DEFENSE-WIDE

2 For expenses of activities and agencies of the Depart-
3 ment of Defense (other than the military departments)
4 necessary for procurement, production, and modification
5 of equipment, supplies, materials, and spare parts there-
6 for, not otherwise provided for; the purchase of passenger
7 motor vehicles for replacement only; expansion of public
8 and private plants, equipment, and installation thereof in
9 such plants, erection of structures, and acquisition of land
10 for the foregoing purposes, and such lands and interests
11 therein, may be acquired, and construction prosecuted
12 thereon prior to approval of title; reserve plant and Gov-
13 ernment and contractor-owned equipment layaway,
14 \$6,711,225,000, to remain available for obligation until
15 September 30, 2021.

16 NATIONAL GUARD AND RESERVE EQUIPMENT ACCOUNT

17 For procurement of rotary-wing aircraft; combat, tac-
18 tical and support vehicles; other weapons; and other pro-
19 curement items for the reserve components of the Armed
20 Forces, \$1,300,000,000, to remain available for obligation
21 until September 30, 2021: *Provided*, That the Chiefs of
22 National Guard and Reserve components shall, not later
23 than 30 days after enactment of this Act, individually sub-
24 mit to the congressional defense committees the mod-
25 ernization priority assessment for their respective Na-

1 tional Guard or Reserve component: *Provided further*,
2 That none of the funds made available by this paragraph
3 may be used to procure manned fixed wing aircraft, or
4 procure or modify missiles, munitions, or ammunition.

5 DEFENSE PRODUCTION ACT PURCHASES

6 For activities by the Department of Defense pursuant
7 to sections 108, 301, 302, and 303 of the Defense Produc-
8 tion Act of 1950 (50 U.S.C. 4518, 4531, 4532, and 4533),
9 \$68,578,000, to remain available until expended.

10 TITLE IV

11 RESEARCH, DEVELOPMENT, TEST AND

12 EVALUATION

13 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,

14 ARMY

15 For expenses necessary for basic and applied sci-
16 entific research, development, test and evaluation, includ-
17 ing maintenance, rehabilitation, lease, and operation of fa-
18 cilities and equipment, \$10,108,108,000 (reduced by
19 \$5,000,000) (increased by \$5,000,000), to remain avail-
20 able for obligation until September 30, 2020.

21 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,

22 NAVY

23 For expenses necessary for basic and applied sci-
24 entific research, development, test and evaluation, includ-
25 ing maintenance, rehabilitation, lease, and operation of fa-

1 cilities and equipment, \$17,658,244,000, to remain avail-
2 able for obligation until September 30, 2020: *Provided*,
3 That funds appropriated in this paragraph which are
4 available for the V-22 may be used to meet unique oper-
5 ational requirements of the Special Operations Forces.

6 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,

7 AIR FORCE

8 For expenses necessary for basic and applied sci-
9 entific research, development, test and evaluation, includ-
10 ing maintenance, rehabilitation, lease, and operation of fa-
11 cilities and equipment, \$40,939,500,000, to remain avail-
12 able for obligation until September 30, 2020.

13 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,

14 DEFENSE-WIDE

15 (INCLUDING TRANSFER OF FUNDS)

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

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

17 OPERATIONAL TEST AND EVALUATION, DEFENSE

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

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

3

TITLE V

4

REVOLVING AND MANAGEMENT FUNDS

5

DEFENSE WORKING CAPITAL FUNDS

6

For the Defense Working Capital Funds,

7

\$1,542,115,000.

8

TITLE VI

9

OTHER DEPARTMENT OF DEFENSE PROGRAMS

10

DEFENSE HEALTH PROGRAM

11

For expenses, not otherwise provided for, for medical

12

and health care programs of the Department of Defense

13

as authorized by law, \$34,047,018,000; of which

14

\$31,758,947,000 shall be for operation and maintenance,

15

of which not to exceed one percent shall remain available

16

for obligation until September 30, 2020, and of which up

17

to \$15,211,801,000 may be available for contracts entered

18

into under the TRICARE program; of which

19

\$844,834,000, to remain available for obligation until Sep-

20

tember 30, 2021, shall be for procurement; and of which

21

\$1,443,237,000, to remain available for obligation until

22

September 30, 2020, shall be for research, development,

23

test and evaluation: *Provided*, That, notwithstanding any

24

other provision of law, of the amount made available under

25

this heading for research, development, test and evalua-

1 tion, not less than \$8,000,000 shall be available for HIV
2 prevention educational activities undertaken in connection
3 with United States military training, exercises, and hu-
4 manitarian assistance activities conducted primarily in Af-
5 rican nations: *Provided further*, That of the funds provided
6 under this heading for research, development, test and
7 evaluation, not less than \$752,600,000 shall be made
8 available to the United States Army Medical Research and
9 Materiel Command to carry out the congressionally di-
10 rected medical research programs.

11 CHEMICAL AGENTS AND MUNITIONS DESTRUCTION,
12 DEFENSE

13 For expenses, not otherwise provided for, necessary
14 for the destruction of the United States stockpile of lethal
15 chemical agents and munitions in accordance with the pro-
16 visions of section 1412 of the Department of Defense Au-
17 thorization Act, 1986 (50 U.S.C. 1521), and for the de-
18 struction of other chemical warfare materials that are not
19 in the chemical weapon stockpile, \$993,816,000, of which
20 \$105,997,000 shall be for operation and maintenance, of
21 which no less than \$52,735,000 shall be for the Chemical
22 Stockpile Emergency Preparedness Program, consisting of
23 \$21,600,000 for activities on military installations and
24 \$31,135,000, to remain available until September 30,
25 2020, to assist State and local governments; \$1,091,000

1 shall be for procurement, to remain available until Sep-
2 tember 30, 2021, of which \$1,091,000 shall be for the
3 Chemical Stockpile Emergency Preparedness Program to
4 assist State and local governments; and \$886,728,000, to
5 remain available until September 30, 2020, shall be for
6 research, development, test and evaluation, of which
7 \$880,283,000 shall only be for the Assembled Chemical
8 Weapons Alternatives program.

9 DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES,

10 DEFENSE

11 (INCLUDING TRANSFER OF FUNDS)

12 For drug interdiction and counter-drug activities of
13 the Department of Defense, for transfer to appropriations
14 available to the Department of Defense for military per-
15 sonnel of the reserve components serving under the provi-
16 sions of title 10 and title 32, United States Code; for oper-
17 ation and maintenance; for procurement; and for research,
18 development, test and evaluation, \$854,814,000, of which
19 \$530,285,000 shall be for counter-narcotics support;
20 \$121,900,000 shall be for the drug demand reduction pro-
21 gram; 197,353,000 shall be for the National Guard
22 counter-drug program; and 5,276,000 shall be for the Na-
23 tional Guard counter-drug schools program: *Provided,*
24 That the funds appropriated under this heading shall be
25 available for obligation for the same time period and for

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

9 OFFICE OF THE INSPECTOR GENERAL

10 For expenses and activities of the Office of the In-
11 spector General in carrying out the provisions of the In-
12 spector General Act of 1978, as amended, \$329,273,000,
13 of which \$327,611,000 shall be for operation and mainte-
14 nance, of which not to exceed \$700,000 is available for
15 emergencies and extraordinary expenses to be expended on
16 the approval or authority of the Inspector General, and
17 payments may be made on the Inspector General's certifi-
18 cate of necessity for confidential military purposes; of
19 which \$60,000, to remain available for obligation until
20 September 30, 2021, shall be for procurement; and of
21 which \$1,602,000, to remain available until September 30,
22 2020, shall be for research, development, test and evalua-
23 tion.

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, \$512,424,000.

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 \$4,250,000,000
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, 2019: *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 in
11 the explanatory statement regarding this Act, the obliga-
12 tion 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 the amounts requested are hereby required
16 by law to be carried out in the manner provided by such
17 tables to the same extent as if the tables were included
18 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 2019: *Provided*, That
6 the report shall include—

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

12 (2) a delineation in the table for each appro-
13 priation both by budget activity and program,
14 project, and activity as detailed in the Budget Ap-
15 pendix; and

16 (3) an identification of items of special congres-
17 sional 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: *Provided*, That this subsection shall not

1 apply to transfers from the following appropriations ac-
2 counts:

3 (1) “Environmental Restoration, Army”;

4 (2) “Environmental Restoration, Navy”;

5 (3) “Environmental Restoration, Air Force”;

6 (4) “Environmental Restoration, Defense-
7 Wide”;

8 (5) “Environmental Restoration, Formerly
9 Used Defense Sites”; and

10 (6) “Drug Interdiction and Counter-drug Ac-
11 tivities, Defense”.

12 (TRANSFER OF FUNDS)

13 SEC. 8008. During the current fiscal year, cash bal-
14 ances in working capital funds of the Department of De-
15 fense established pursuant to section 2208 of title 10,
16 United States Code, may be maintained in only such
17 amounts as are necessary at any time for cash disburse-
18 ments to be made from such funds: *Provided*, That trans-
19 fers may be made between such funds: *Provided further*,
20 That transfers may be made between working capital
21 funds and the “Foreign Currency Fluctuations, Defense”
22 appropriation and the “Operation and Maintenance” ap-
23 propriation accounts in such amounts as may be deter-
24 mined by the Secretary of Defense, with the approval of
25 the Office of Management and Budget, except that such

1 transfers may not be made unless the Secretary of Defense
2 has notified the Congress of the proposed transfer: *Pro-*
3 *vided further*, That except in amounts equal to the
4 amounts appropriated to working capital funds in this Act,
5 no obligations may be made against a working capital fund
6 to procure or increase the value of war reserve material
7 inventory, unless the Secretary of Defense has notified the
8 Congress prior to any such obligation.

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

13 SEC. 8010. None of the funds provided in this Act
14 shall be available to initiate: (1) a multiyear contract that
15 employs economic order quantity procurement in excess of
16 \$20,000,000 in any one year of the contract or that in-
17 cludes an unfunded contingent liability in excess of
18 \$20,000,000; or (2) a contract for advance procurement
19 leading to a multiyear contract that employs economic
20 order quantity procurement in excess of \$20,000,000 in
21 any one year, unless the congressional defense committees
22 have been notified at least 30 days in advance of the pro-
23 posed contract award: *Provided*, That no part of any ap-
24 propriation contained in this Act shall be available to ini-
25 tiate a multiyear contract for which the economic order

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

17 (1) the Secretary of Defense has submitted to
18 Congress a budget request for full funding of units
19 to be procured through the contract and, in the case
20 of a contract for procurement of aircraft, that in-
21 cludes, for any aircraft unit to be procured through
22 the contract for which procurement funds are re-
23 quested in that budget request for production be-
24 yond advance procurement activities in the fiscal

1 year covered by the budget, full funding of procure-
2 ment of such unit in that fiscal year;

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

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

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

19 SEC. 8011. Within the funds appropriated for the op-
20 eration and maintenance of the Armed Forces, funds are
21 hereby appropriated pursuant to section 401 of title 10,
22 United States Code, for humanitarian and civic assistance
23 costs under chapter 20 of title 10, United States Code.
24 Such funds may also be obligated for humanitarian and
25 civic assistance costs incidental to authorized operations

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

20 SEC. 8012. (a) During the current fiscal year, the
21 civilian personnel of the Department of Defense may not
22 be managed on the basis of any end-strength, and the
23 management of such personnel during that fiscal year
24 shall not be subject to any constraint or limitation (known

1 as an end-strength) on the number of such personnel who
2 may be employed on the last day of such fiscal year.

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

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

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

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

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

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

22 SEC. 8016. None of the funds in this Act may be
23 available for the purchase by the Department of Defense
24 (and its departments and agencies) of welded shipboard
25 anchor and mooring chain 4 inches in diameter and under

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

22 SEC. 8017. None of the funds available to the De-
23 partment of Defense may be used to demilitarize or dis-
24 pose of M-1 Carbines, M-1 Garand rifles, M-14 rifles,
25 .22 caliber rifles, .30 caliber rifles, or M-1911 pistols, or

1 to demilitarize or destroy small arms ammunition or am-
2 munition components that are not otherwise prohibited
3 from commercial sale under Federal law, unless the small
4 arms ammunition or ammunition components are certified
5 by the Secretary of the Army or designee as unserviceable
6 or unsafe for further use.

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

16 SEC. 8019. Of the funds made available in this Act,
17 \$25,000,000 shall be available for incentive payments au-
18 thorized by section 504 of the Indian Financing Act of
19 1974 (25 U.S.C. 1544): *Provided*, That a prime contractor
20 or a subcontractor at any tier that makes a subcontract
21 award to any subcontractor or supplier as defined in sec-
22 tion 1544 of title 25, United States Code, or a small busi-
23 ness owned and controlled by an individual or individuals
24 defined under section 4221(9) of title 25, United States
25 Code, shall be considered a contractor for the purposes

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

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

20 SEC. 8021. During the current fiscal year, the De-
21 partment of Defense is authorized to incur obligations of
22 not to exceed \$350,000,000 for purposes specified in sec-
23 tion 2350j(c) of title 10, United States Code, in anticipa-
24 tion of receipt of contributions, only from the Government
25 of Kuwait, under that section: *Provided*, That, upon re-

1 ceipt, such contributions from the Government of Kuwait
2 shall be credited to the appropriations or fund which in-
3 curred such obligations.

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

7 (1) \$33,600,000 shall be available from “Oper-
8 ation and Maintenance, Air Force” to support Civil
9 Air Patrol Corporation operation and maintenance,
10 readiness, counter-drug activities, and drug demand
11 reduction activities involving youth programs;

12 (2) \$10,800,000 shall be available from “Air-
13 craft Procurement, Air Force”; and

14 (3) \$1,700,000 shall be available from “Other
15 Procurement, Air Force” for vehicle procurement.

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

20 SEC. 8023. (a) None of the funds appropriated in this
21 Act are available to establish a new Department of De-
22 fense (department) federally funded research and develop-
23 ment center (FFRDC), either as a new entity, or as a
24 separate entity administrated by an organization man-
25 aging another FFRDC, or as a nonprofit membership cor-

1 poration consisting of a consortium of other FFRDCs and
2 other nonprofit entities.

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

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

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

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

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

20 SEC. 8024. None of the funds appropriated or made
21 available in this Act shall be used to procure carbon, alloy,
22 or armor steel plate for use in any Government-owned fa-
23 cility or property under the control of the Department of
24 Defense which were not melted and rolled in the United
25 States or Canada: *Provided*, That these procurement re-

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

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

24 SEC. 8026. During the current fiscal year, the De-
25 partment of Defense may acquire the modification, depot

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

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

23 (2) An agreement referred to in paragraph (1)
24 is any reciprocal defense procurement memorandum
25 of understanding, between the United States and a

1 foreign country pursuant to which the Secretary of
2 Defense has prospectively waived the Buy American
3 Act for certain products in that country.

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

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

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

23 SEC. 8029. (a) Notwithstanding any other provision
24 of law, the Secretary of the Air Force may convey at no
25 cost to the Air Force, without consideration, to Indian

1 tribes located in the States of Nevada, Idaho, North Da-
2 kota, South Dakota, Montana, Oregon, Minnesota, and
3 Washington relocatable military housing units located at
4 Grand Forks Air Force Base, Malmstrom Air Force Base,
5 Mountain Home Air Force Base, Ellsworth Air Force
6 Base, and Minot Air Force Base that are excess to the
7 needs of the Air Force.

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

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

23 (d) In this section, the term “Indian tribe” means
24 any recognized Indian tribe included on the current list
25 published by the Secretary of the Interior under section

1 104 of the Federally Recognized Indian Tribe Act of 1994
2 (Public Law 103–454; 108 Stat. 4792; 25 U.S.C. 5131).

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

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

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

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

21 SEC. 8032. The Secretary of Defense shall issue reg-
22 ulations to prohibit the sale of any tobacco or tobacco-
23 related products in military resale outlets in the United
24 States, its territories and possessions at a price below the
25 most competitive price in the local community: *Provided,*

1 That such regulations shall direct that the prices of to-
2 bacco or tobacco-related products in overseas military re-
3 tail outlets shall be within the range of prices established
4 for military retail system stores located in the United
5 States.

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

19 (b) The fiscal year 2020 budget request for the De-
20 partment of Defense as well as all justification material
21 and other documentation supporting the fiscal year 2020
22 Department of Defense budget shall be prepared and sub-
23 mitted to the Congress on the basis that any equipment
24 which was classified as an end item and funded in a pro-
25 curement appropriation contained in this Act shall be

1 budgeted for in a proposed fiscal year 2020 procurement
2 appropriation and not in the supply management business
3 area or any other area or category of the Department of
4 Defense Working Capital Funds.

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

21 SEC. 8035. Of the funds appropriated to the Depart-
22 ment of Defense under the heading “Operation and Main-
23 tenance, Defense-Wide”, not less than \$12,000,000 shall
24 be made available only for the mitigation of environmental
25 impacts, including training and technical assistance to

1 tribes, related administrative support, the gathering of in-
2 formation, documenting of environmental damage, and de-
3 veloping a system for prioritization of mitigation and cost
4 to complete estimates for mitigation, on Indian lands re-
5 sulting from Department of Defense activities.

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

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

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

1 competitive, quality competitive, and available in a timely
2 fashion.

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

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

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

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

19 (c) This section does not apply to—

20 (1) field operating agencies funded within the
21 National Intelligence Program;

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

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

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

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

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

20 (2) the Competitive Sourcing Official deter-
21 mines that, over all performance periods stated in
22 the solicitation of offers for performance of the ac-
23 tivity or function, the cost of performance of the ac-
24 tivity or function by a contractor would be less costly

1 to the Department of Defense by an amount that
2 equals or exceeds the lesser of—

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

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

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

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

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

22 (b)(1) The Department of Defense, without regard
23 to subsection (a) of this section or subsection (a), (b), or
24 (c) of section 2461 of title 10, United States Code, and
25 notwithstanding any administrative regulation, require-

1 ment, or policy to the contrary shall have full authority
2 to enter into a contract for the performance of any com-
3 mercial or industrial type function of the Department of
4 Defense that—

5 (A) is included on the procurement list es-
6 tablished pursuant to section 2 of the Javits-
7 Wagner-O'Day Act (section 8503 of title 41,
8 United States Code);

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

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

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

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

10 (RESCISSIONS)

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

21 “Aircraft Procurement, Navy”, 2017/2019,
22 \$69,140,000;

23 “Aircraft Procurement, Air Force”, 2017/2019,
24 \$93,600,000;

1 “Aircraft Procurement, Navy”, 2018/2020,
2 \$11,761,000;
3 “Weapons Procurement, Navy”, 2018/2020,
4 \$115,657,000;
5 “Aircraft Procurement, Air Force”, 2018/2020,
6 \$134,900,000;
7 “Missile Procurement, Air Force”, 2018/2020,
8 \$5,200,000;
9 “Space Procurement, Air Force”, 2018/2020,
10 \$25,000,000;
11 “Procurement, Defense-Wide”, 2018/2020,
12 \$14,000,000;
13 “Research, Development, Test and Evaluation,
14 Navy”, 2018/2019, \$6,196,000; and
15 “Research, Development, Test and Evaluation, Air
16 Force”, 2018/2019, \$17,500,000.

17 SEC. 8040. None of the funds available in this Act
18 may be used to reduce the authorized positions for mili-
19 tary technicians (dual status) of the Army National
20 Guard, Air National Guard, Army Reserve and Air Force
21 Reserve for the purpose of applying any administratively
22 imposed civilian personnel ceiling, freeze, or reduction on
23 military technicians (dual status), unless such reductions
24 are a direct result of a reduction in military force struc-
25 ture.

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

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

19 SEC. 8043. (a) None of the funds available to the
20 Department of Defense for any fiscal year for drug inter-
21 diction or counter-drug activities may be transferred to
22 any other department or agency of the United States ex-
23 cept as specifically provided in an appropriations law.

24 (b) None of the funds available to the Central Intel-
25 ligence Agency for any fiscal year for drug interdiction or

1 counter-drug activities may be transferred to any other de-
2 partment or agency of the United States except as specifi-
3 cally provided in an appropriations law.

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

20 SEC. 8045. In addition to the amounts appropriated
21 or otherwise made available elsewhere in this Act,
22 \$44,000,000 is hereby appropriated to the Department of
23 Defense: *Provided*, That upon the determination of the
24 Secretary of Defense that it shall serve the national inter-
25 est, the Secretary shall make grants in the amounts speci-

1 fied as follows: \$20,000,000 to the United Service Organi-
2 zations and \$24,000,000 to the Red Cross.

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

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

16 SEC. 8048. 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. 8049. 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. 8050. 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. 8051. (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 (INCLUDING TRANSFER OF FUNDS)

10 SEC. 8052. Of the funds appropriated in this Act
11 under the heading “Operation and Maintenance, Defense-
12 wide”, \$35,000,000 shall be for continued implementation
13 and expansion of the Sexual Assault Special Victims’
14 Counsel Program: *Provided*, That the funds are made
15 available for transfer to the Department of the Army, the
16 Department of the Navy, and the Department of the Air
17 Force: *Provided further*, That funds transferred shall be
18 merged with and available for the same purposes and for
19 the same time period as the appropriations to which the
20 funds are transferred: *Provided further*, That this transfer
21 authority is in addition to any other transfer authority
22 provided in this Act.

23 SEC. 8053. None of the funds appropriated in title
24 IV of this Act may be used to procure end-items for deliv-
25 ery to military forces for operational training, operational

1 use or inventory requirements: *Provided*, That this restric-
2 tion does not apply to end-items used in development,
3 prototyping, and test activities preceding and leading to
4 acceptance for operational use: *Provided further*, That the
5 Secretary of Defense shall, not later than 60 days after
6 enactment of this Act, submit a report detailing the use
7 of funds requested in research, development, test and eval-
8 uation accounts for end-items used in development, proto-
9 typing and test activities preceding and leading to accept-
10 ance for operational use: *Provided further*, That this re-
11 striction does not apply to programs funded within the
12 National Intelligence Program: *Provided further*, That the
13 Secretary of Defense may waive this restriction on a case-
14 by-case basis by certifying in writing to the Committees
15 on Appropriations of the House of Representatives and the
16 Senate that it is in the national security interest to do
17 so.

18 SEC. 8054. (a) The Secretary of Defense may, on a
19 case-by-case basis, waive with respect to a foreign country
20 each limitation on the procurement of defense items from
21 foreign sources provided in law if the Secretary determines
22 that the application of the limitation with respect to that
23 country would invalidate cooperative programs entered
24 into between the Department of Defense and the foreign
25 country, or would invalidate reciprocal trade agreements

1 for the procurement of defense items entered into under
2 section 2531 of title 10, United States Code, and the
3 country does not discriminate against the same or similar
4 defense items produced in the United States for that coun-
5 try.

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

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

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

14 (c) Subsection (a) does not apply to a limitation re-
15 garding construction of public vessels, ball and roller bear-
16 ings, food, and clothing or textile materials as defined by
17 section XI (chapters 50–65) of the Harmonized Tariff
18 Schedule of the United States and products classified
19 under headings 4010, 4202, 4203, 6401 through 6406,
20 6505, 7019, 7218 through 7229, 7304.41 through
21 7304.49, 7306.40, 7502 through 7508, 8105, 8108, 8109,
22 8211, 8215, and 9404.

23 SEC. 8055. None of the funds appropriated or other-
24 wise made available by this or other Department of De-
25 fense Appropriations Acts may be obligated or expended

1 for the purpose of performing repairs or maintenance to
2 military family housing units of the Department of De-
3 fense, including areas in such military family housing
4 units that may be used for the purpose of conducting offi-
5 cial Department of Defense business.

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

19 SEC. 8057. The Secretary of Defense shall continue
20 to provide a classified quarterly report to the House and
21 Senate Appropriations Committees, Subcommittees on
22 Defense on certain matters as directed in the classified
23 annex accompanying this Act.

24 SEC. 8058. Notwithstanding section 12310(b) of title
25 10, United States Code, a Reservist who is a member of

1 the National Guard serving on full-time National Guard
2 duty under section 502(f) of title 32, United States Code,
3 may perform duties in support of the ground-based ele-
4 ments of the National Ballistic Missile Defense System.

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

22 SEC. 8060. Notwithstanding any other provision of
23 law, the Chief of the National Guard Bureau, or his des-
24 ignee, may waive payment of all or part of the consider-
25 ation that otherwise would be required under section 2667

1 of title 10, United States Code, in the case of a lease of
2 personal property for a period not in excess of 1 year to
3 any organization specified in section 508(d) of title 32,
4 United States Code, or any other youth, social, or fra-
5 ternal nonprofit organization as may be approved by the
6 Chief of the National Guard Bureau, or his designee, on
7 a case-by-case basis.

8 (INCLUDING TRANSFER OF FUNDS)

9 SEC. 8061. Of the amounts appropriated in this Act
10 under the heading “Operation and Maintenance, Army”,
11 \$62,483,700 shall remain available until expended: *Pro-*
12 *vided*, That, notwithstanding any other provision of law,
13 the Secretary of Defense is authorized to transfer such
14 funds to other activities of the Federal Government: *Pro-*
15 *vided further*, That the Secretary of Defense is authorized
16 to enter into and carry out contracts for the acquisition
17 of real property, construction, personal services, and oper-
18 ations related to projects carrying out the purposes of this
19 section: *Provided further*, That contracts entered into
20 under the authority of this section may provide for such
21 indemnification as the Secretary determines to be nec-
22 essary: *Provided further*, That projects authorized by this
23 section shall comply with applicable Federal, State, and
24 local law to the maximum extent consistent with the na-
25 tional security, as determined by the Secretary of Defense.

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

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

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

12 (3) the process by which the National Intel-
13 ligence Program appropriations are apportioned to
14 the executing agencies; or

15 (4) the process by which the National Intel-
16 ligence Program appropriations are allotted, obli-
17 gated and disbursed.

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

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

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

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

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

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

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

19 SEC. 8063. In addition to amounts provided else-
20 where in this Act, \$5,000,000 is hereby appropriated to
21 the Department of Defense, to remain available for obliga-
22 tion until expended: *Provided*, That notwithstanding any
23 other provision of law, that upon the determination of the
24 Secretary of Defense that it shall serve the national inter-
25 est, these funds shall be available only for a grant to the

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

6 SEC. 8064. Any notice that is required to be sub-
7 mitted to the Committees on Appropriations of the Senate
8 and the House of Representatives under section 806(e)(4)
9 of the Bob Stump National Defense Authorization Act for
10 Fiscal Year 2003 (10 U.S.C. 2302 note) after the date
11 of the enactment of this Act shall be submitted pursuant
12 to that requirement concurrently to the Subcommittees on
13 Defense of the Committees on Appropriations of the Sen-
14 ate and the House of Representatives.

15 (INCLUDING TRANSFER OF FUNDS)

16 SEC. 8065. Of the amounts appropriated in this Act
17 under the headings “Procurement, Defense-Wide” and
18 “Research, Development, Test and Evaluation, Defense-
19 Wide”, \$500,000,000 shall be for the Israeli Cooperative
20 Programs: *Provided*, That of this amount, \$70,000,000
21 shall be for the Secretary of Defense to provide to the Gov-
22 ernment of Israel for the procurement of the Iron Dome
23 defense system to counter short-range rocket threats, sub-
24 ject to the U.S.-Israel Iron Dome Procurement Agree-
25 ment, as amended; \$187,000,000 shall be for the Short

1 Range Ballistic Missile Defense (SRBMD) program, in-
2 cluding cruise missile defense research and development
3 under the SRBMD program, of which \$50,000,000 shall
4 be for co-production activities of SRBMD systems in the
5 United States and in Israel to meet Israel's defense re-
6 quirements consistent with each nation's laws, regulations,
7 and procedures, subject to the U.S.-Israeli co-production
8 agreement for SRBMD, as amended; \$80,000,000 shall
9 be for an upper-tier component to the Israeli Missile De-
10 fense Architecture, of which \$80,000,000 shall be for co-
11 production activities of Arrow 3 Upper Tier systems in
12 the United States and in Israel to meet Israel's defense
13 requirements consistent with each nation's laws, regula-
14 tions, and procedures, subject to the U.S.-Israeli co-pro-
15 duction agreement for Arrow 3 Upper Tier, as amended;
16 and \$163,000,000 shall be for the Arrow System Improve-
17 ment Program including development of a long range,
18 ground and airborne, detection suite: *Provided further*,
19 That the transfer authority provided under this provision
20 is in addition to any other transfer authority contained
21 in this Act.

22 (INCLUDING TRANSFER OF FUNDS)

23 SEC. 8066. Of the amounts appropriated in this Act
24 under the heading "Shipbuilding and Conversion, Navy",
25 \$207,099,000 shall be available until September 30, 2019,

1 to fund prior year shipbuilding cost increases: *Provided*,
2 That upon enactment of this Act, the Secretary of the
3 Navy shall transfer funds to the following appropriations
4 in the amounts specified: *Provided further*, That the
5 amounts transferred shall be merged with and be available
6 for the same purposes as the appropriations to which
7 transferred to:

8 (1) Under the heading “Shipbuilding and Con-
9 version, Navy”, 2011/2019: LHA Replacement
10 \$25,100,000;

11 (2) Under the heading “Shipbuilding and Con-
12 version, Navy”, 2013/2019: DDG-51 Destroyer
13 \$53,966,000;

14 (3) Under the heading “Shipbuilding and Con-
15 version, Navy”, 2014/2019: Littoral Combat Ship
16 \$19,498,000;

17 (4) Under the heading “Shipbuilding and Con-
18 version, Navy”, 2015/2019: Littoral Combat Ship
19 \$83,686,000;

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

22 (6) Under the heading “Shipbuilding and Con-
23 version, Navy”, 2016/2019: TAO Fleet Oiler
24 \$15,449,000.

1 SEC. 8067. Funds appropriated by this Act, or made
2 available by the transfer of funds in this Act, for intel-
3 ligence activities are deemed to be specifically authorized
4 by the Congress for purposes of section 504 of the Na-
5 tional Security Act of 1947 (50 U.S.C. 3094) during fiscal
6 year 2019 until the enactment of the Intelligence Author-
7 ization Act for Fiscal Year 2019.

8 SEC. 8068. None of the funds provided in this Act
9 shall be available for obligation or expenditure through a
10 reprogramming of funds that creates or initiates a new
11 program, project, or activity unless such program, project,
12 or activity must be undertaken immediately in the interest
13 of national security and only after written prior notifica-
14 tion to the congressional defense committees.

15 SEC. 8069. The budget of the President for fiscal
16 year 2020 submitted to the Congress pursuant to section
17 1105 of title 31, United States Code, shall include sepa-
18 rate budget justification documents for costs of United
19 States Armed Forces' participation in contingency oper-
20 ations for the Military Personnel accounts, the Operation
21 and Maintenance accounts, the Procurement accounts,
22 and the Research, Development, Test and Evaluation ac-
23 counts: *Provided*, That these documents shall include a de-
24 scription of the funding requested for each contingency op-
25 eration, for each military service, to include all Active and

1 Reserve components, and for each appropriations account:
2 *Provided further*, That these documents shall include esti-
3 mated costs for each element of expense or object class,
4 a reconciliation of increases and decreases for each contin-
5 gency operation, and programmatic data including, but
6 not limited to, troop strength for each Active and Reserve
7 component, and estimates of the major weapons systems
8 deployed in support of each contingency: *Provided further*,
9 That these documents shall include budget exhibits OP-
10 5 and OP-32 (as defined in the Department of Defense
11 Financial Management Regulation) for all contingency op-
12 erations for the budget year and the two preceding fiscal
13 years.

14 SEC. 8070. None of the funds in this Act may be
15 used for research, development, test, evaluation, procure-
16 ment or deployment of nuclear armed interceptors of a
17 missile defense system.

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

22 SEC. 8072. The Secretary of Defense may use up to
23 \$800,000,000 of the amounts appropriated or otherwise
24 made available in this Act to the Department of Defense
25 for the rapid acquisition and deployment of supplies and

1 associated support services pursuant to section 806 of the
2 Bob Stump National Defense Authorization Act for Fiscal
3 Year 2003 (Public Law 107–314; 10 U.S.C. 2302 note):
4 *Provided*, That the Secretary of Defense shall notify the
5 congressional defense committees promptly of all uses of
6 this authority.

7 SEC. 8073. None of the funds appropriated or made
8 available in this Act shall be used to reduce or disestablish
9 the operation of the 53rd Weather Reconnaissance Squad-
10 ron of the Air Force Reserve, if such action would reduce
11 the WC–130 Weather Reconnaissance mission below the
12 levels funded in this Act: *Provided*, That the Air Force
13 shall allow the 53rd Weather Reconnaissance Squadron to
14 perform other missions in support of national defense re-
15 quirements during the non-hurricane season.

16 SEC. 8074. None of the funds provided in this Act
17 shall be available for integration of foreign intelligence in-
18 formation unless the information has been lawfully col-
19 lected and processed during the conduct of authorized for-
20 eign intelligence activities: *Provided*, That information
21 pertaining to United States persons shall only be handled
22 in accordance with protections provided in the Fourth
23 Amendment of the United States Constitution as imple-
24 mented through Executive Order No. 12333.

1 SEC. 8075. (a) None of the funds appropriated by
2 this Act may be used to transfer research and develop-
3 ment, acquisition, or other program authority relating to
4 current tactical unmanned aerial vehicles (TUAVs) from
5 the Army.

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

11 SEC. 8076. None of the funds appropriated by this
12 Act for programs of the Office of the Director of National
13 Intelligence shall remain available for obligation beyond
14 the current fiscal year, except for funds appropriated for
15 research and technology, which shall remain available until
16 September 30, 2020.

17 SEC. 8077. For purposes of section 1553(b) of title
18 31, United States Code, any subdivision of appropriations
19 made in this Act under the heading “Shipbuilding and
20 Conversion, Navy” shall be considered to be for the same
21 purpose as any subdivision under the heading “Ship-
22 building and Conversion, Navy” appropriations in any
23 prior fiscal year, and the 1 percent limitation shall apply
24 to the total amount of the appropriation.

1 SEC. 8078. (a) Not later than 60 days after the date
2 of enactment of this Act, the Director of National Intel-
3 ligence shall submit a report to the congressional intel-
4 ligence committees to establish the baseline for application
5 of reprogramming and transfer authorities for fiscal year
6 2019: *Provided*, That the report shall include—

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

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

14 (3) an identification of items of special congres-
15 sional interest.

16 (b) None of the funds provided for the National Intel-
17 ligence Program in this Act shall be available for re-
18 programming or transfer until the report identified in sub-
19 section (a) is submitted to the congressional intelligence
20 committees, unless the Director of National Intelligence
21 certifies in writing to the congressional intelligence com-
22 mittees that such reprogramming or transfer is necessary
23 as an emergency requirement.

24 SEC. 8079. None of the funds made available by this
25 Act may be used to eliminate, restructure, or realign Army

1 Contracting Command—New Jersey or make dispropor-
2 tionate personnel reductions at any Army Contracting
3 Command—New Jersey sites without 30-day prior notifi-
4 cation to the congressional defense committees.

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

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

20 SEC. 8082. None of the funds made available by this
21 Act for excess defense articles, assistance under section
22 333 of title 10, United States Code, or peacekeeping oper-
23 ations for the countries designated annually to be in viola-
24 tion of the standards of the Child Soldiers Prevention Act
25 of 2008 (Public Law 110–457; 22 U.S.C. 2370c–1) may

1 be used to support any military training or operation that
2 includes child soldiers, as defined by the Child Soldiers
3 Prevention Act of 2008, unless such assistance is other-
4 wise permitted under section 404 of the Child Soldiers
5 Prevention Act of 2008.

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

12 (1) creates a new start effort;

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

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

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

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

1 section 102A(d) of the National Security Act of 1947 (50
2 U.S.C. 3024(d)) that results in a cumulative increase or
3 decrease of the levels specified in the classified annex ac-
4 companying the Act unless the congressional intelligence
5 committees are notified 30 days in advance of such re-
6 programming of funds; this notification period may be re-
7 duced for urgent national security requirements.

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

18 SEC. 8085. For the purposes of this Act, the term
19 "congressional intelligence committees" means the Perma-
20 nent Select Committee on Intelligence of the House of
21 Representatives, the Select Committee on Intelligence of
22 the Senate, the Subcommittee on Defense of the Com-
23 mittee on Appropriations of the House of Representatives,
24 and the Subcommittee on Defense of the Committee on
25 Appropriations of the Senate.

1 (INCLUDING TRANSFER OF FUNDS)

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

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

15 SEC. 8088. (a) Any agency receiving funds made
16 available in this Act, shall, subject to subsections (b) and
17 (c), post on the public Web site of that agency any report
18 required to be submitted by the Congress in this or any
19 other Act, upon the determination by the head of the agen-
20 cy that it shall serve the national interest.

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

22 (1) the public posting of the report com-
23 promises national security; or

24 (2) the report contains proprietary information.

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

5 SEC. 8089. (a) None of the funds appropriated or
6 otherwise made available by this Act may be expended for
7 any Federal contract for an amount in excess of
8 \$1,000,000, unless the contractor agrees not to—

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

19 (2) take any action to enforce any provision of
20 an existing agreement with an employee or inde-
21 pendent contractor that mandates that the employee
22 or independent contractor resolve through arbitra-
23 tion any claim under title VII of the Civil Rights Act
24 of 1964 or any tort related to or arising out of sex-
25 ual assault or harassment, including assault and

1 battery, intentional infliction of emotional distress,
2 false imprisonment, or negligent hiring, supervision,
3 or retention.

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

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

19 (d) The Secretary of Defense may waive the applica-
20 tion of subsection (a) or (b) to a particular contractor or
21 subcontractor for the purposes of a particular contract or
22 subcontract if the Secretary or the Deputy Secretary per-
23 sonally determines that the waiver is necessary to avoid
24 harm to national security interests of the United States,
25 and that the term of the contract or subcontract is not

1 longer than necessary to avoid such harm. The determina-
2 tion shall set forth with specificity the grounds for the
3 waiver and for the contract or subcontract term selected,
4 and shall state any alternatives considered in lieu of a
5 waiver and the reasons each such alternative would not
6 avoid harm to national security interests of the United
7 States. The Secretary of Defense shall transmit to Con-
8 gress, and simultaneously make public, any determination
9 under this subsection not less than 15 business days be-
10 fore the contract or subcontract addressed in the deter-
11 mination may be awarded.

12 (INCLUDING TRANSFER OF FUNDS)

13 SEC. 8090. From within the funds appropriated for
14 operation and maintenance for the Defense Health Pro-
15 gram in this Act, up to \$113,000,000, shall be available
16 for transfer to the Joint Department of Defense-Depart-
17 ment of Veterans Affairs Medical Facility Demonstration
18 Fund in accordance with the provisions of section 1704
19 of the National Defense Authorization Act for Fiscal Year
20 2010, Public Law 111–84: *Provided*, That for purposes
21 of section 1704(b), the facility operations funded are oper-
22 ations of the integrated Captain James A. Lovell Federal
23 Health Care Center, consisting of the North Chicago Vet-
24 erans Affairs Medical Center, the Navy Ambulatory Care
25 Center, and supporting facilities designated as a combined

1 Federal medical facility as described by section 706 of
2 Public Law 110–417: *Provided further*, That additional
3 funds may be transferred from funds appropriated for op-
4 eration and maintenance for the Defense Health Program
5 to the Joint Department of Defense-Department of Vet-
6 erans Affairs Medical Facility Demonstration Fund upon
7 written notification by the Secretary of Defense to the
8 Committees on Appropriations of the House of Represent-
9 atives and the Senate.

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

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

22 (INCLUDING TRANSFER OF FUNDS)

23 SEC. 8093. Upon a determination by the Director of
24 National Intelligence that such action is necessary and in
25 the national interest, the Director may, with the approval

1 of the Office of Management and Budget, transfer not to
2 exceed \$1,500,000,000 of the funds made available in this
3 Act for the National Intelligence Program: *Provided*, That
4 such authority to transfer may not be used unless for
5 higher priority items, based on unforeseen intelligence re-
6 quirements, than those for which originally appropriated
7 and in no case where the item for which funds are re-
8 quested has been denied by the Congress: *Provided further*,
9 That a request for multiple reprogrammings of funds
10 using authority provided in this section shall be made
11 prior to June 30, 2019.

12 SEC. 8094. 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 United States Naval Station, Guantánamo Bay,
21 Cuba, by the Department of Defense.

22 SEC. 8095. (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, Guantánamo 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, Guantánamo 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, Guantánamo Bay, Cuba.

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

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

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

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

14 (b) The Secretary of Defense may waive the limita-
15 tion in subsection (a) if the Secretary, in consultation with
16 the Secretary of State and the Director of National Intel-
17 ligence, determines that it is in the vital national security
18 interest of the United States to do so, and certifies in writ-
19 ing to the congressional defense committees that, to the
20 best of the Secretary's knowledge:

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

1 (2) The armed forces of the Russian Federation
2 have withdrawn from Crimea, other than armed
3 forces present on military bases subject to agree-
4 ments in force between the Government of the Rus-
5 sian Federation and the Government of Ukraine;
6 and

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

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

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

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

13 (1) the prospective foreign civilian recipient is
14 determined by the local military commander to be
15 friendly to the United States;

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

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

22 (c) Any payments provided under a program under
23 subsection (a) shall not be considered an admission or ac-
24 knowledgement of any legal obligation to compensate for
25 any damage, personal injury, or death.

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

10 (e) Local military commanders shall receive legal ad-
11 vice before making ex gratia payments under this sub-
12 section. The legal advisor, under regulations of the De-
13 partment of Defense, shall advise on whether an ex gratia
14 payment is proper under this section and applicable De-
15 partment of Defense regulations.

16 (f) A written record of any ex gratia payment offered
17 or denied shall be kept by the local commander and on
18 a timely basis submitted to the appropriate office in the
19 Department of Defense as determined by the Secretary
20 of Defense.

21 (g) The Secretary of Defense shall report to the con-
22 gressional defense committees on an annual basis the effi-
23 cacy of the ex gratia payment program including the num-
24 ber of types of cases considered, amounts offered, the re-

1 sponse from ex gratia payment recipients, and any rec-
2 ommended modifications to the program.

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

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

14 SEC. 8103. The Secretary of each military depart-
15 ment, in reducing each research, development, test and
16 evaluation and procurement account of the military de-
17 partment as required under paragraph (1) of section
18 828(d) of the National Defense Authorization Act for Fis-
19 cal Year 2016 (Public Law 114–92; 10 U.S.C. 2430 note),
20 as amended by section 825(a)(3) of the National Defense
21 Authorization Act for Fiscal Year 2018, shall allocate the
22 percentage reduction determined under paragraph (2) of
23 such section 828(d) proportionally from all programs,
24 projects, or activities under such account: *Provided*, That
25 the authority under section 804(d)(2) of the National De-

1 fense Authorization Act for Fiscal Year 2016 (Public Law
2 114–92; 10 U.S.C. 2302 note) to transfer amounts avail-
3 able in the Rapid Prototyping Fund shall be subject to
4 section 8005 or 9002 of this Act, as applicable.

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

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

14 (1) conduct an acquisition pursuant to section
15 702 of the Foreign Intelligence Surveillance Act of
16 1978 for the purpose of targeting a United States
17 person; or

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

1 SEC. 8106. None of the funds made available by this
2 Act may be obligated or expended to implement the Arms
3 Trade Treaty until the Senate approves a resolution of
4 ratification for the Treaty.

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

16 SEC. 8108. None of the funds made available in this
17 Act may be obligated for activities authorized under sec-
18 tion 1208 of the Ronald W. Reagan National Defense Au-
19 thorization Act for Fiscal Year 2005 (Public Law 112-
20 81; 125 Stat. 1621) to initiate support for, or expand sup-
21 port to, foreign forces, irregular forces, groups, or individ-
22 uals unless the congressional defense committees are noti-
23 fied in accordance with the direction contained in the clas-
24 sified annex accompanying this Act, not less than 15 days
25 before initiating such support: *Provided*, That none of the

1 funds made available in this Act may be used under sec-
2 tion 1208 for any activity that is not in support of an
3 ongoing military operation being conducted by United
4 States Special Operations Forces to combat terrorism:
5 *Provided further*, That the Secretary of Defense may waive
6 the prohibitions in this section if the Secretary determines
7 that such waiver is required by extraordinary cir-
8 cumstances and, by not later than 72 hours after making
9 such waiver, notifies the congressional defense committees
10 of such waiver.

11 SEC. 8109. None of the funds made available by this
12 Act may be used with respect to Iraq in contravention of
13 the War Powers Resolution (50 U.S.C. 1541 et seq.), in-
14 cluding for the introduction of United States armed forces
15 into hostilities in Iraq, into situations in Iraq where immi-
16 nent involvement in hostilities is clearly indicated by the
17 circumstances, or into Iraqi territory, airspace, or waters
18 while equipped for combat, in contravention of the con-
19 gressional consultation and reporting requirements of sec-
20 tions 3 and 4 of such Resolution (50 U.S.C. 1542 and
21 1543).

22 SEC. 8110. None of the funds provided in this Act
23 for the TAO Fleet Oiler program shall be used to award
24 a new contract that provides for the acquisition of the fol-
25 lowing components unless those components are manufac-

1 tured in the United States: Auxiliary equipment (including
2 pumps) for shipboard services; propulsion equipment (in-
3 cluding engines, reduction gears, and propellers); ship-
4 board cranes; and spreaders for shipboard cranes.

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

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

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

21 (INCLUDING TRANSFER OF FUNDS)

22 SEC. 8114. Of the amounts appropriated in this Act,
23 the Secretary of Defense may use up to \$117,642,000
24 under the heading “Operation and Maintenance, Defense-
25 Wide”, and up to \$39,400,000 under the heading “Re-

1 search, Development, Test and Evaluation, Defense-
2 Wide” to develop, replace, and sustain Federal Govern-
3 ment security and suitability background investigation in-
4 formation technology systems of the Office of Personnel
5 Management or other Federal agency responsible for con-
6 ducting such investigations: *Provided*, That the Secretary
7 may transfer additional amounts into these headings or
8 into “Procurement, Defense-Wide” using established re-
9 programming procedures prescribed in the Department of
10 Defense Financial Management Regulation 7000.14, Vol-
11 ume 3, Chapter 6, dated September 2015: *Provided fur-*
12 *ther*, That such funds shall supplement, not supplant any
13 other amounts made available to other Federal agencies
14 for such purposes.

15 SEC. 8115. None of the funds made available by this
16 Act may be used to carry out the closure or realignment
17 of the United States Naval Station, Guantánamo Bay,
18 Cuba.

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

23 (b) Nothing in subsection (a) shall limit the use of
24 funds necessary for any Federal, State, tribal, or local law
25 enforcement agency or any other entity carrying out crimi-

1 nal investigations, prosecution, or adjudication activities,
2 or for any activity necessary for the national defense, in-
3 cluding intelligence activities.

4 SEC. 8117. Notwithstanding any other provision of
5 law, any transfer of funds appropriated or otherwise made
6 available by this Act to the Global Engagement Center es-
7 tablished by section 1287 of the National Defense Author-
8 ization Act for Fiscal Year 2017 (Public Law 114–328;
9 130 Stat. 22 U.S.C. 2656 note) shall be made in accord-
10 ance with section 8005 or 9002 of this Act, as applicable.

11 SEC. 8118. In addition to amounts provided else-
12 where in this Act, there is appropriated \$270,000,000, 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 reitary 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: *Provided further*, That
5 as a condition of receiving funds under this section a local
6 educational agency or State shall provide a matching share
7 as described in the notice titled “Department of Defense
8 Program for Construction, Renovation, Repair or Expan-
9 sion of Public Schools Located on Military Installations”
10 published by the Department of Defense in the Federal
11 Register on September 9, 2011 (76 Fed. Reg. 55883 et
12 seq.): *Provided further*, That these provisions apply to
13 funds provided under this section, and to funds previously
14 provided by Congress to construct, renovate, repair, or ex-
15 pand elementary and secondary public schools on military
16 installations in order to address capacity or facility condi-
17 tion deficiencies at such schools to the extent such funds
18 remain unobligated on the date of enactment of this sec-
19 tion.

20 SEC. 8119. In carrying out the program described in
21 the memorandum on the subject of “Policy for Assisted
22 Reproductive Services for the Benefit of Seriously or Se-
23 verely Ill/Injured (Category II or III) Active Duty Service
24 Members” issued by the Assistant Secretary of Defense
25 for Health Affairs on April 3, 2012, and the guidance

1 issued to implement such memorandum, the Secretary of
2 Defense shall apply such policy and guidance, except
3 that—

4 (1) the limitation on periods regarding embryo
5 cryopreservation and storage set forth in part III(G)
6 and in part IV(H) of such memorandum shall not
7 apply; and

8 (2) the term “assisted reproductive technology”
9 shall include embryo cryopreservation and storage
10 without limitation on the duration of such
11 cryopreservation and storage.

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

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

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

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

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

8 SEC. 8125. None of the funds made available by this
9 or any other Act may be obligated or expended to divest
10 more than one E-8C aircraft unless the Secretary of the
11 Air Force certifies to the congressional defense committees
12 that funds made available in this or any other Act have
13 been obligated pursuant to the award of one or more con-
14 tracts to continue the Joint Surveillance Target Attack
15 Radar System recapitalization program.

16 SEC. 8126. None of the funds provided for, or other-
17 wise made available, in this or any other Act, may be obli-
18 gated or expended by the Secretary of Defense to provide
19 motorized vehicles, aviation platforms, munitions other
20 than small arms and munitions appropriate for customary
21 ceremonial honors, operational military units, or oper-
22 ational military platforms if the Secretary determines that
23 providing such units, platforms, or equipment would un-
24 dermine the readiness of such units, platforms, or equip-
25 ment.

1 SEC. 8127. (a) None of the funds made available by
2 this Act to the Secretary of Defense or the Secretary of
3 any military department may be used to enter into a con-
4 tract for the acquisition of furnished energy for the new
5 Rhine Ordnance Barracks Army Medical Center until the
6 Secretary of Defense submits to the congressional defense
7 committees a written certification that—

8 (1) the source of furnished energy for such
9 Medical Center will minimize the use of fuels
10 sourced from inside the Russian Federation;

11 (2) the design of such Medical Center will uti-
12 lize a diversified energy supply from a mixed-fuel
13 system as the source of furnished energy to sustain
14 mission critical operations during any sustained en-
15 ergy supply disruption caused by the Russian Fed-
16 eration; and

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

20 (b) Subsection (a) shall not apply if the Secretary of
21 Defense certifies to the congressional defense committees
22 that a waiver of such subsection is necessary to protect
23 the national security interests of the United States.

24 SEC. 8128. The Secretary of Defense may obligate
25 and expend funds made available under this or any other

1 Act for procurement or for research, development, test and
2 evaluation for the F-35 Joint Strike Fighter to modify up
3 to six F-35 aircraft, including up to two F-35 aircraft of
4 each variant, to a test configuration: *Provided*, That the
5 Secretary of Defense shall, with the concurrence of the
6 Secretary of the Air Force and the Secretary of the Navy,
7 notify the congressional defense committees not fewer
8 than 30 days prior to obligating and expending funds
9 under this section.

10 SEC. 8129. Amounts appropriated for "Defense
11 Health Program" in this Act and hereafter may be obli-
12 gated to make death gratuity payments, as authorized in
13 subchapter II of chapter 75 of title 10, United States
14 Code, if no appropriation for "Military Personnel" is avail-
15 able for obligation for such payments: *Provided*, That such
16 obligations may subsequently be recorded against appro-
17 priations available for "Military Personnel."

18 SEC. 8130. None of the funds appropriated or other-
19 wise made available by this or any other Act may be obli-
20 gated or expended by the Department of Defense to mi-
21 grate data and applications to the proposed Joint Enter-
22 prise Defense Infrastructure or the Defense Enterprise
23 Office Solutions cloud computing services until a period
24 of 90 days has elapsed following the date on which the

1 Secretary of Defense submits to the congressional defense
2 committees—

3 (1) a proposed plan to establish a budget ac-
4 counting system that provides transparency across
5 the Department, including all military Services and
6 Defense Agencies, for funds requested and expended
7 for all cloud computing services procured by the De-
8 partment and funds requested and expended to mi-
9 grate to a cloud computing environment; and

10 (2) a detailed description of the Department's
11 strategy to implement enterprise-wide cloud com-
12 puting, including the goals and acquisition strategies
13 for all proposed enterprise-wide cloud computing
14 service procurements; the strategy to sustain com-
15 petition and innovation throughout the period of
16 performance of each contract, including defining op-
17 portunities for multiple cloud service providers and
18 insertion of new technologies; and an assessment of
19 potential threats and security vulnerabilities of the
20 proposed cloud computing strategy, and plans to
21 mitigate such risks.

1 TITLE IX
2 OVERSEAS CONTINGENCY OPERATIONS
3 MILITARY PERSONNEL

4 MILITARY PERSONNEL, ARMY

5 For an additional amount for “Military Personnel,
6 Army”, \$2,929,154,000: *Provided*, That such amount is
7 designated by the Congress for Overseas Contingency Op-
8 erations/Global War on Terrorism pursuant to section
9 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
10 Deficit Control Act of 1985.

11 MILITARY PERSONNEL, NAVY

12 For an additional amount for “Military Personnel,
13 Navy”, \$385,461,000: *Provided*, That such amount is des-
14 ignated by the Congress for Overseas Contingency Oper-
15 ations/Global War on Terrorism pursuant to section
16 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
17 Deficit Control Act of 1985.

18 MILITARY PERSONNEL, MARINE CORPS

19 For an additional amount for “Military Personnel,
20 Marine Corps”, \$109,232,000: *Provided*, That such
21 amount is designated by the Congress for Overseas Con-
22 tingency Operations/Global War on Terrorism pursuant to
23 section 251(b)(2)(A)(ii) of the Balanced Budget and
24 Emergency Deficit Control Act of 1985.

1 MILITARY PERSONNEL, AIR FORCE

2 For an additional amount for “Military Personnel,
3 Air Force”, \$964,508,000: *Provided*, That such amount
4 is designated by the Congress for Overseas Contingency
5 Operations/Global War on Terrorism pursuant to section
6 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
7 Deficit Control Act of 1985.

8 RESERVE PERSONNEL, ARMY

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

15 RESERVE PERSONNEL, NAVY

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

22 RESERVE PERSONNEL, MARINE CORPS

23 For an additional amount for “Reserve Personnel,
24 Marine Corps”, \$2,380,000: *Provided*, That such amount
25 is designated by the Congress for Overseas Contingency

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

4 RESERVE PERSONNEL, AIR FORCE

5 For an additional amount for “Reserve Personnel,
6 Air Force”, \$21,076,000: *Provided*, That such amount is
7 designated by the Congress for Overseas Contingency Op-
8 erations/Global War on Terrorism pursuant to section
9 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
10 Deficit Control Act of 1985.

11 NATIONAL GUARD PERSONNEL, ARMY

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

18 NATIONAL GUARD PERSONNEL, AIR FORCE

19 For an additional amount for “National Guard Per-
20 sonnel, Air Force”, \$5,460,000: *Provided*, That such
21 amount is designated by the Congress for Overseas Con-
22 tingency Operations/Global War on Terrorism pursuant to
23 section 251(b)(2)(A)(ii) of the Balanced Budget and
24 Emergency Deficit Control Act of 1985.

1 OPERATION AND MAINTENANCE

2 OPERATION AND MAINTENANCE, ARMY

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

9 OPERATION AND MAINTENANCE, NAVY

10 For an additional amount for “Operation and Main-
11 tenance, Navy”, \$4,757,155,000, of which up to
12 \$165,000,000 may be transferred to the Coast Guard
13 “Operating Expenses” account : *Provided*, That such
14 amount is designated by the Congress for Overseas Con-
15 tingency Operations/Global War on Terrorism pursuant to
16 section 251(b)(2)(A)(ii) of the Balanced Budget and
17 Emergency Deficit Control Act of 1985.

18 OPERATION AND MAINTENANCE, MARINE CORPS

19 For an additional amount for “Operation and Main-
20 tenance, Marine Corps”, \$1,121,900,000: *Provided*, That
21 such amount is designated by the Congress for Overseas
22 Contingency Operations/Global War on Terrorism pursu-
23 ant to section 251(b)(2)(A)(ii) of the Balanced Budget
24 and Emergency Deficit Control Act of 1985.

1 OPERATION AND MAINTENANCE, AIR FORCE

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

8 OPERATION AND MAINTENANCE, DEFENSE-WIDE

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

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

1 enhance the ability of the armed forces of Jordan to in-
2 crease or sustain security along its borders, upon 15 days
3 prior written notification to the congressional defense
4 committees outlining the amounts intended to be provided
5 and the nature of the expenses incurred: *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 OPERATION AND MAINTENANCE, ARMY RESERVE

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

17 OPERATION AND MAINTENANCE, NAVY RESERVE

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

1 OPERATION AND MAINTENANCE, MARINE CORPS
2 RESERVE

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

9 OPERATION AND MAINTENANCE, AIR FORCE RESERVE

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

16 OPERATION AND MAINTENANCE, ARMY NATIONAL
17 GUARD

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

1 OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

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

8 AFGHANISTAN SECURITY FORCES FUND

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

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

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

1 COUNTER-ISIS TRAIN AND EQUIP FUND

2 For the “Counter-Islamic State of Iraq and Syria
3 Train and Equip Fund”, \$1,400,000,000, to remain avail-
4 able until September 30, 2020: *Provided*, That such funds
5 shall be available to the Secretary of Defense in coordina-
6 tion with the Secretary of State, to provide assistance, in-
7 cluding training; equipment; logistics support, supplies,
8 and services; stipends; infrastructure repair and renova-
9 tion; and sustainment, to foreign security forces, irregular
10 forces, groups, or individuals participating, or preparing
11 to participate in activities to counter the Islamic State of
12 Iraq and Syria, and their affiliated or associated groups:
13 *Provided further*, That these funds may be used in such
14 amounts as the Secretary of Defense may determine to
15 enhance the border security of nations adjacent to conflict
16 areas including Jordan, Lebanon, Egypt, and Tunisia re-
17 sulting from actions of the Islamic State of Iraq and
18 Syria: *Provided further*, That amounts made available
19 under this heading shall be available to provide assistance
20 only for activities in a country designated by the Secretary
21 of Defense, in coordination with the Secretary of State,
22 as having a security mission to counter the Islamic State
23 of Iraq and Syria, and following written notification to the
24 congressional defense committees of such designation:
25 *Provided further*, That the Secretary of Defense shall en-

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

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

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

12

PROCUREMENT

13

AIRCRAFT PROCUREMENT, ARMY

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

21

MISSILE PROCUREMENT, ARMY

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

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

5 AIRCRAFT PROCUREMENT, NAVY

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

13 WEAPONS PROCUREMENT, NAVY

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

21 PROCUREMENT OF AMMUNITION, NAVY AND MARINE

22 CORPS

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

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

5 OTHER PROCUREMENT, NAVY

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

13 PROCUREMENT, MARINE CORPS

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

21 AIRCRAFT PROCUREMENT, AIR FORCE

22 For an additional amount for “Aircraft Procurement,
23 Air Force”, \$966,248,000, to remain available until Sep-
24 tember 30, 2021: *Provided*, That such amount is des-
25 ignated by the Congress for Overseas Contingency Oper-

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

4 MISSILE PROCUREMENT, AIR FORCE

5 For an additional amount for “Missile Procurement,
6 Air Force”, \$493,526,000, to remain available until Sep-
7 tember 30, 2021: *Provided*, That such amount is des-
8 ignated by the Congress for Overseas Contingency Oper-
9 ations/Global War on Terrorism pursuant to section
10 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
11 Deficit Control Act of 1985.

12 PROCUREMENT OF AMMUNITION, AIR FORCE

13 For an additional amount for “Procurement of Am-
14 muniton, Air Force”, \$1,421,516,000, to remain available
15 until September 30, 2021: *Provided*, That such amount
16 is designated by the Congress for Overseas Contingency
17 Operations/Global War on Terrorism pursuant to section
18 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
19 Deficit Control Act of 1985.

20 OTHER PROCUREMENT, AIR FORCE

21 For an additional amount for “Other Procurement,
22 Air Force”, \$3,665,336,000, to remain available until
23 September 30, 2021: *Provided*, That such amount is des-
24 ignated by the Congress for Overseas Contingency Oper-
25 ations/Global War on Terrorism pursuant to section

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

3 PROCUREMENT, DEFENSE-WIDE

4 For an additional amount for “Procurement, De-
5 fense-Wide”, \$572,135,000, to remain available until Sep-
6 tember 30, 2021: *Provided*, That such amount is des-
7 ignated by the Congress for Overseas Contingency Oper-
8 ations/Global War on Terrorism pursuant to section
9 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
10 Deficit Control Act of 1985.

11 RESEARCH, DEVELOPMENT, TEST AND
12 EVALUATION

13 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,
14 ARMY

15 For an additional amount for “Research, Develop-
16 ment, Test and Evaluation, Army”, \$300,604,000, to re-
17 main available until September 30, 2020: *Provided*, That
18 such amount is designated by the Congress for Overseas
19 Contingency Operations/Global War on Terrorism pursu-
20 ant to section 251(b)(2)(A)(ii) of the Balanced Budget
21 and Emergency Deficit Control Act of 1985.

22 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,
23 NAVY

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

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

6 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,
7 AIR FORCE

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

15 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,
16 DEFENSE-WIDE

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

1 REVOLVING AND MANAGEMENT FUNDS

2 DEFENSE WORKING CAPITAL FUNDS

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

9 OTHER DEPARTMENT OF DEFENSE PROGRAMS

10 DEFENSE HEALTH PROGRAM

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

18 DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES,

19 DEFENSE

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

1 OFFICE OF THE INSPECTOR GENERAL

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

8 GENERAL PROVISIONS—THIS TITLE

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

13 (INCLUDING TRANSFER OF FUNDS)

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

14 TITLE X—ADDITIONAL GENERAL PROVISIONS

15 SPENDING REDUCTION ACCOUNT

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

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

