

**[FULL COMMITTEE PRINT]**

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

115<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

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

**[Report No. 115-\_\_\_\_]**

Making appropriations for the Department of Defense for the fiscal year ending September 30, 2018, and for other purposes.

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IN THE HOUSE OF REPRESENTATIVES

\_\_\_\_ --, 2017

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

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**A BILL**

Making appropriations for the Department of Defense for the fiscal year ending September 30, 2018, and for other purposes.



1 tion travel (including all expenses thereof for organiza-  
2 tional movements), and expenses of temporary duty travel  
3 between permanent duty stations, for members of the  
4 Navy on active duty (except members of the Reserve pro-  
5 vided for elsewhere), midshipmen, and aviation cadets; for  
6 members of the Reserve Officers' Training Corps; and for  
7 payments pursuant to section 156 of Public Law 97-377,  
8 as amended (42 U.S.C. 402 note), and to the Department  
9 of Defense Military Retirement Fund, \$28,707,918,000.

10           MILITARY PERSONNEL, MARINE CORPS

11         For pay, allowances, individual clothing, subsistence,  
12 interest on deposits, gratuities, permanent change of sta-  
13 tion travel (including all expenses thereof for organiza-  
14 tional movements), and expenses of temporary duty travel  
15 between permanent duty stations, for members of the Ma-  
16 rine Corps on active duty (except members of the Reserve  
17 provided for elsewhere); and for payments pursuant to sec-  
18 tion 156 of Public Law 97-377, as amended (42 U.S.C.  
19 402 note), and to the Department of Defense Military Re-  
20 tirement Fund, \$13,165,714,000.

21           MILITARY PERSONNEL, AIR FORCE

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

1 between permanent duty stations, for members of the Air  
2 Force on active duty (except members of reserve compo-  
3 nents provided for elsewhere), cadets, and aviation cadets;  
4 for members of the Reserve Officers' Training Corps; and  
5 for payments pursuant to section 156 of Public Law 97-  
6 377, as amended (42 U.S.C. 402 note), and to the Depart-  
7 ment of Defense Military Retirement Fund,  
8 \$28,738,320,000.

9 RESERVE PERSONNEL, ARMY

10 For pay, allowances, clothing, subsistence, gratuities,  
11 travel, and related expenses for personnel of the Army Re-  
12 serve on active duty under sections 10211, 10302, and  
13 3038 of title 10, United States Code, or while serving on  
14 active duty under section 12301(d) of title 10, United  
15 States Code, in connection with performing duty specified  
16 in section 12310(a) of title 10, United States Code, or  
17 while undergoing reserve training, or while performing  
18 drills or equivalent duty or other duty, and expenses au-  
19 thorized by section 16131 of title 10, United States Code;  
20 and for payments to the Department of Defense Military  
21 Retirement Fund, \$4,721,128,000.

22 RESERVE PERSONNEL, NAVY

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

1 United States Code, or while serving on active duty under  
2 section 12301(d) of title 10, United States Code, in con-  
3 nection with performing duty specified in section 12310(a)  
4 of title 10, United States Code, or while undergoing re-  
5 serve training, or while performing drills or equivalent  
6 duty, and expenses authorized by section 16131 of title  
7 10, United States Code; and for payments to the Depart-  
8 ment of Defense Military Retirement Fund,  
9 \$1,987,662,000.

10 RESERVE PERSONNEL, MARINE CORPS

11 For pay, allowances, clothing, subsistence, gratuities,  
12 travel, and related expenses for personnel of the Marine  
13 Corps Reserve on active duty under section 10211 of title  
14 10, United States Code, or while serving on active duty  
15 under section 12301(d) of title 10, United States Code,  
16 in connection with performing duty specified in section  
17 12310(a) of title 10, United States Code, or while under-  
18 going reserve training, or while performing drills or equiv-  
19 alent duty, and for members of the Marine Corps platoon  
20 leaders class, and expenses authorized by section 16131  
21 of title 10, United States Code; and for payments to the  
22 Department of Defense Military Retirement Fund,  
23 \$762,793,000.

## 1                   RESERVE PERSONNEL, AIR FORCE

2           For pay, allowances, clothing, subsistence, gratuities,  
3 travel, and related expenses for personnel of the Air Force  
4 Reserve on active duty under sections 10211, 10305, and  
5 8038 of title 10, United States Code, or while serving on  
6 active duty under section 12301(d) of title 10, United  
7 States Code, in connection with performing duty specified  
8 in section 12310(a) of title 10, United States Code, or  
9 while undergoing reserve training, or while performing  
10 drills or equivalent duty or other duty, and expenses au-  
11 thorized by section 16131 of title 10, United States Code;  
12 and for payments to the Department of Defense Military  
13 Retirement Fund, \$1,808,434,000.

## 14                   NATIONAL GUARD PERSONNEL, ARMY

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

1 ments to the Department of Defense Military Retirement  
2 Fund, \$8,252,426,000.

3 NATIONAL GUARD PERSONNEL, AIR FORCE

4 For pay, allowances, clothing, subsistence, gratuities,  
5 travel, and related expenses for personnel of the Air Na-  
6 tional Guard on duty under sections 10211, 10305, or  
7 12402 of title 10 or section 708 of title 32, United States  
8 Code, or while serving on duty under section 12301(d) of  
9 title 10 or section 502(f) of title 32, United States Code,  
10 in connection with performing duty specified in section  
11 12310(a) of title 10, United States Code, or while under-  
12 going training, or while performing drills or equivalent  
13 duty or other duty, and expenses authorized by section  
14 16131 of title 10, United States Code; and for payments  
15 to the Department of Defense Military Retirement Fund,  
16 \$3,406,137,000.

17 TITLE II

18 OPERATION AND MAINTENANCE

19 OPERATION AND MAINTENANCE, ARMY

20 For expenses, not otherwise provided for, necessary  
21 for the operation and maintenance of the Army, as author-  
22 ized by law, \$38,483,846,000: *Provided*, That not to ex-  
23 ceed \$12,478,000 can be used for emergencies and ex-  
24 traordinary expenses, to be expended on the approval or  
25 authority of the Secretary of the Army, and payments may

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

3 OPERATION AND MAINTENANCE, NAVY

4 For expenses, not otherwise provided for, necessary  
5 for the operation and maintenance of the Navy and the  
6 Marine Corps, as authorized by law, \$45,980,133,000:  
7 *Provided*, That not to exceed \$15,055,000 can be used for  
8 emergencies and extraordinary expenses, to be expended  
9 on the approval or authority of the Secretary of the Navy,  
10 and payments may be made on his certificate of necessity  
11 for confidential military purposes.

12 OPERATION AND MAINTENANCE, MARINE CORPS

13 For expenses, not otherwise provided for, necessary  
14 for the operation and maintenance of the Marine Corps,  
15 as authorized by law, \$6,885,884,000.

16 OPERATION AND MAINTENANCE, AIR FORCE

17 For expenses, not otherwise provided for, necessary  
18 for the operation and maintenance of the Air Force, as  
19 authorized by law, \$38,592,745,000: *Provided*, That not  
20 to exceed \$7,699,000 can be used for emergencies and ex-  
21 traordinary expenses, to be expended on the approval or  
22 authority of the Secretary of the Air Force, and payments  
23 may be made on his certificate of necessity for confidential  
24 military purposes.



1           OPERATION AND MAINTENANCE, DEFENSE-WIDE  
2                           (INCLUDING TRANSFER OF FUNDS)

3           For expenses, not otherwise provided for, necessary  
4 for the operation and maintenance of activities and agen-  
5 cies of the Department of Defense (other than the military  
6 departments), as authorized by law, \$33,771,769,000:  
7 *Provided*, That not more than \$15,000,000 may be used  
8 for the Combatant Commander Initiative Fund authorized  
9 under section 166a of title 10, United States Code: *Pro-*  
10 *vided further*, That not to exceed \$36,000,000 can be used  
11 for emergencies and extraordinary expenses, to be ex-  
12 pended on the approval or authority of the Secretary of  
13 Defense, and payments may be made on his certificate of  
14 necessity for confidential military purposes: *Provided fur-*  
15 *ther*, That of the funds provided under this heading, not  
16 less than \$38,458,000 shall be made available for the Pro-  
17 curement Technical Assistance Cooperative Agreement  
18 Program, of which not less than \$3,600,000 shall be avail-  
19 able for centers defined in 10 U.S.C. 2411(1)(D): *Pro-*  
20 *vided further*, That none of the funds appropriated or oth-  
21 erwise made available by this Act may be used to plan  
22 or implement the consolidation of a budget or appropria-  
23 tions liaison office of the Office of the Secretary of De-  
24 fense, the office of the Secretary of a military department,  
25 or the service headquarters of one of the Armed Forces

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

23 OPERATION AND MAINTENANCE, ARMY RESERVE

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

1 ganization, and administration, of the Army Reserve; re-  
2 pair of facilities and equipment; hire of passenger motor  
3 vehicles; travel and transportation; care of the dead; re-  
4 cruiting; procurement of services, supplies, and equip-  
5 ment; and communications, \$2,870,163,000.

6 OPERATION AND MAINTENANCE, NAVY RESERVE

7 For expenses, not otherwise provided for, necessary  
8 for the operation and maintenance, including training, or-  
9 ganization, and administration, of the Navy Reserve; re-  
10 pair of facilities and equipment; hire of passenger motor  
11 vehicles; travel and transportation; care of the dead; re-  
12 cruiting; procurement of services, supplies, and equip-  
13 ment; and communications, \$1,038,507,000.

14 OPERATION AND MAINTENANCE, MARINE CORPS

15 RESERVE

16 For expenses, not otherwise provided for, necessary  
17 for the operation and maintenance, including training, or-  
18 ganization, and administration, of the Marine Corps Re-  
19 serve; repair of facilities and equipment; hire of passenger  
20 motor vehicles; travel and transportation; care of the dead;  
21 recruiting; procurement of services, supplies, and equip-  
22 ment; and communications, \$282,337,000.

23 OPERATION AND MAINTENANCE, AIR FORCE RESERVE

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

1 ganization, and administration, of the Air Force Reserve;  
2 repair of facilities and equipment; hire of passenger motor  
3 vehicles; travel and transportation; care of the dead; re-  
4 cruiting; procurement of services, supplies, and equip-  
5 ment; and communications, \$3,233,745,000.

6 OPERATION AND MAINTENANCE, ARMY NATIONAL

7 GUARD

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

23 OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

24 For expenses of training, organizing, and admin-  
25 istering the Air National Guard, including medical and

1 hospital treatment and related expenses in non-Federal  
2 hospitals; maintenance, operation, and repairs to struc-  
3 tures and facilities; transportation of things, hire of pas-  
4 senger motor vehicles; supplying and equipping the Air  
5 National Guard, as authorized by law; expenses for repair,  
6 modification, maintenance, and issue of supplies and  
7 equipment, including those furnished from stocks under  
8 the control of agencies of the Department of Defense;  
9 travel expenses (other than mileage) on the same basis as  
10 authorized by law for Air National Guard personnel on  
11 active Federal duty, for Air National Guard commanders  
12 while inspecting units in compliance with National Guard  
13 Bureau regulations when specifically authorized by the  
14 Chief, National Guard Bureau, \$6,735,930,000.

15 UNITED STATES COURT OF APPEALS FOR THE ARMED  
16 FORCES

17 For salaries and expenses necessary for the United  
18 States Court of Appeals for the Armed Forces,  
19 \$14,538,000, of which not to exceed \$5,000 may be used  
20 for official representation purposes.

21 ENVIRONMENTAL RESTORATION, ARMY  
22 (INCLUDING TRANSFER OF FUNDS)

23 For the Department of the Army, \$215,809,000, to  
24 remain available until transferred: *Provided*, That the Sec-  
25 retary of the Army shall, upon determining that such

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

16 ENVIRONMENTAL RESTORATION, NAVY

17 (INCLUDING TRANSFER OF FUNDS)

18 For the Department of the Navy, \$288,915,000, to  
19 remain available until transferred: *Provided*, That the Sec-  
20 retary of the Navy shall, upon determining that such  
21 funds are required for environmental restoration, reduc-  
22 tion and recycling of hazardous waste, removal of unsafe  
23 buildings and debris of the Department of the Navy, or  
24 for similar purposes, transfer the funds made available by  
25 this appropriation to other appropriations made available

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

11 ENVIRONMENTAL RESTORATION, AIR FORCE

12 (INCLUDING TRANSFER OF FUNDS)

13 For the Department of the Air Force, \$308,749,000,  
14 to remain available until transferred: *Provided*, That the  
15 Secretary of the Air Force shall, upon determining that  
16 such funds are required for environmental restoration, re-  
17 duction and recycling of hazardous waste, removal of un-  
18 safe buildings and debris of the Department of the Air  
19 Force, or for similar purposes, transfer the funds made  
20 available by this appropriation to other appropriations  
21 made available to the Department of the Air Force, to be  
22 merged with and to be available for the same purposes  
23 and for the same time period as the appropriations to  
24 which transferred: *Provided further*, That upon a deter-  
25 mination that all or part of the funds transferred from

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

6 ENVIRONMENTAL RESTORATION, DEFENSE-WIDE

7 (INCLUDING TRANSFER OF FUNDS)

8 For the Department of Defense, \$9,002,000, to re-  
9 main available until transferred: *Provided*, That the Sec-  
10 retary of Defense shall, upon determining that such funds  
11 are required for environmental restoration, reduction and  
12 recycling of hazardous waste, removal of unsafe buildings  
13 and debris of the Department of Defense, or for similar  
14 purposes, transfer the funds made available by this appro-  
15 priation to other appropriations made available to the De-  
16 partment of Defense, to be merged with and to be avail-  
17 able for the same purposes and for the same time period  
18 as the appropriations to which transferred: *Provided fur-*  
19 *ther*, That upon a determination that all or part of the  
20 funds transferred from this appropriation are not nec-  
21 essary for the purposes provided herein, such amounts  
22 may be transferred back to this appropriation: *Provided*  
23 *further*, That the transfer authority provided under this  
24 heading is in addition to any other transfer authority pro-  
25 vided elsewhere in this Act.



1 ENVIRONMENTAL RESTORATION, FORMERLY USED  
2 DEFENSE SITES  
3 (INCLUDING TRANSFER OF FUNDS)

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

22 OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AID

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

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

4 COOPERATIVE THREAT REDUCTION ACCOUNT

5 For assistance, including assistance provided by con-  
6 tract or by grants, under programs and activities of the  
7 Department of Defense Cooperative Threat Reduction  
8 Program authorized under the Department of Defense Co-  
9 operative Threat Reduction Act, \$324,600,000, to remain  
10 available until September 30, 2019.

11 OPERATION AND MAINTENANCE, NATIONAL DEFENSE

12 RESTORATION FUND

13 (INCLUDING TRANSFER OF FUNDS)

14 In addition to amounts provided elsewhere in this  
15 Act, there is appropriated \$5,000,000,000, for the “Oper-  
16 ation and Maintenance, National Defense Restoration  
17 Fund”; *Provided*, That of the funds made available under  
18 this heading, the Secretary of Defense may transfer these  
19 funds only to operation and maintenance accounts; *Pro-*  
20 *vided further*, That the funds transferred shall be merged  
21 with and shall be available for the same purposes and for  
22 the same time period, as the appropriation to which trans-  
23 ferred; *Provided further*, That none of the funds made  
24 available under this heading may be transferred to any  
25 program, project, or activity specifically limited or denied

1 by this Act; *Provided further*, That the transfer authority  
2 provided under this heading is in addition to any other  
3 transfer authority available to the Department of Defense;  
4 *Provided further*, That the Secretary of Defense shall no-  
5 tify the congressional defense committees 15 days prior  
6 to making transfers of funds under this heading; *Provided*  
7 *further*, That each notification provided under this heading  
8 shall identify the accounts to which funds are being trans-  
9 ferred, and the purposes therefor.

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, \$4,456,533,000, to remain available  
2 for obligation until September 30, 2020.

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, \$2,581,600,000, to remain available  
17 for obligation until September 30, 2020.

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, \$3,556,175,000, to remain available for obliga-  
8 tion until September 30, 2020.

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

## 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 \$6,356,044,000, to remain available for obligation until  
18 September 30, 2020.

## 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 \$17,908,270,000, to remain available for obligation until  
6 September 30, 2020.

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, \$3,387,826,000, to remain available for obliga-  
19 tion until September 30, 2020.

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, \$735,651,000, to remain avail-  
10 able for obligation until September 30, 2020.

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 Ohio Replacement Submarine (AP),  
25 \$842,853,000;



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

1           In all: \$21,503,726,000, to remain available for obli-  
2 gation until September 30, 2022: *Provided*, That addi-  
3 tional obligations may be incurred after September 30,  
4 2022, for engineering services, tests, evaluations, and  
5 other such budgeted work that must be performed in the  
6 final stage of ship construction: *Provided further*, That  
7 none of the funds provided under this heading for the con-  
8 struction or conversion of any naval vessel to be con-  
9 structed in shipyards in the United States shall be ex-  
10 pended in foreign facilities for the construction of major  
11 components of such vessel: *Provided further*, That none  
12 of the funds provided under this heading shall be used  
13 for the construction of any naval vessel in foreign ship-  
14 yards: *Provided further*, That funds appropriated or other-  
15 wise made available by this Act for production of the com-  
16 mon missile compartment of nuclear-powered vessels may  
17 be available for multiyear procurement of critical compo-  
18 nents to support continuous production of such compart-  
19 ments only in accordance with the provisions of subsection  
20 (i) of section 2218a of title 10, United States Code (as  
21 added by section 1023 of the National Defense Authoriza-  
22 tion Act for Fiscal Year 2017 (Public Law 114–328)).

23                                   OTHER PROCUREMENT, NAVY

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

1 for, Navy ordnance (except ordnance for new aircraft, new  
2 ships, and ships authorized for conversion); the purchase  
3 of passenger motor vehicles for replacement only; expan-  
4 sion of public and private plants, including the land nec-  
5 essary therefor, and such lands and interests therein, may  
6 be acquired, and construction prosecuted thereon prior to  
7 approval of title; and procurement and installation of  
8 equipment, appliances, and machine tools in public and  
9 private plants; reserve plant and Government and con-  
10 tractor-owned equipment layaway, \$7,852,952,000, to re-  
11 main available for obligation until September 30, 2020.

12                   PROCUREMENT, MARINE CORPS

13       For expenses necessary for the procurement, manu-  
14 facture, and modification of missiles, armament, military  
15 equipment, spare parts, and accessories therefor; plant  
16 equipment, appliances, and machine tools, and installation  
17 thereof in public and private plants; reserve plant and  
18 Government and contractor-owned equipment layaway; ve-  
19 hicles for the Marine Corps, including the purchase of pas-  
20 senger motor vehicles for replacement only; and expansion  
21 of public and private plants, including land necessary  
22 therefor, and such lands and interests therein, may be ac-  
23 quired, and construction prosecuted thereon prior to ap-  
24 proval of title, \$1,818,846,000, to remain available for ob-  
25 ligation until September 30, 2020.

## 1 AIRCRAFT PROCUREMENT, AIR FORCE

2 For construction, procurement, and modification of  
3 aircraft and equipment, including armor and armament,  
4 specialized ground handling equipment, and training de-  
5 vices, spare parts, and accessories therefor; specialized  
6 equipment; expansion of public and private plants, Gov-  
7 ernment-owned equipment and installation thereof in such  
8 plants, erection of structures, and acquisition of land, for  
9 the foregoing purposes, and such lands and interests  
10 therein, may be acquired, and construction prosecuted  
11 thereon prior to approval of title; reserve plant and Gov-  
12 ernment and contractor-owned equipment layaway; and  
13 other expenses necessary for the foregoing purposes in-  
14 cluding rents and transportation of things,  
15 \$16,553,196,000, to remain available for obligation until  
16 September 30, 2020.

## 17 MISSILE PROCUREMENT, AIR FORCE

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

1 construction prosecuted thereon prior to approval of title; re-  
2 serve plant and Government and contractor-owned equip-  
3 ment layaway; and other expenses necessary for the fore-  
4 going purposes including rents and transportation of  
5 things, \$2,203,101,000, to remain available for obligation  
6 until September 30, 2020.

7                   SPACE PROCUREMENT, AIR FORCE

8           For construction, procurement, and modification of  
9 spacecraft, rockets, and related equipment, including  
10 spare parts and accessories therefor; ground handling  
11 equipment, and training devices; expansion of public and  
12 private plants, Government-owned equipment and installa-  
13 tion thereof in such plants, erection of structures, and ac-  
14 quisition of land, for the foregoing purposes, and such  
15 lands and interests therein, may be acquired, and con-  
16 struction prosecuted thereon prior to approval of title; re-  
17 serve plant and Government and contractor-owned equip-  
18 ment layaway; and other expenses necessary for the fore-  
19 going purposes including rents and transportation of  
20 things, \$3,210,355,000, to remain available for obligation  
21 until September 30, 2020.

22                   PROCUREMENT OF AMMUNITION, AIR FORCE

23           For construction, procurement, production, and  
24 modification of ammunition, and accessories therefor; spe-  
25 cialized equipment and training devices; expansion of pub-

1 lic and private plants, including ammunition facilities, au-  
2 thorized by section 2854 of title 10, United States Code,  
3 and the land necessary therefor, for the foregoing pur-  
4 poses, and such lands and interests therein, may be ac-  
5 quired, and construction prosecuted thereon prior to ap-  
6 proval of title; and procurement and installation of equip-  
7 ment, appliances, and machine tools in public and private  
8 plants; reserve plant and Government and contractor-  
9 owned equipment layaway; and other expenses necessary  
10 for the foregoing purposes, \$1,316,977,000, to remain  
11 available for obligation until September 30, 2020.

12                   OTHER PROCUREMENT, AIR FORCE

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

1 \$19,318,814,000, to remain available for obligation until  
2 September 30, 2020.

3                   PROCUREMENT, DEFENSE-WIDE

4       For expenses of activities and agencies of the Depart-  
5 ment of Defense (other than the military departments)  
6 necessary for procurement, production, and modification  
7 of equipment, supplies, materials, and spare parts there-  
8 for, not otherwise provided for; the purchase of passenger  
9 motor vehicles for replacement only; expansion of public  
10 and private plants, equipment, and installation thereof in  
11 such plants, erection of structures, and acquisition of land  
12 for the foregoing purposes, and such lands and interests  
13 therein, may be acquired, and construction prosecuted  
14 thereon prior to approval of title; reserve plant and Gov-  
15 ernment and contractor-owned equipment layaway,  
16 \$5,239,239,000, to remain available for obligation until  
17 September 30, 2020.

18                   DEFENSE PRODUCTION ACT PURCHASES

19       For activities by the Department of Defense pursuant  
20 to sections 108, 301, 302, and 303 of the Defense Produc-  
21 tion Act of 1950 (50 U.S.C. 4518, 4531, 4532, and 4533),  
22 \$67,401,000, to remain available until expended.

1       PROCUREMENT, NATIONAL DEFENSE RESTORATION

2   FUND

3                               (INCLUDING TRANSFER OF FUNDS)

4       In addition to amounts provided elsewhere in this  
5 Act, there is appropriated \$12,622,931,000, for the “Pro-  
6 curement, National Defense Restoration Fund”; *Provided*,  
7 That of the funds made available under this heading, the  
8 Secretary of Defense may transfer these funds only to pro-  
9 curement accounts; *Provided further*, That the funds  
10 transferred shall be merged with and shall be available for  
11 the same purposes and for the same time period, as the  
12 appropriation to which transferred; *Provided further*, That  
13 none of the funds made available under this heading may  
14 be transferred to any program, project, or activity specifi-  
15 cally limited or denied by this Act; *Provided further*, That  
16 the transfer authority provided under this heading is in  
17 addition to any other transfer authority available to the  
18 Department of Defense; *Provided further*, That the Sec-  
19 retary of Defense shall notify the congressional defense  
20 committees 15 days prior to making transfers of funds  
21 under this heading; *Provided further*, That each notifica-  
22 tion provided under this heading shall identify the ac-  
23 counts to which funds are being transferred, and the pur-  
24 poses therefor.



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

4 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,  
5 ARMY

6 For expenses necessary for basic and applied sci-  
7 entific research, development, test and evaluation, includ-  
8 ing maintenance, rehabilitation, lease, and operation of fa-  
9 cilities and equipment, \$9,674,222,000, to remain avail-  
10 able for obligation until September 30, 2019.

11 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,  
12 NAVY

13 For expenses necessary for basic and applied sci-  
14 entific research, development, test and evaluation, includ-  
15 ing maintenance, rehabilitation, lease, and operation of fa-  
16 cilities and equipment, \$17,196,521,000, to remain avail-  
17 able for obligation until September 30, 2019: *Provided*,  
18 That funds appropriated in this paragraph which are  
19 available for the V-22 may be used to meet unique oper-  
20 ational requirements of the Special Operations Forces.

21 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,  
22 AIR FORCE

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, \$33,874,980,000, to remain avail-  
2 able for obligation until September 30, 2019.

3 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,  
4 DEFENSE-WIDE  
5 (INCLUDING TRANSFER OF FUNDS)

6 For expenses of activities and agencies of the Depart-  
7 ment of Defense (other than the military departments),  
8 necessary for basic and applied scientific research, devel-  
9 opment, test and evaluation; advanced research projects  
10 as may be designated and determined by the Secretary  
11 of Defense, pursuant to law; maintenance, rehabilitation,  
12 lease, and operation of facilities and equipment,  
13 \$20,698,353,000, to remain available for obligation until  
14 September 30, 2019: *Provided*, That, of the funds made  
15 available in this paragraph, \$250,000,000 for the Defense  
16 Rapid Innovation Program shall only be available for ex-  
17 penses, not otherwise provided for, to include program  
18 management and oversight, to conduct research, develop-  
19 ment, test and evaluation to include proof of concept dem-  
20 onstration; engineering, testing, and validation; and tran-  
21 sition to full-scale production: *Provided further*, That the  
22 Secretary of Defense may transfer funds provided herein  
23 for the Defense Rapid Innovation Program to appropria-  
24 tions for research, development, test and evaluation to ac-  
25 complish the purpose provided herein: *Provided further*,

1 That this transfer authority is in addition to any other  
2 transfer authority available to the Department of Defense:  
3 *Provided further*, That the Secretary of Defense shall, not  
4 fewer than 30 days prior to making transfers from this  
5 appropriation, notify the congressional defense committees  
6 in writing of the details of any such transfer.

7       OPERATIONAL TEST AND EVALUATION, DEFENSE

8       For expenses, not otherwise provided for, necessary  
9 for the independent activities of the Director, Operational  
10 Test and Evaluation, in the direction and supervision of  
11 operational test and evaluation, including initial oper-  
12 ational test and evaluation which is conducted prior to,  
13 and in support of, production decisions; joint operational  
14 testing and evaluation; and administrative expenses in  
15 connection therewith, \$210,900,000, to remain available  
16 for obligation until September 30, 2019.

17       RESEARCH, DEVELOPMENT, TEST AND EVALUATION,

18               NATIONAL DEFENSE RESTORATION FUND

19                       (INCLUDING TRANSFER OF FUNDS)

20       In addition to amounts provided elsewhere in this  
21 Act, there is appropriated \$1,000,000,000, for the “Re-  
22 search, Development, Test and Evaluation, National De-  
23 fense Restoration Fund”; *Provided*, That of the funds  
24 made available under this heading, the Secretary of De-  
25 fense may transfer these funds only to research, develop-

1 ment, test and evaluation accounts; *Provided further*, That  
2 the funds transferred shall be merged with and shall be  
3 available for the same purposes and for the same time pe-  
4 riod, as the appropriation to which transferred; *Provided*  
5 *further*, That none of the funds made available under this  
6 heading may be transferred to any program, project, or  
7 activity specifically limited or denied by this Act; *Provided*  
8 *further*, That the transfer authority provided under this  
9 heading is in addition to any other transfer authority  
10 available to the Department of Defense; *Provided further*,  
11 That the Secretary of Defense shall notify the congres-  
12 sional defense committees 15 days prior to making trans-  
13 fers of funds under this heading; *Provided further*, That  
14 each notification provided under this heading shall identify  
15 the accounts to which funds are being transferred, and  
16 the purposes therefor.

17

## TITLE V

18

## REVOLVING AND MANAGEMENT FUNDS

19

## DEFENSE WORKING CAPITAL FUNDS

20

For the Defense Working Capital Funds,

21

\$1,586,596,000.

1 TITLE VI  
2 OTHER DEPARTMENT OF DEFENSE PROGRAMS  
3 DEFENSE HEALTH PROGRAM  
4 For expenses, not otherwise provided for, for medical  
5 and health care programs of the Department of Defense  
6 as authorized by law, \$33,931,566,000; of which  
7 \$31,735,923,000 shall be for operation and maintenance,  
8 of which not to exceed one percent shall remain available  
9 for obligation until September 30, 2019, and of which up  
10 to \$15,349,700,000 may be available for contracts entered  
11 into under the TRICARE program; of which  
12 \$895,328,000, to remain available for obligation until Sep-  
13 tember 30, 2020, shall be for procurement; and of which  
14 \$1,300,315,000, to remain available for obligation until  
15 September 30, 2019, shall be for research, development,  
16 test and evaluation: *Provided*, That, notwithstanding any  
17 other provision of law, of the amount made available under  
18 this heading for research, development, test and evalua-  
19 tion, not less than \$8,000,000 shall be available for HIV  
20 prevention educational activities undertaken in connection  
21 with United States military training, exercises, and hu-  
22 manitarian assistance activities conducted primarily in Af-  
23 rican nations: *Provided further*, That of the funds provided  
24 under this heading for research, development, test and  
25 evaluation, not less than \$627,100,000 shall be made

1 available to the United States Army Medical Research and  
2 Materiel Command to carry out the congressionally di-  
3 rected medical research programs.

4 CHEMICAL AGENTS AND MUNITIONS DESTRUCTION,  
5 DEFENSE

6 For expenses, not otherwise provided for, necessary  
7 for the destruction of the United States stockpile of lethal  
8 chemical agents and munitions in accordance with the pro-  
9 visions of section 1412 of the Department of Defense Au-  
10 thorization Act, 1986 (50 U.S.C. 1521), and for the de-  
11 struction of other chemical warfare materials that are not  
12 in the chemical weapon stockpile, \$961,732,000, of which  
13 \$104,237,000 shall be for operation and maintenance, of  
14 which no less than \$49,401,000 shall be for the Chemical  
15 Stockpile Emergency Preparedness Program, consisting of  
16 \$21,045,000 for activities on military installations and  
17 \$28,356,000, to remain available until September 30,  
18 2019, to assist State and local governments; \$18,081,000  
19 shall be for procurement, to remain available until Sep-  
20 tember 30, 2020, of which \$18,081,000 shall be for the  
21 Chemical Stockpile Emergency Preparedness Program to  
22 assist State and local governments; and \$839,414,000, to  
23 remain available until September 30, 2019, shall be for  
24 research, development, test and evaluation, of which

1 \$750,700,000 shall only be for the Assembled Chemical  
2 Weapons Alternatives program.

3 DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES,  
4 DEFENSE  
5 (INCLUDING TRANSFER OF FUNDS)

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

1 addition to any other transfer authority contained else-  
2 where in this Act.

3 OFFICE OF THE INSPECTOR GENERAL

4 For expenses and activities of the Office of the In-  
5 spector General in carrying out the provisions of the In-  
6 spector General Act of 1978, as amended, \$336,887,000,  
7 of which \$334,087,000 shall be for operation and mainte-  
8 nance, of which not to exceed \$700,000 is available for  
9 emergencies and extraordinary expenses to be expended on  
10 the approval or authority of the Inspector General, and  
11 payments may be made on the Inspector General's certifi-  
12 cate of necessity for confidential military purposes; and  
13 of which \$2,800,000, to remain available until September  
14 30, 2019, shall be for research, development, test and eval-  
15 uation.

16 TITLE VII

17 RELATED AGENCIES

18 CENTRAL INTELLIGENCE AGENCY RETIREMENT AND

19 DISABILITY SYSTEM FUND

20 For payment to the Central Intelligence Agency Re-  
21 tirement and Disability System Fund, to maintain the  
22 proper funding level for continuing the operation of the  
23 Central Intelligence Agency Retirement and Disability  
24 System, \$514,000,000.



## 1 INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT

2 For necessary expenses of the Intelligence Commu-  
3 nity Management Account, \$522,100,000.

## 4 TITLE VIII

## 5 GENERAL PROVISIONS

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

9 SEC. 8002. During the current fiscal year, provisions  
10 of law prohibiting the payment of compensation to, or em-  
11 ployment of, any person not a citizen of the United States  
12 shall not apply to personnel of the Department of Defense:  
13 *Provided*, That salary increases granted to direct and indi-  
14 rect hire foreign national employees of the Department of  
15 Defense funded by this Act shall not be at a rate in excess  
16 of the percentage increase authorized by law for civilian  
17 employees of the Department of Defense whose pay is  
18 computed under the provisions of section 5332 of title 5,  
19 United States Code, or at a rate in excess of the percent-  
20 age increase provided by the appropriate host nation to  
21 its own employees, whichever is higher: *Provided further*,  
22 That this section shall not apply to Department of De-  
23 fense foreign service national employees serving at United  
24 States diplomatic missions whose pay is set by the Depart-  
25 ment of State under the Foreign Service Act of 1980: *Pro-*

1 *vided further*, That the limitations of this provision shall  
2 not apply to foreign national employees of the Department  
3 of Defense in the Republic of Turkey.

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

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

14 (TRANSFER OF FUNDS)

15 SEC. 8005. Upon determination by the Secretary of  
16 Defense that such action is necessary in the national inter-  
17 est, he may, with the approval of the Office of Manage-  
18 ment and Budget, transfer not to exceed \$4,500,000,000  
19 of working capital funds of the Department of Defense  
20 or funds made available in this Act to the Department  
21 of Defense for military functions (except military con-  
22 struction) between such appropriations or funds or any  
23 subdivision thereof, to be merged with and to be available  
24 for the same purposes, and for the same time period, as  
25 the appropriation or fund to which transferred: *Provided*,

1 That such authority to transfer may not be used unless  
2 for higher priority items, based on unforeseen military re-  
3 quirements, than those for which originally appropriated  
4 and in no case where the item for which funds are re-  
5 quested has been denied by the Congress: *Provided further*,  
6 That the Secretary of Defense shall notify the Congress  
7 promptly of all transfers made pursuant to this authority  
8 or any other authority in this Act: *Provided further*, That  
9 no part of the funds in this Act shall be available to pre-  
10 pare or present a request to the Committees on Appropria-  
11 tions for reprogramming of funds, unless for higher pri-  
12 ority items, based on unforeseen military requirements,  
13 than those for which originally appropriated and in no  
14 case where the item for which reprogramming is requested  
15 has been denied by the Congress: *Provided further*, That  
16 a request for multiple reprogrammings of funds using au-  
17 thority provided in this section shall be made prior to June  
18 30, 2017: *Provided further*, That transfers among military  
19 personnel appropriations shall not be taken into account  
20 for purposes of the limitation on the amount of funds that  
21 may be transferred under this section.

22 SEC. 8006. (a) With regard to the list of specific pro-  
23 grams, projects, and activities (and the dollar amounts  
24 and adjustments to budget activities corresponding to  
25 such programs, projects, and activities) contained in the

1 tables titled Explanation of Project Level Adjustments in  
2 the explanatory statement regarding this Act, the obliga-  
3 tion and expenditure of amounts appropriated or other-  
4 wise made available in this Act for those programs,  
5 projects, and activities for which the amounts appro-  
6 priated exceed the amounts requested are hereby required  
7 by law to be carried out in the manner provided by such  
8 tables to the same extent as if the tables were included  
9 in the text of this Act.

10 (b) Amounts specified in the referenced tables de-  
11 scribed in subsection (a) shall not be treated as subdivi-  
12 sions of appropriations for purposes of section 8005 of this  
13 Act: *Provided*, That section 8005 shall apply when trans-  
14 fers of the amounts described in subsection (a) occur be-  
15 tween appropriation accounts.

16 SEC. 8007. (a) Not later than 60 days after enact-  
17 ment of this Act, the Department of Defense shall submit  
18 a report to the congressional defense committees to estab-  
19 lish the baseline for application of reprogramming and  
20 transfer authorities for fiscal year 2018: *Provided*, That  
21 the report shall include—

22 (1) a table for each appropriation with a sepa-  
23 rate column to display the President's budget re-  
24 quest, adjustments made by Congress, adjustments

1 due to enacted rescissions, if appropriate, and the  
2 fiscal year enacted level;

3 (2) a delineation in the table for each appro-  
4 priation both by budget activity and program,  
5 project, and activity as detailed in the Budget Ap-  
6 pendix; and

7 (3) an identification of items of special congres-  
8 sional interest.

9 (b) Notwithstanding section 8005 of this Act, none  
10 of the funds provided in this Act shall be available for  
11 reprogramming or transfer until the report identified in  
12 subsection (a) is submitted to the congressional defense  
13 committees, unless the Secretary of Defense certifies in  
14 writing to the congressional defense committees that such  
15 reprogramming or transfer is necessary as an emergency  
16 requirement: *Provided*, That this subsection shall not  
17 apply to transfers from the following appropriations ac-  
18 counts:

19 (1) “Environmental Restoration, Army”;

20 (2) “Environmental Restoration, Navy” ;

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

22 (4) “Environmental Restoration, Defense-  
23 Wide”

24 (5) “Environmental Restoration, Formerly  
25 Used Defense Sites”; and



1           SEC. 8009. Funds appropriated by this Act may not  
2 be used to initiate a special access program without prior  
3 notification 30 calendar days in advance to the congress-  
4 sional defense committees.

5           SEC. 8010. None of the funds provided in this Act  
6 shall be available to initiate: (1) a multiyear contract that  
7 employs economic order quantity procurement in excess of  
8 \$20,000,000 in any one year of the contract or that in-  
9 cludes an unfunded contingent liability in excess of  
10 \$20,000,000; or (2) a contract for advance procurement  
11 leading to a multiyear contract that employs economic  
12 order quantity procurement in excess of \$20,000,000 in  
13 any one year, unless the congressional defense committees  
14 have been notified at least 30 days in advance of the pro-  
15 posed contract award: *Provided*, That no part of any ap-  
16 propriation contained in this Act shall be available to ini-  
17 tiate a multiyear contract for which the economic order  
18 quantity advance procurement is not funded at least to  
19 the limits of the Government's liability: *Provided further*,  
20 That no part of any appropriation contained in this Act  
21 shall be available to initiate multiyear procurement con-  
22 tracts for any systems or component thereof if the value  
23 of the multiyear contract would exceed \$500,000,000 un-  
24 less specifically provided in this Act: *Provided further*,  
25 That no multiyear procurement contract can be termi-

1 nated without 30-day prior notification to the congres-  
2 sional defense committees: *Provided further*, That the exe-  
3 cution of multiyear authority shall require the use of a  
4 present value analysis to determine lowest cost compared  
5 to an annual procurement: *Provided further*, That none of  
6 the funds provided in this Act may be used for a multiyear  
7 contract executed after the date of the enactment of this  
8 Act unless in the case of any such contract—

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

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



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

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

7 Funds appropriated in title III of this Act may be used,  
8 subject to section 2306b of title 10 , United States Code,  
9 for multiyear procurement contracts as follows: V-22 Os-  
10 prey aircraft variants; SSN Virginia Class Submarine and  
11 Government-furnished equipment; and up to 10 DDG-51  
12 Arleigh Burke class Flight III guided missile destroyers,  
13 the MK 41 Vertical Launching Systems, and associated  
14 Government-furnished systems and subsystems.

15       SEC. 8011. Within the funds appropriated for the op-  
16 eration and maintenance of the Armed Forces, funds are  
17 hereby appropriated pursuant to section 401 of title 10,  
18 United States Code, for humanitarian and civic assistance  
19 costs under chapter 20 of title 10, United States Code.  
20 Such funds may also be obligated for humanitarian and  
21 civic assistance costs incidental to authorized operations  
22 and pursuant to authority granted in section 401 of chap-  
23 ter 20 of title 10, United States Code, and these obliga-  
24 tions shall be reported as required by section 401(d) of  
25 title 10, United States Code: *Provided*, That funds avail-

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

16       SEC. 8012. (a) During the current fiscal year, the  
17 civilian personnel of the Department of Defense may not  
18 be managed on the basis of any end-strength, and the  
19 management of such personnel during that fiscal year  
20 shall not be subject to any constraint or limitation (known  
21 as an end-strength) on the number of such personnel who  
22 may be employed on the last day of such fiscal year.

23       (b) The fiscal year 2019 budget request for the De-  
24 partment of Defense as well as all justification material  
25 and other documentation supporting the fiscal year 2019

1 Department of Defense budget request shall be prepared  
2 and submitted to the Congress as if subsections (a) and  
3 (b) of this provision were effective with regard to fiscal  
4 year 2019.

5 (c) As required by section 1107 of the National De-  
6 fense Authorization Act for Fiscal Year 2014 (Public Law  
7 113–66; 10 U.S.C. 2358 note) civilian personnel at the  
8 Department of Army Science and Technology Reinvention  
9 Laboratories may not be managed on the basis of the  
10 Table of Distribution and Allowances, and the manage-  
11 ment of the workforce strength shall be done in a manner  
12 consistent with the budget available with respect to such  
13 Laboratories.

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

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

20 SEC. 8014. None of the funds appropriated by this  
21 Act shall be available for the basic pay and allowances of  
22 any member of the Army participating as a full-time stu-  
23 dent and receiving benefits paid by the Secretary of Vet-  
24 erans Affairs from the Department of Defense Education  
25 Benefits Fund when time spent as a full-time student is

1 credited toward completion of a service commitment: *Pro-*  
2 *vided*, That this section shall not apply to those members  
3 who have reenlisted with this option prior to October 1,  
4 1987: *Provided further*, That this section applies only to  
5 active components of the Army.

6 (TRANSFER OF FUNDS)

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

17 SEC. 8016. None of the funds in this Act may be  
18 available for the purchase by the Department of Defense  
19 (and its departments and agencies) of welded shipboard  
20 anchor and mooring chain 4 inches in diameter and under  
21 unless the anchor and mooring chain are manufactured  
22 in the United States from components which are substan-  
23 tially manufactured in the United States: *Provided*, That  
24 for the purpose of this section, the term “manufactured”  
25 shall include cutting, heat treating, quality control, testing

1 of chain and welding (including the forging and shot blast-  
2 ing process): *Provided further*, That for the purpose of this  
3 section substantially all of the components of anchor and  
4 mooring chain shall be considered to be produced or manu-  
5 factured in the United States if the aggregate cost of the  
6 components produced or manufactured in the United  
7 States exceeds the aggregate cost of the components pro-  
8 duced or manufactured outside the United States: *Pro-*  
9 *vided further*, That when adequate domestic supplies are  
10 not available to meet Department of Defense requirements  
11 on a timely basis, the Secretary of the service responsible  
12 for the procurement may waive this restriction on a case-  
13 by-case basis by certifying in writing to the Committees  
14 on Appropriations that such an acquisition must be made  
15 in order to acquire capability for national security pur-  
16 poses.

17 SEC. 8017. None of the funds available to the De-  
18 partment of Defense may be used to demilitarize or dis-  
19 pose of M-1 Carbines, M-1 Garand rifles, M-14 rifles,  
20 .22 caliber rifles, .30 caliber rifles, or M-1911 pistols, or  
21 to demilitarize or destroy small arms ammunition or am-  
22 munition components that are not otherwise prohibited  
23 from commercial sale under Federal law, unless the small  
24 arms ammunition or ammunition components are certified

1 by the Secretary of the Army or designee as unserviceable  
2 or unsafe for further use.

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

12 SEC. 8019. Of the funds made available in this Act,  
13 \$20,000,000 shall be available for incentive payments au-  
14 thorized by section 504 of the Indian Financing Act of  
15 1974 (25 U.S.C. 1544): *Provided*, That a prime contractor  
16 or a subcontractor at any tier that makes a subcontract  
17 award to any subcontractor or supplier as defined in sec-  
18 tion 1544 of title 25, United States Code, or a small busi-  
19 ness owned and controlled by an individual or individuals  
20 defined under section 4221(9) of title 25, United States  
21 Code, shall be considered a contractor for the purposes  
22 of being allowed additional compensation under section  
23 504 of the Indian Financing Act of 1974 (25 U.S.C.  
24 1544) whenever the prime contract or subcontract amount  
25 is over \$500,000 and involves the expenditure of funds

1 appropriated by an Act making appropriations for the De-  
2 partment of Defense with respect to any fiscal year: *Pro-*  
3 *vided further*, That notwithstanding section 1906 of title  
4 41, United States Code, this section shall be applicable  
5 to any Department of Defense acquisition of supplies or  
6 services, including any contract and any subcontract at  
7 any tier for acquisition of commercial items produced or  
8 manufactured, in whole or in part, by any subcontractor  
9 or supplier defined in section 1544 of title 25, United  
10 States Code, or a small business owned and controlled by  
11 an individual or individuals defined under section 4221(9)  
12 of title 25, United States Code.

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

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

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

4           (1) \$30,800,000 shall be available from “Oper-  
5 ation and Maintenance, Air Force” to support Civil  
6 Air Patrol Corporation operation and maintenance,  
7 readiness, counter-drug activities, and drug demand  
8 reduction activities involving youth programs;

9           (2) \$10,600,000 shall be available from “Air-  
10 craft Procurement, Air Force”; and

11          (3) \$1,700,000 shall be available from “Other  
12 Procurement, Air Force” for vehicle procurement.

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

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



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

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

23 (d) Notwithstanding any other provision of law, of  
24 the funds available to the department during fiscal year  
25 2018, not more than 6,000 staff years of technical effort

1 (staff years) may be funded for defense FFRDCs: *Pro-*  
2 *vided*, That, of the specific amount referred to previously  
3 in this subsection, not more than 1,180 staff years may  
4 be funded for the defense studies and analysis FFRDCs:  
5 *Provided further*, That this subsection shall not apply to  
6 staff years funded in the National Intelligence Program  
7 (NIP) and the Military Intelligence Program (MIP).

8 (e) The Secretary of Defense shall, with the submis-  
9 sion of the department's fiscal year 2019 budget request,  
10 submit a report presenting the specific amounts of staff  
11 years of technical effort to be allocated for each defense  
12 FFRDC during that fiscal year and the associated budget  
13 estimates.

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

17 SEC. 8024. None of the funds appropriated or made  
18 available in this Act shall be used to procure carbon, alloy,  
19 or armor steel plate for use in any Government-owned fa-  
20 cility or property under the control of the Department of  
21 Defense which were not melted and rolled in the United  
22 States or Canada: *Provided*, That these procurement re-  
23 strictions shall apply to any and all Federal Supply Class  
24 9515, American Society of Testing and Materials (ASTM)  
25 or American Iron and Steel Institute (AISI) specifications

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

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

21 SEC. 8026. During the current fiscal year, the De-  
22 partment of Defense may acquire the modification, depot  
23 maintenance and repair of aircraft, vehicles and vessels  
24 as well as the production of components and other De-  
25 fense-related articles, through competition between De-

1 partment of Defense depot maintenance activities and pri-  
2 vate firms: *Provided*, That the Senior Acquisition Execu-  
3 tive of the military department or Defense Agency con-  
4 cerned, with power of delegation, shall certify that success-  
5 ful bids include comparable estimates of all direct and in-  
6 direct costs for both public and private bids: *Provided fur-*  
7 *ther*, That Office of Management and Budget Circular A-  
8 76 shall not apply to competitions conducted under this  
9 section.

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

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

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

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

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

19 SEC. 8029. (a) Notwithstanding any other provision  
20 of law, the Secretary of the Air Force may convey at no  
21 cost to the Air Force, without consideration, to Indian  
22 tribes located in the States of Nevada, Idaho, North Da-  
23 kota, South Dakota, Montana, Oregon, Minnesota, and  
24 Washington relocatable military housing units located at  
25 Grand Forks Air Force Base, Malmstrom Air Force Base,

1 Mountain Home Air Force Base, Ellsworth Air Force  
2 Base, and Minot Air Force Base that are excess to the  
3 needs of the Air Force.

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

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

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

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

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

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

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

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

1 tail outlets shall be within the range of prices established  
2 for military retail system stores located in the United  
3 States.

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

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



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

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

19       SEC. 8035. Notwithstanding any other provision of  
20 law, funds made available in this Act and hereafter for  
21 the Defense Intelligence Agency may be used for the de-  
22 sign, development, and deployment of General Defense In-  
23 telligence Program intelligence communications and intel-  
24 ligence information systems for the Services, the Unified  
25 and Specified Commands, and the component commands.

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

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

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

1           (c) In the case of any equipment or products pur-  
2 chased with appropriations provided under this Act, it is  
3 the sense of the Congress that any entity of the Depart-  
4 ment of Defense, in expending the appropriation, purchase  
5 only American-made equipment and products, provided  
6 that American-made equipment and products are cost-  
7 competitive, quality competitive, and available in a timely  
8 fashion.

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

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

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

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

25           (c) This section does not apply to—

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

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

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

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

16          SEC. 8039. (a) None of the funds appropriated by  
17          this Act shall be available to convert to contractor per-  
18          formance an activity or function of the Department of De-  
19          fense that, on or after the date of the enactment of this  
20          Act, is performed by Department of Defense civilian em-  
21          ployees unless—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

13 (RESCISSIONS)

14 SEC. 8040. Of the funds appropriated in Department  
15 of Defense Appropriations Acts, the following funds are  
16 hereby rescinded from the following accounts and pro-  
17 grams in the specified amounts: *Provided*, That no  
18 amounts may be rescinded from amounts that were des-  
19 ignated by the Congress for Overseas Contingency Oper-  
20 ations/Global War on Terrorism or as an emergency re-  
21 quirement pursuant to the Concurrent Resolution on the  
22 Budget or the Balanced Budget and Emergency Deficit  
23 Control Act of 1985, as amended:

24 "Aircraft Procurement, Navy", 2016/2018,  
25 \$274,000,000;

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

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

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

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

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

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

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

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

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

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

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

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



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

3           SEC. 8041. None of the funds available in this Act  
4 may be used to reduce the authorized positions for mili-  
5 tary technicians (dual status) of the Army National  
6 Guard, Air National Guard, Army Reserve and Air Force  
7 Reserve for the purpose of applying any administratively  
8 imposed civilian personnel ceiling, freeze, or reduction on  
9 military technicians (dual status), unless such reductions  
10 are a direct result of a reduction in military force struc-  
11 ture.

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

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

1 ligence Program and the Military Intelligence Program:  
2 *Provided*, That nothing in this section authorizes deviation  
3 from established Reserve and National Guard personnel  
4 and training procedures.

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

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

15 SEC. 8045. None of the funds appropriated by this  
16 Act may be used for the procurement of ball and roller  
17 bearings other than those produced by a domestic source  
18 and of domestic origin: *Provided*, That the Secretary of  
19 the military department responsible for such procurement  
20 may waive this restriction on a case-by-case basis by certi-  
21 fying in writing to the Committees on Appropriations of  
22 the House of Representatives and the Senate, that ade-  
23 quate domestic supplies are not available to meet Depart-  
24 ment of Defense requirements on a timely basis and that  
25 such an acquisition must be made in order to acquire ca-

1 pability for national security purposes: *Provided further*,  
2 That this restriction shall not apply to the purchase of  
3 “commercial items”, as defined by section 103 of title 41,  
4 United States Code, except that the restriction shall apply  
5 to ball or roller bearings purchased as end items.

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

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

21 SEC. 8048. None of the funds in this Act may be  
22 used to purchase any supercomputer which is not manu-  
23 factured in the United States, unless the Secretary of De-  
24 fense certifies to the congressional defense committees  
25 that such an acquisition must be made in order to acquire

1 capability for national security purposes that is not avail-  
2 able from United States manufacturers.

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

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

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

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

19 (INCLUDING TRANSFER OF FUNDS)

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

1 to which transferred, to be used in support of such per-  
2 sonnel in connection with support and services for eligible  
3 organizations and activities outside the Department of De-  
4 fense pursuant to section 2012 of title 10, United States  
5 Code.

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

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

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

22 (3) in the case of an expired account, the obli-  
23 gation is not chargeable to a current appropriation  
24 of the Department of Defense under the provisions  
25 of section 1405(b)(8) of the National Defense Au-

1       thorization Act for Fiscal Year 1991, Public Law  
2       101–510, as amended (31 U.S.C. 1551 note): *Pro-*  
3       *vided*, That in the case of an expired account, if sub-  
4       sequent review or investigation discloses that there  
5       was not in fact a negative unliquidated or unex-  
6       pended balance in the account, any charge to a cur-  
7       rent account under the authority of this section shall  
8       be reversed and recorded against the expired ac-  
9       count: *Provided further*, That the total amount  
10      charged to a current appropriation under this sec-  
11      tion may not exceed an amount equal to 1 percent  
12      of the total appropriation for that account.

13      SEC. 8053. (a) Notwithstanding any other provision  
14      of law, the Chief of the National Guard Bureau may per-  
15      mit the use of equipment of the National Guard Distance  
16      Learning Project by any person or entity on a space-avail-  
17      able, reimbursable basis. The Chief of the National Guard  
18      Bureau shall establish the amount of reimbursement for  
19      such use on a case-by-case basis.

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



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

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

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



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

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

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

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

15 (c) Subsection (a) does not apply to a limitation re-  
16 garding construction of public vessels, ball and roller bear-  
17 ings, food, and clothing or textile materials as defined by  
18 section XI (chapters 50–65) of the Harmonized Tariff  
19 Schedule of the United States and products classified  
20 under headings 4010, 4202, 4203, 6401 through 6406,  
21 6505, 7019, 7218 through 7229, 7304.41 through  
22 7304.49, 7306.40, 7502 through 7508, 8105, 8108, 8109,  
23 8211, 8215, and 9404.

24 SEC. 8058. None of the funds appropriated or other-  
25 wise made available by this or other Department of De-

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

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

20       SEC. 8060. The Secretary of Defense shall continue  
21 to provide a classified quarterly report to the House and  
22 Senate Appropriations Committees, Subcommittees on  
23 Defense on certain matters as directed in the classified  
24 annex accompanying this Act.

1           SEC. 8061. Notwithstanding section 12310(b) of title  
2 10, United States Code, a Reserve who is a member of  
3 the National Guard serving on full-time National Guard  
4 duty under section 502(f) of title 32, United States Code,  
5 may perform duties in support of the ground-based ele-  
6 ments of the National Ballistic Missile Defense System.

7           SEC. 8062. None of the funds provided in this Act  
8 may be used to transfer to any nongovernmental entity  
9 ammunition held by the Department of Defense that has  
10 a center-fire cartridge and a United States military no-  
11 menclature designation of “armor penetrator”, “armor  
12 piercing (AP)”, “armor piercing incendiary (API)”, or  
13 “armor-piercing incendiary tracer (API-T)”, except to an  
14 entity performing demilitarization services for the Depart-  
15 ment of Defense under a contract that requires the entity  
16 to demonstrate to the satisfaction of the Department of  
17 Defense that armor piercing projectiles are either:

18           (1) rendered incapable of reuse by the demili-  
19 tarization process; or

20           (2) used to manufacture ammunition pursuant  
21 to a contract with the Department of Defense or the  
22 manufacture of ammunition for export pursuant to  
23 a License for Permanent Export of Unclassified  
24 Military Articles issued by the Department of State.

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

12                                   (INCLUDING TRANSFER OF FUNDS)

13           SEC. 8064. Of the amounts appropriated in this Act  
14 under the heading “Operation and Maintenance, Army”,  
15 \$66,881,780 shall remain available until expended: *Pro-*  
16 *vided*, That, notwithstanding any other provision of law,  
17 the Secretary of Defense is authorized to transfer such  
18 funds to other activities of the Federal Government: *Pro-*  
19 *vided further*, That the Secretary of Defense is authorized  
20 to enter into and carry out contracts for the acquisition  
21 of real property, construction, personal services, and oper-  
22 ations related to projects carrying out the purposes of this  
23 section: *Provided further*, That contracts entered into  
24 under the authority of this section may provide for such  
25 indemnification as the Secretary determines to be nec-

1    essary: *Provided further*, That projects authorized by this  
2    section shall comply with applicable Federal, State, and  
3    local law to the maximum extent consistent with the na-  
4    tional security, as determined by the Secretary of Defense.

5        SEC. 8065. (a) None of the funds appropriated in this  
6    or any other Act may be used to take any action to mod-  
7    ify—

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

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

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

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

22       (b) Nothing in section (a) shall be construed to pro-  
23   hibit the merger of programs or changes to the National  
24   Intelligence Program budget at or below the Expenditure

1 Center level, provided such change is otherwise in accord-  
2 ance with paragraphs (a)(1)–(3).

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

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

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

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

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

24 SEC. 8066. In addition to amounts provided else-  
25 where in this Act, \$5,000,000 is hereby appropriated to

1 the Department of Defense, to remain available for obliga-  
2 tion until expended: *Provided*, That notwithstanding any  
3 other provision of law, that upon the determination of the  
4 Secretary of Defense that it shall serve the national inter-  
5 est, these funds shall be available only for a grant to the  
6 Fisher House Foundation, Inc., only for the construction  
7 and furnishing of additional Fisher Houses to meet the  
8 needs of military family members when confronted with  
9 the illness or hospitalization of an eligible military bene-  
10 ficiary.

11 (INCLUDING TRANSFER OF FUNDS)

12 SEC. 8067. Of the amounts appropriated in this Act  
13 under the headings “Procurement, Defense-Wide” and  
14 “Research, Development, Test and Evaluation, Defense-  
15 Wide”, \$705,800,000 shall be for the Israeli Cooperative  
16 Programs: *Provided*, That of this amount, \$92,000,000  
17 shall be for the Secretary of Defense to provide to the Gov-  
18 ernment of Israel for the procurement of the Iron Dome  
19 defense system to counter short-range rocket threats, sub-  
20 ject to the U.S.-Israel Iron Dome Procurement Agree-  
21 ment, as amended; \$221,500,000 shall be for the Short  
22 Range Ballistic Missile Defense (SRBMD) program, in-  
23 cluding cruise missile defense research and development  
24 under the SRBMD program, of which \$120,000,000 shall  
25 be for co-production activities of SRBMD missiles in the

1 United States and in Israel to meet Israel's defense re-  
2 quirements consistent with each nation's laws, regulations,  
3 and procedures, subject to the U.S.-Israeli co-production  
4 agreement for SRBMD, as amended; \$205,000,000 shall  
5 be for an upper-tier component to the Israeli Missile De-  
6 fense Architecture, of which \$120,000,000 shall be for co-  
7 production activities of Arrow 3 Upper Tier missiles in  
8 the United States and in Israel to meet Israel's defense  
9 requirements consistent with each nation's laws, regula-  
10 tions, and procedures, subject to the U.S.-Israeli co-pro-  
11 duction agreement for Arrow 3 Upper Tier, as amended;  
12 \$105,000,000 shall be for testing of the upper-tier compo-  
13 nent to the Israeli Missile Defense Architecture in the  
14 United States; and \$82,300,000 shall be for the Arrow  
15 System Improvement Program including development of  
16 a long range, ground and airborne, detection suite: *Pro-*  
17 *vided further*, That the transfer authority provided under  
18 this provision is in addition to any other transfer authority  
19 contained in this Act.

20 (INCLUDING TRANSFER OF FUNDS)

21 SEC. 8068. Of the amounts appropriated in this Act  
22 under the heading "Shipbuilding and Conversion, Navy",  
23 \$117,542,000 shall be available until September 30, 2018,  
24 to fund prior year shipbuilding cost increases: *Provided*,  
25 That upon enactment of this Act, the Secretary of the



1 Navy shall transfer funds to the following appropriations  
2 in the amounts specified: *Provided further*, That the  
3 amounts transferred shall be merged with and be available  
4 for the same purposes as the appropriations to which  
5 transferred to:

6 (1) Under the heading “Shipbuilding and Con-  
7 version, Navy”, 2012/2018: Carrier Replacement  
8 Program \$20,000,000;

9 (2) Under the heading “Shipbuilding and Con-  
10 version, Navy”, 2008/2018: DDG–51 Destroyer  
11 \$19,436,000;

12 (3) Under the heading “Shipbuilding and Con-  
13 version, Navy”, 2012/2018: Littoral Combat Ship  
14 \$6,394,000;

15 (4) Under the heading “Shipbuilding and Con-  
16 version, Navy”, 2012/2018: LHA Replacement  
17 \$14,200,000;

18 (5) Under the heading “Shipbuilding and Con-  
19 version, Navy”, 2013/2018: DDG-51 Destroyer  
20 \$31,941,000;

21 (6) Under the heading “Shipbuilding and Con-  
22 version, Navy”, 2014/2018: Littoral Combat Ship  
23 \$20,471,000; and

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

1           SEC. 8069. 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 2018 until the enactment of the Intelligence Author-  
7 ization Act for Fiscal Year 2018.

8           SEC. 8070. 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. 8071. The budget of the President for fiscal  
16 year 2018 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. 8072. 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. 8073. 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 \$345,000,000.

22 SEC. 8074. None of the funds appropriated or made  
23 available in this Act shall be used to reduce or disestablish  
24 the operation of the 53rd Weather Reconnaissance Squad-  
25 ron of the Air Force Reserve, if such action would reduce

1 the WC-130 Weather Reconnaissance mission below the  
2 levels funded in this Act: *Provided*, That the Air Force  
3 shall allow the 53rd Weather Reconnaissance Squadron to  
4 perform other missions in support of national defense re-  
5 quirements during the non-hurricane season.

6 SEC. 8075. None of the funds provided in this Act  
7 shall be available for integration of foreign intelligence in-  
8 formation unless the information has been lawfully col-  
9 lected and processed during the conduct of authorized for-  
10 eign intelligence activities: *Provided*, That information  
11 pertaining to United States persons shall only be handled  
12 in accordance with protections provided in the Fourth  
13 Amendment of the United States Constitution as imple-  
14 mented through Executive Order No. 12333.

15 SEC. 8076. (a) None of the funds appropriated by  
16 this Act may be used to transfer research and develop-  
17 ment, acquisition, or other program authority relating to  
18 current tactical unmanned aerial vehicles (TUAVs) from  
19 the Army.

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

1       SEC. 8077. None of the funds appropriated by this  
2 Act for programs of the Office of the Director of National  
3 Intelligence shall remain available for obligation beyond  
4 the current fiscal year, except for funds appropriated for  
5 research and technology, which shall remain available until  
6 September 30, 2019.

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

15       SEC. 8079. (a) Not later than 60 days after the date  
16 of enactment of this Act, the Director of National Intel-  
17 ligence shall submit a report to the congressional intel-  
18 ligence committees to establish the baseline for application  
19 of reprogramming and transfer authorities for fiscal year  
20 2018: *Provided*, That the report shall include—

21               (1) a table for each appropriation with a sepa-  
22 rate column to display the President’s budget re-  
23 quest, adjustments made by Congress, adjustments  
24 due to enacted rescissions, if appropriate, and the  
25 fiscal year enacted level;

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

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

5           (b) None of the funds provided for the National Intel-  
6           ligence Program in this Act shall be available for re-  
7           programming or transfer until the report identified in sub-  
8           section (a) is submitted to the congressional intelligence  
9           committees, unless the Director of National Intelligence  
10          certifies in writing to the congressional intelligence com-  
11          mittees that such reprogramming or transfer is necessary  
12          as an emergency requirement.

13          SEC. 8080. None of the funds made available by this  
14          Act may be used to eliminate, restructure, or realign Army  
15          Contracting Command—New Jersey or make dispropor-  
16          tionate personnel reductions at any Army Contracting  
17          Command—New Jersey sites without 30-day prior notifi-  
18          cation to the congressional defense committees.

19   (RESCISSION)

20          SEC. 8081. Of the unobligated balances available to  
21          the Department of Defense, the following funds are per-  
22          manently rescinded from the following accounts and pro-  
23          grams in the specified amounts to reflect excess cash bal-  
24          ances in the Department of Defense Acquisition Work-  
25          force Development Fund:

1           From “Department of Defense Acquisition  
2           Workforce Development Fund, Defense”,  
3           \$10,000,000.

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

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

21                   (1) creates a new start effort;

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

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

1           (4) transfers funding between appropriations,  
2           unless the congressional intelligence committees are  
3           notified 30 days in advance of such reprogramming  
4           of funds; this notification period may be reduced for  
5           urgent national security requirements.

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

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



1 year with respect to which the budget is submitted and  
2 at least the four succeeding fiscal years.

3 SEC. 8085. For the purposes of this Act, the term  
4 “congressional intelligence committees” means the Perma-  
5 nent Select Committee on Intelligence of the House of  
6 Representatives, the Select Committee on Intelligence of  
7 the Senate, the Subcommittee on Defense of the Com-  
8 mittee on Appropriations of the House of Representatives,  
9 and the Subcommittee on Defense of the Committee on  
10 Appropriations of the Senate.

11 (INCLUDING TRANSFER OF FUNDS)

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

20 (INCLUDING TRANSFER OF FUNDS)

21 SEC. 8087. Not to exceed \$500,000,000 appropriated  
22 by this Act for operation and maintenance may be avail-  
23 able for the purpose of making remittances and transfer  
24 to the Defense Acquisition Workforce Development Fund

1 in accordance with section 1705 of title 10, United States  
2 Code.

3 SEC. 8088. (a) Any agency receiving funds made  
4 available in this Act, shall, subject to subsections (b) and  
5 (c), post on the public website of that agency any report  
6 required to be submitted by the Congress in this or any  
7 other Act, upon the determination by the head of the agen-  
8 cy that it shall serve the national interest.

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

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

12 (2) the report contains proprietary information.

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

17 SEC. 8089. (a) None of the funds appropriated or  
18 otherwise made available by this Act may be expended for  
19 any Federal contract for an amount in excess of  
20 \$1,000,000, unless the contractor agrees not to—

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

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

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

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

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

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

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

1 (INCLUDING TRANSFER OF FUNDS)

2 SEC. 8090. From within the funds appropriated for  
3 operation and maintenance for the Defense Health Pro-  
4 gram in this Act, up to \$115,519,000, shall be available  
5 for transfer to the Joint Department of Defense-Depart-  
6 ment of Veterans Affairs Medical Facility Demonstration  
7 Fund in accordance with the provisions of section 1704  
8 of the National Defense Authorization Act for Fiscal Year  
9 2010, Public Law 111–84: *Provided*, That for purposes  
10 of section 1704(b), the facility operations funded are oper-  
11 ations of the integrated Captain James A. Lovell Federal  
12 Health Care Center, consisting of the North Chicago Vet-  
13 erans Affairs Medical Center, the Navy Ambulatory Care  
14 Center, and supporting facilities designated as a combined  
15 Federal medical facility as described by section 706 of  
16 Public Law 110–417: *Provided further*, That additional  
17 funds may be transferred from funds appropriated for op-  
18 eration and maintenance for the Defense Health Program  
19 to the Joint Department of Defense-Department of Vet-  
20 erans Affairs Medical Facility Demonstration Fund upon  
21 written notification by the Secretary of Defense to the  
22 Committees on Appropriations of the House of Represent-  
23 atives and the Senate.

24 SEC. 8091. None of the funds appropriated or other-  
25 wise made available by this Act may be used by the De-

1 partment of Defense or a component thereof in contraven-  
2 tion of the provisions of section 130h of title 10, United  
3 States Code.

4 SEC. 8092. Appropriations available to the Depart-  
5 ment of Defense may be used for the purchase of heavy  
6 and light armored vehicles for the physical security of per-  
7 sonnel or for force protection purposes up to a limit of  
8 \$450,000 per vehicle, notwithstanding price or other limi-  
9 tations applicable to the purchase of passenger carrying  
10 vehicles.

11 (INCLUDING TRANSFER OF FUNDS)

12 SEC. 8093. Upon a determination by the Director of  
13 National Intelligence that such action is necessary and in  
14 the national interest, the Director may, with the approval  
15 of the Office of Management and Budget, transfer not to  
16 exceed \$1,500,000,000 of the funds made available in this  
17 Act for the National Intelligence Program: *Provided*, That  
18 such authority to transfer may not be used unless for  
19 higher priority items, based on unforeseen intelligence re-  
20 quirements, than those for which originally appropriated  
21 and in no case where the item for which funds are re-  
22 quested has been denied by the Congress: *Provided further*,  
23 That a request for multiple reprogrammings of funds  
24 using authority provided in this section shall be made  
25 prior to June 30, 2017.

1       SEC. 8094. None of the funds appropriated or other-  
2 wise made available in this or any other Act may be used  
3 to transfer, release, or assist in the transfer or release to  
4 or within the United States, its territories, or possessions  
5 Khalid Sheikh Mohammed or any other detainee who—

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

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

11       SEC. 8095. (a) None of the funds appropriated or  
12 otherwise made available in this or any other Act may be  
13 used to construct, acquire, or modify any facility in the  
14 United States, its territories, or possessions to house any  
15 individual described in subsection (c) for the purposes of  
16 detention or imprisonment in the custody or under the ef-  
17 fective control of the Department of Defense.

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

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

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

4           (2) is—

5                   (A) in the custody or under the effective  
6                   control of the Department of Defense; or

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

9           SEC. 8096. None of the funds appropriated or other-  
10          wise made available in this Act may be used to transfer  
11          any individual detained at United States Naval Station  
12          Guantánamo Bay, Cuba, to the custody or control of the  
13          individual's country of origin, any other foreign country,  
14          or any other foreign entity except in accordance with sec-  
15          tion 1034 of the National Defense Authorization Act for  
16          Fiscal Year 2016 (Public Law 114–92) and section 1034  
17          of the National Defense Authorization Act for Fiscal Year  
18          2017 (Public Law 114–328).

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

22          SEC. 8098. (a) None of the funds appropriated or  
23          otherwise made available by this or any other Act may  
24          be used by the Secretary of Defense, or any other official  
25          or officer of the Department of Defense, to enter into a



1 contract, memorandum of understanding, or cooperative  
2 agreement with, or make a grant to, or provide a loan  
3 or loan guarantee to Rosoboronexport or any subsidiary  
4 of Rosoboronexport.

5 (b) The Secretary of Defense may waive the limita-  
6 tion in subsection (a) if the Secretary, in consultation with  
7 the Secretary of State and the Director of National Intel-  
8 ligence, determines that it is in the vital national security  
9 interest of the United States to do so, and certifies in writ-  
10 ing to the congressional defense committees that, to the  
11 best of the Secretary's knowledge:

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

16 (2) The armed forces of the Russian Federation  
17 have withdrawn from Crimea, other than armed  
18 forces present on military bases subject to agree-  
19 ments in force between the Government of the Rus-  
20 sian Federation and the Government of Ukraine;  
21 and

22 (3) Agents of the Russian Federation have  
23 ceased taking active measures to destabilize the con-  
24 trol of the Government of Ukraine over eastern  
25 Ukraine.

1           (c) The Inspector General of the Department of De-  
2 fense shall conduct a review of any action involving  
3 Rosoboronexport with respect to a waiver issued by the  
4 Secretary of Defense pursuant to subsection (b), and not  
5 later than 90 days after the date on which such a waiver  
6 is issued by the Secretary of Defense, the Inspector Gen-  
7 eral shall submit to the congressional defense committees  
8 a report containing the results of the review conducted  
9 with respect to such waiver.

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

15           SEC. 8100. (a) Of the funds appropriated in this Act  
16 for the Department of Defense, amounts may be made  
17 available, under such regulations as the Secretary of De-  
18 fense may prescribe, to local military commanders ap-  
19 pointed by the Secretary, or by an officer or employee des-  
20 ignated by the Secretary, to provide at their discretion ex  
21 gratia payments in amounts consistent with subsection (d)  
22 of this section for damage, personal injury, or death that  
23 is incident to combat operations of the Armed Forces in  
24 a foreign country.

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

3 (1) the prospective foreign civilian recipient is  
4 determined by the local military commander to be  
5 friendly to the United States;

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

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

12 (c) NATURE OF PAYMENTS.—Any payments provided  
13 under a program under subsection (a) shall not be consid-  
14 ered an admission or acknowledgement of any legal obliga-  
15 tion to compensate for any damage, personal injury, or  
16 death.

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

1 as cultural appropriateness and prevailing economic condi-  
2 tions.

3 (e) LEGAL ADVICE.—Local military commanders  
4 shall receive legal advice before making ex gratia pay-  
5 ments under this subsection. The legal advisor, under reg-  
6 ulations of the Department of Defense, shall advise on  
7 whether an ex gratia payment is proper under this section  
8 and applicable Department of Defense regulations.

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

14 (g) REPORT.—The Secretary of Defense shall report  
15 to the congressional defense committees on an annual  
16 basis the efficacy of the ex gratia payment program in-  
17 cluding the number of types of cases considered, amounts  
18 offered, the response from ex gratia payment recipients,  
19 and any recommended modifications to the program.

20 SEC. 8101. None of the funds available in this Act  
21 to the Department of Defense, other than appropriations  
22 made for necessary or routine refurbishments, upgrades  
23 or maintenance activities, shall be used to reduce or to  
24 prepare to reduce the number of deployed and non-de-  
25 ployed strategic delivery vehicles and launchers below the

1 levels set forth in the report submitted to Congress in ac-  
2 cordance with section 1042 of the National Defense Au-  
3 thorization Act for Fiscal Year 2012.

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

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

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

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

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

1       SEC. 8105. 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. 8106. 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 unless  
12 explicitly provided for in a Defense Appropriations Act:  
13 *Provided*, That this limitation shall not apply to transfers  
14 of funds expressly provided for in Defense Appropriations  
15 Acts, or provisions of Acts providing supplemental appro-  
16 priations for the Department of Defense.

17       SEC. 8107. None of the funds made available in this  
18 Act may be obligated for activities authorized under sec-  
19 tion 1208 of the Ronald W. Reagan National Defense Au-  
20 thorization Act for Fiscal Year 2005 (Public Law 112–  
21 81; 125 Stat. 1621) to initiate support for, or expand sup-  
22 port to, foreign forces, irregular forces, groups, or individ-  
23 uals unless the congressional defense committees are noti-  
24 fied in accordance with the direction contained in the clas-  
25 sified annex accompanying this Act, not less than 15 days

1 before initiating such support: *Provided*, That none of the  
2 funds made available in this Act may be used under sec-  
3 tion 1208 for any activity that is not in support of an  
4 ongoing military operation being conducted by United  
5 States Special Operations Forces to combat terrorism:  
6 *Provided further*, That the Secretary of Defense may waive  
7 the prohibitions in this section if the Secretary determines  
8 that such waiver is required by extraordinary cir-  
9 cumstances and, by not later than 72 hours after making  
10 such waiver, notifies the congressional defense committees  
11 of such waiver.

12       SEC. 8108. None of the funds made available by this  
13 Act may be used with respect to Iraq in contravention of  
14 the War Powers Resolution (50 U.S.C. 1541 et seq.), in-  
15 cluding for the introduction of United States armed forces  
16 into hostilities in Iraq, into situations in Iraq where immi-  
17 nent involvement in hostilities is clearly indicated by the  
18 circumstances, or into Iraqi territory, airspace, or waters  
19 while equipped for combat, in contravention of the con-  
20 gressional consultation and reporting requirements of sec-  
21 tions 3 and 4 of such Resolution (50 U.S.C. 1542 and  
22 1543).

23       SEC. 8109. None of the funds provided in this Act  
24 for the T-AO Fleet Oiler or the Towing, Salvage, and Res-  
25 cue Ship programs shall be used to award a new contract

1 that provides for the acquisition of the following compo-  
2 nents unless those components are manufactured in the  
3 United States: Auxiliary equipment (including pumps) for  
4 shipboard services; propulsion equipment (including en-  
5 gines, reduction gears, and propellers); shipboard cranes;  
6 and spreaders for shipboard cranes.

7       SEC. 8110. The amount appropriated in title II of  
8 this Act for “Operation and Maintenance, Army” is here-  
9 by reduced by \$75,000,000 to reflect excess cash balances  
10 in Department of Defense Working Capital Funds.

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

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

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



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

3 SEC. 8114. Of the amounts appropriated in this Act  
4 for “Operation and Maintenance, Navy”, \$289,255,000,  
5 to remain available until expended, may be used for any  
6 purposes related to the National Defense Reserve Fleet  
7 established under section 11 of the Merchant Ship Sales  
8 Act of 1946 (50 U.S.C. 4405): *Provided*, That such  
9 amounts are available for reimbursements to the Ready  
10 Reserve Force, Maritime Administration account of the  
11 United States Department of Transportation for pro-  
12 grams, projects, activities, and expenses related to the Na-  
13 tional Defense Reserve Fleet.

14 SEC. 8115. None of the funds made available by this  
15 Act for the Joint Surveillance Target Attack Radar Sys-  
16 tem recapitalization program may be obligated or ex-  
17 pended for pre-milestone B activities after March 31,  
18 2018, except for source selection and other activities nec-  
19 essary to enter the engineering and manufacturing devel-  
20 opment phase.

21 SEC. 8116. None of the funds made available by this  
22 Act may be used to carry out the closure or realignment  
23 of the United States Naval Station, Guantánamo Bay,  
24 Cuba.

1 (INCLUDING TRANSFER OF FUNDS)

2 SEC. 8117. Additional readiness funds made available  
3 in title II of this Act for “Operation and Maintenance,  
4 Army”, “Operation and Maintenance, Navy”, “Operation  
5 and Maintenance, Marine Corps”, and “Operation and  
6 Maintenance, Air Force” may be transferred to and  
7 merged with any appropriation of the Department of De-  
8 fense for activities related to the Zika virus in order to  
9 provide health support for the full range of military oper-  
10 ations and sustain the health of the members of the Armed  
11 Forces, civilian employees of the Department of Defense,  
12 and their families, to include: research and development,  
13 disease surveillance, vaccine development, rapid detection,  
14 vector controls and surveillance, training, and outbreak re-  
15 sponse: *Provided*, That the authority provided in this sec-  
16 tion is subject to the same terms and conditions as the  
17 authority provided in section 8005 of this Act.

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

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

1 or for any activity necessary for the national defense, in-  
2 cluding intelligence activities.

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

10 SEC. 8120. No amounts credited or otherwise made  
11 available in this or any other Act to the Department of  
12 Defense Acquisition Workforce Development Fund may be  
13 transferred to:

14 (1) the Rapid Prototyping Fund established  
15 under section 804(d) of the National Defense Au-  
16 thorization Act for Fiscal Year 2016 (10 U.S.C.  
17 2302 note); or

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

23 (INCLUDING TRANSFER FUND)

24 SEC. 8121. In addition to amounts provided else-  
25 where in this Act for military personnel pay, including ac-

1 tive duty, reserve and National Guard personnel,  
2 \$206,400,000 is hereby appropriated to the Department  
3 of Defense and made available for transfer only to military  
4 personnel accounts: *Provided*, That the transfer authority  
5 provided under this heading is in addition to any other  
6 transfer authority provided elsewhere in this Act.

7       SEC. 8122. In addition to amounts provided else-  
8 where in this Act, there is appropriated \$235,000,000, for  
9 an additional amount for “Operation and Maintenance,  
10 Defense-Wide”, to remain available until expended: *Pro-*  
11 *vided*, That such funds shall only be available to the Sec-  
12 retary of Defense, acting through the Office of Economic  
13 Adjustment of the Department of Defense, or for transfer  
14 to the Secretary of Education, notwithstanding any other  
15 provision of law, to make grants, conclude cooperative  
16 agreements, or supplement other Federal funds to con-  
17 struct, renovate, repair, or expand elementary and sec-  
18 ondary public schools on military installations in order to  
19 address capacity or facility condition deficiencies at such  
20 schools: *Provided further*, That in making such funds  
21 available, the Office of Economic Adjustment or the Sec-  
22 retary of Education shall give priority consideration to  
23 those military installations with schools having the most  
24 serious capacity or facility condition deficiencies as deter-  
25 mined by the Secretary of Defense: *Provided further*, That

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

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

1 TITLE IX  
2 OVERSEAS CONTINGENCY OPERATIONS/GLOBAL  
3 WAR ON TERRORISM  
4 MILITARY PERSONNEL  
5 MILITARY PERSONNEL, ARMY

6 For an additional amount for “Military Personnel,  
7 Army”, \$2,635,317,000: *Provided*, That such amount is  
8 designated by the Congress for Overseas Contingency Op-  
9 erations/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 MILITARY PERSONNEL, NAVY

13 For an additional amount for “Military Personnel,  
14 Navy”, \$377,857,000: *Provided*, That such amount is des-  
15 ignated by the Congress for Overseas Contingency Oper-  
16 ations/Global War on Terrorism pursuant to section  
17 251(b)(2)(A)(ii) of the Balanced Budget and Emergency  
18 Deficit Control Act of 1985.

19 MILITARY PERSONNEL, MARINE CORPS

20 For an additional amount for “Military Personnel,  
21 Marine Corps”, \$103,800,000: *Provided*, That such  
22 amount is designated by the Congress for Overseas Con-  
23 tingency Operations/Global War on Terrorism pursuant to  
24 section 251(b)(2)(A)(ii) of the Balanced Budget and  
25 Emergency Deficit Control Act of 1985.

## 1                   MILITARY PERSONNEL, AIR FORCE

2           For an additional amount for “Military Personnel,  
3 Air Force”, \$912,779,000: *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”, \$24,942,000: *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”, \$9,091,000: *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”, \$2,328,000: *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”, \$20,569,000: *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”, \$184,589,000: *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”, \$5,004,000: *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, NATIONAL DEFENSE  
2                           RESTORATION FUND  
3                           (INCLUDING TRANSFER OF FUNDS)

4           In addition to amounts provided elsewhere in this  
5 Act, there is appropriated \$1,000,000,000, for the “Mili-  
6 tary Personnel, National Defense Restoration Fund”; *Pro-*  
7 *vided*, That of the funds made available under this head-  
8 ing, the Secretary of Defense may transfer these funds  
9 only to military personnel accounts; *Provided further*, That  
10 the funds transferred shall be merged with and shall be  
11 available for the same purposes and for the same time pe-  
12 riod, as the appropriation to which transferred; *Provided*  
13 *further*, That none of the funds made available under this  
14 heading may be transferred to any program, project, or  
15 activity specifically limited or denied by this Act; *Provided*  
16 *further*, That the transfer authority provided under this  
17 heading is in addition to any other transfer authority  
18 available to the Department of Defense; *Provided further*,  
19 That the Secretary of Defense shall notify the congres-  
20 sional defense committees 15 days prior to making trans-  
21 fers of funds under this heading; *Provided further*, That  
22 each notification provided under this heading shall identify  
23 the accounts to which funds are being transferred, and  
24 the purposes therefor; *Provided further*, 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 OPERATION AND MAINTENANCE

5 OPERATION AND MAINTENANCE, ARMY

6 For an additional amount for “Operation and Main-  
7 tenance, Army”, \$16,126,403,000: *Provided*, That such  
8 amount is designated by the Congress for Overseas Con-  
9 tingency Operations/Global War on Terrorism pursuant to  
10 section 251(b)(2)(A)(ii) of the Balanced Budget and  
11 Emergency Deficit Control Act of 1985.

12 OPERATION AND MAINTENANCE, NAVY

13 For an additional amount for “Operation and Main-  
14 tenance, Navy”, \$5,875,015,000, of which up to  
15 \$161,885,000 may be transferred to the Coast Guard  
16 “Operating Expenses” account: *Provided*, That such  
17 amount is designated by the Congress for Overseas Con-  
18 tingency Operations/Global War on Terrorism pursuant to  
19 section 251(b)(2)(A)(ii) of the Balanced Budget and  
20 Emergency Deficit Control Act of 1985.

21 OPERATION AND MAINTENANCE, MARINE CORPS

22 For an additional amount for “Operation and Main-  
23 tenance, Marine Corps”, \$1,116,640,000: *Provided*, That  
24 such amount is designated by the Congress for Overseas  
25 Contingency Operations/Global War on Terrorism pursu-

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

3 OPERATION AND MAINTENANCE, AIR FORCE

4 For an additional amount for “Operation and Main-  
5 tenance, Air Force”, \$10,266,295,000: *Provided*, That  
6 such amount is designated by the Congress for Overseas  
7 Contingency Operations/Global War on Terrorism pursu-  
8 ant to section 251(b)(2)(A)(ii) of the Balanced Budget  
9 and Emergency Deficit Control Act of 1985.

10 OPERATION AND MAINTENANCE, DEFENSE-WIDE

11 For an additional amount for “Operation and Main-  
12 tenance, Defense-Wide”, \$6,944,201,000: *Provided*, That  
13 of the funds provided under this heading, not to exceed  
14 \$900,000,000, to remain available until September 30,  
15 2019, shall be for payments to reimburse key cooperating  
16 nations for logistical, military, and other support, includ-  
17 ing access, provided to United States military and stability  
18 operations in Afghanistan and to counter the Islamic  
19 State of Iraq and the Levant: *Provided further*, That such  
20 reimbursement payments may be made in such amounts  
21 as the Secretary of Defense, with the concurrence of the  
22 Secretary of State, and in consultation with the Director  
23 of the Office of Management and Budget, may determine,  
24 based on documentation determined by the Secretary of  
25 Defense to adequately account for the support provided,

1 and such determination is final and conclusive upon the  
2 accounting officers of the United States, and 15 days fol-  
3 lowing notification to the appropriate congressional com-  
4 mittees: *Provided further*, That these funds may be used  
5 for the purpose of providing specialized training and pro-  
6 curing supplies and specialized equipment and providing  
7 such supplies and loaning such equipment on a non-reim-  
8 bursable basis to coalition forces supporting United States  
9 military and stability operations in Afghanistan and to  
10 counter the Islamic State of Iraq and the Levant, and 15  
11 days following notification to the appropriate congres-  
12 sional committees: *Provided further*, That these funds may  
13 be used to support the Government of Jordan, in such  
14 amounts as the Secretary of Defense may determine, to  
15 enhance the ability of the armed forces of Jordan to in-  
16 crease or sustain security along its borders, upon 15 days  
17 prior written notification to the congressional defense  
18 committees outlining the amounts intended to be provided  
19 and the nature of the expenses incurred: *Provided further*,  
20 That not to exceed \$750,000,000, to remain available  
21 until September 30, 2019, shall be available to provide  
22 support and assistance to foreign security forces or other  
23 groups or individuals to conduct, support, or facilitate  
24 counterterrorism, crisis response, or other Department of  
25 Defense security cooperation programs: *Provided further*,

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

5 OPERATION AND MAINTENANCE, ARMY RESERVE

6 For an additional amount for “Operation and Main-  
7 tenance, Army Reserve”, \$24,699,000: *Provided*, That  
8 such amount is designated by the Congress for Overseas  
9 Contingency Operations/Global War on Terrorism pursu-  
10 ant to section 251(b)(2)(A)(ii) of the Balanced Budget  
11 and Emergency Deficit Control Act of 1985.

12 OPERATION AND MAINTENANCE, NAVY RESERVE

13 For an additional amount for “Operation and Main-  
14 tenance, Navy Reserve”, \$23,980,000: *Provided*, That  
15 such amount is designated by the Congress for Overseas  
16 Contingency Operations/Global War on Terrorism pursu-  
17 ant to section 251(b)(2)(A)(ii) of the Balanced Budget  
18 and Emergency Deficit Control Act of 1985.

19 OPERATION AND MAINTENANCE, MARINE CORPS

20 RESERVE

21 For an additional amount for “Operation and Main-  
22 tenance, Marine Corps Reserve”, \$3,367,000: *Provided*,  
23 That such amount is designated by the Congress for Over-  
24 seas Contingency Operations/Global War on Terrorism

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

3 OPERATION AND MAINTENANCE, AIR FORCE RESERVE

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

10 OPERATION AND MAINTENANCE, ARMY NATIONAL

11 GUARD

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

18 OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

19 For an additional amount for “Operation and Main-  
20 tenance, Air National Guard”, \$15,400,000: *Provided*,  
21 That such amount is designated by the Congress for Over-  
22 seas Contingency Operations/Global War on Terrorism  
23 pursuant to section 251(b)(2)(A)(ii) of the Balanced  
24 Budget and Emergency Deficit Control Act of 1985.

1 OPERATION AND MAINTENANCE, NATIONAL DEFENSE  
2 RESTORATION FUND  
3 (INCLUDING TRANSFER OF FUNDS)

4 In addition to amounts provided elsewhere in this  
5 Act, there is appropriated \$2,000,000,000, for the “Oper-  
6 ation and Maintenance, National Defense Restoration  
7 Fund”; *Provided*, That of the funds made available under  
8 this heading, the Secretary of Defense may transfer these  
9 funds only to operation and maintenance accounts; *Pro-  
10 vided further*, That the funds transferred shall be merged  
11 with and shall be available for the same purposes and for  
12 the same time period, as the appropriation to which trans-  
13 ferred; *Provided further*, That none of the funds made  
14 available under this heading may be transferred to any  
15 program, project, or activity specifically limited or denied  
16 by this Act; *Provided further*, That the transfer authority  
17 provided under this heading is in addition to any other  
18 transfer authority available to the Department of Defense;  
19 *Provided further*, That the Secretary of Defense shall no-  
20 tify the congressional defense committees 15 days prior  
21 to making transfers of funds under this heading; *Provided  
22 further*, That each notification provided under this heading  
23 shall identify the accounts to which funds are being trans-  
24 ferred, and the purposes therefor; *Provided further*, That  
25 such amount is designated by the Congress for Overseas

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

4 AFGHANISTAN SECURITY FORCES FUND

5 For the “Afghanistan Security Forces Fund”,  
6 \$4,937,515,000, to remain available until September 30,  
7 2019: *Provided*, That such funds shall be available to the  
8 Secretary of Defense, notwithstanding any other provision  
9 of law, for the purpose of allowing the Commander, Com-  
10 bined Security Transition Command—Afghanistan, or the  
11 Secretary’s designee, to provide assistance, with the con-  
12 currence of the Secretary of State, to the security forces  
13 of Afghanistan, including the provision of equipment, sup-  
14 plies, services, training, facility and infrastructure repair,  
15 renovation, construction, and funding: *Provided further*,  
16 That the Secretary of Defense may obligate and expend  
17 funds made available to the Department of Defense in this  
18 title for additional costs associated with existing projects  
19 previously funded with amounts provided under the head-  
20 ing “Afghanistan Infrastructure Fund” in prior Acts: *Pro-*  
21 *vided further*, That such costs shall be limited to contract  
22 changes resulting from inflation, market fluctuation, rate  
23 adjustments, and other necessary contract actions to com-  
24 plete existing projects, and associated supervision and ad-  
25 ministration costs and costs for design during construc-



1 tion: *Provided further*, That the Secretary may not use  
2 more than \$50,000,000 under the authority provided in  
3 this section: *Provided further*, That the Secretary shall no-  
4 tify in advance such contract changes and adjustments in  
5 annual reports to the congressional defense committees:  
6 *Provided further*, That the authority to provide assistance  
7 under this heading is in addition to any other authority  
8 to provide assistance to foreign nations: *Provided further*,  
9 That contributions of funds for the purposes provided  
10 herein from any person, foreign government, or inter-  
11 national organization may be credited to this Fund, to re-  
12 main available until expended, and used for such purposes:  
13 *Provided further*, That the Secretary of Defense shall no-  
14 tify the congressional defense committees in writing upon  
15 the receipt and upon the obligation of any contribution,  
16 delineating the sources and amounts of the funds received  
17 and the specific use of such contributions: *Provided fur-*  
18 *ther*, That the Secretary of Defense shall, not fewer than  
19 15 days prior to obligating from this appropriation ac-  
20 count, notify the congressional defense committees in writ-  
21 ing of the details of any such obligation: *Provided further*,  
22 That the Secretary of Defense shall notify the congres-  
23 sional defense committees of any proposed new projects  
24 or transfer of funds between budget sub-activity groups  
25 in excess of \$20,000,000: *Provided further*, That the

1 United States may accept equipment procured using funds  
2 provided under this heading in this or prior Acts that was  
3 transferred to the security forces of Afghanistan and re-  
4 turned by such forces to the United States: *Provided fur-*  
5 *ther*, That equipment procured using funds provided under  
6 this heading in this or prior Acts, and not yet transferred  
7 to the security forces of Afghanistan or transferred to the  
8 security forces of Afghanistan and returned by such forces  
9 to the United States, may be treated as stocks of the De-  
10 partment of Defense upon written notification to the con-  
11 gressional defense committees: *Provided further*, That of  
12 the funds provided under this heading, not less than  
13 \$10,000,000 shall be for recruitment and retention of  
14 women in the Afghanistan National Security Forces, and  
15 the recruitment and training of female security personnel:  
16 *Provided further*, That such amount is designated by the  
17 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 COUNTER-ISIL TRAIN AND EQUIP FUND

22 For the “Counter-Islamic State of Iraq and the Le-  
23 vant Train and Equip Fund”, \$1,769,000,000, to remain  
24 available until September 30, 2019: *Provided*, That such  
25 funds shall be available to the Secretary of Defense in co-

1 ordination with the Secretary of State, to provide assist-  
2 ance, including training; equipment; logistics support, sup-  
3 plies, and services; stipends; infrastructure repair and ren-  
4 ovation; and sustainment, to foreign security forces, irreg-  
5 ular forces, groups, or individuals participating, or pre-  
6 paring to participate in activities to counter the Islamic  
7 State of Iraq and the Levant, and their affiliated or asso-  
8 ciated groups: *Provided further*, That these funds may be  
9 used in such amounts as the Secretary of Defense may  
10 determine to enhance the border security of nations adja-  
11 cent to conflict areas including Jordan, Lebanon, Egypt,  
12 and Tunisia resulting from actions of the Islamic State  
13 of Iraq and the Levant: *Provided further*, That amounts  
14 made available under this heading shall be available to  
15 provide assistance only for activities in a country des-  
16 igned by the Secretary of Defense, in coordination with  
17 the Secretary of State, as having a security mission to  
18 counter the Islamic State of Iraq and the Levant, and fol-  
19 lowing written notification to the congressional defense  
20 committees of such designation: *Provided further*, That the  
21 Secretary of Defense shall ensure that prior to providing  
22 assistance to elements of any forces or individuals, such  
23 elements or individuals are appropriately vetted, including  
24 at a minimum, assessing such elements for associations  
25 with terrorist groups or groups associated with the Gov-

1 ernment of Iran; and receiving commitments from such  
2 elements to promote respect for human rights and the rule  
3 of law: *Provided further*, That the Secretary of Defense  
4 shall, not fewer than 15 days prior to obligating from this  
5 appropriation account, notify the congressional defense  
6 committees in writing of the details of any such obligation:  
7 *Provided further*, That the Secretary of Defense may ac-  
8 cept and retain contributions, including assistance in-kind,  
9 from foreign governments, including the Government of  
10 Iraq and other entities, to carry out assistance authorized  
11 under this heading: *Provided further*, That contributions  
12 of funds for the purposes provided herein from any foreign  
13 government or other entity may be credited to this Fund,  
14 to remain available until expended, and used for such pur-  
15 poses: *Provided further*, That the Secretary of Defense  
16 may waive a provision of law relating to the acquisition  
17 of items and support services or sections 40 and 40A of  
18 the Arms Export Control Act (22 U.S.C. 2780 and 2785)  
19 if the Secretary determines that such provision of law  
20 would prohibit, restrict, delay or otherwise limit the provi-  
21 sion of such assistance and a notice of and justification  
22 for such waiver is submitted to the congressional defense  
23 committees, the Committees on Appropriations and For-  
24 eign Relations of the Senate and the Committees on Ap-  
25 propriations and Foreign Affairs of the House of Rep-

1 representatives: *Provided further*, That the United States may  
2 accept equipment procured using funds provided under  
3 this heading, or under the heading, “Iraq Train and Equip  
4 Fund” in prior Acts, that was transferred to security  
5 forces, irregular forces, or groups participating, or pre-  
6 paring to participate in activities to counter the Islamic  
7 State of Iraq and the Levant and returned by such forces  
8 or groups to the United States, may be treated as stocks  
9 of the Department of Defense upon written notification  
10 to the congressional defense committees: *Provided further*,  
11 That equipment procured using funds provided under this  
12 heading, or under the heading, “Iraq Train and Equip  
13 Fund” in prior Acts, and not yet transferred to security  
14 forces, irregular forces, or groups participating, or pre-  
15 paring to participate in activities to counter the Islamic  
16 State of Iraq and the Levant may be treated as stocks  
17 of the Department of Defense when determined by the  
18 Secretary to no longer be required for transfer to such  
19 forces or groups and upon written notification to the con-  
20 gressional defense committees: *Provided further*, That the  
21 Secretary of Defense shall provide quarterly reports to the  
22 congressional defense committees on the use of funds pro-  
23 vided under this heading, including, but not limited to,  
24 the number of individuals trained, the nature and scope  
25 of support and sustainment provided to each group or in-

1 individual, the area of operations for each group, and the  
2 contributions of other countries, groups, or individuals:  
3 *Provided further*, That such amount is designated by the  
4 Congress for Overseas Contingency Operations/ Global  
5 War on Terrorism pursuant to section 251(b)(2)(A)(ii) of  
6 the Balanced Budget and Emergency Deficit Control Act  
7 of 1985.

## 8 PROCUREMENT

### 9 AIRCRAFT PROCUREMENT, ARMY

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

### 17 MISSILE PROCUREMENT, ARMY

18 For an additional amount for “Missile Procurement,  
19 Army”, \$557,583,000, to remain available until Sep-  
20 tember 30, 2020: *Provided*, That such amount is des-  
21 ignated by the Congress for Overseas Contingency Oper-  
22 ations/Global War on Terrorism pursuant to section  
23 251(b)(2)(A)(ii) of the Balanced Budget and Emergency  
24 Deficit Control Act of 1985.



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

3 AIRCRAFT PROCUREMENT, NAVY

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

11 WEAPONS PROCUREMENT, NAVY

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

19 PROCUREMENT OF AMMUNITION, NAVY AND MARINE  
20 CORPS

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



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

3 OTHER PROCUREMENT, NAVY

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

11 PROCUREMENT, MARINE CORPS

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

19 AIRCRAFT PROCUREMENT, AIR FORCE

20 For an additional amount for “Aircraft Procurement,  
21 Air Force”, \$510,836,000, to remain available until Sep-  
22 tember 30, 2020: *Provided*, That such amount is des-  
23 ignated by the Congress for Overseas Contingency Oper-  
24 ations/Global War on Terrorism pursuant to section

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

3 MISSILE PROCUREMENT, AIR FORCE

4 For an additional amount for “Missile Procurement,  
5 Air Force”, \$381,700,000, to remain available until Sep-  
6 tember 30, 2020: *Provided*, That such amount is 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 SPACE PROCUREMENT, AIR FORCE

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

19 PROCUREMENT OF AMMUNITION, AIR FORCE

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

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

3 OTHER PROCUREMENT, AIR FORCE

4 For an additional amount for “Other Procurement,  
5 Air Force”, \$3,998,887,000, to remain available until  
6 September 30, 2020: *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 PROCUREMENT, DEFENSE-WIDE

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

19 NATIONAL GUARD AND RESERVE EQUIPMENT ACCOUNT

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

1 than 30 days after enactment of this Act, individually sub-  
2 mit to the congressional defense committees the mod-  
3 ernization priority assessment for their respective Na-  
4 tional Guard or Reserve component: *Provided further*,  
5 That none of the funds made available by this paragraph  
6 may be used to procure manned fixed wing aircraft, or  
7 procure or modify missiles, munitions, or ammunition:  
8 *Provided further*, That such amount is designated by the  
9 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, NATIONAL DEFENSE RESTORATION

14 FUND

15 (INCLUDING TRANSFER OF FUNDS)

16 In addition to amounts provided elsewhere in this  
17 Act, there is appropriated \$6,000,000,000, for the “Pro-  
18 curement, National Defense Restoration Fund”; *Pro-*  
19 *vided*, That of the funds made available under this heading,  
20 the Secretary of Defense may transfer these funds only  
21 to procurement accounts; *Provided further*, That the funds  
22 transferred shall be merged with and shall be available for  
23 the same purposes and for the same time period, as the  
24 appropriation to which transferred; *Provided further*, That  
25 none of the funds made available under this heading may

1 be transferred to any program, project, or activity specifi-  
2 cally limited or denied by this Act; *Provided further*, That  
3 the transfer authority provided under this heading is in  
4 addition to any other transfer authority available to the  
5 Department of Defense; *Provided further*, That the Sec-  
6 retary of Defense shall notify the congressional defense  
7 committees 15 days prior to making transfers of funds  
8 under this heading; *Provided further*, That each notifica-  
9 tion provided under this heading shall identify the ac-  
10 counts to which funds are being transferred, and the pur-  
11 poses therefor; *Provided further*, That such amount is des-  
12 ignated by the Congress for Overseas Contingency Oper-  
13 ations/Global War on Terrorism pursuant to section  
14 251(b)(2)(A)(ii) of the Balanced Budget and Emergency  
15 Deficit Control Act of 1985.

16 RESEARCH, DEVELOPMENT, TEST AND  
17 EVALUATION

18 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,  
19 ARMY

20 For an additional amount for “Research, Develop-  
21 ment, Test and Evaluation, Army”, \$119,368,000, to re-  
22 main available until September 30, 2019: *Provided*, That  
23 such amount is designated by the Congress for Overseas  
24 Contingency Operations/Global War on Terrorism pursu-

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

3 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,

4 NAVY

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

12 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,

13 AIR FORCE

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

21 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,

22 DEFENSE-WIDE

23 For an additional amount for “Research, Develop-  
24 ment, Test and Evaluation, Defense-Wide”,  
25 \$226,096,000, to remain available until September 30,

1 2019: *Provided*, That such amount is designated by the  
2 Congress for Overseas Contingency Operations/Global  
3 War on Terrorism pursuant to section 251(b)(2)(A)(ii) of  
4 the Balanced Budget and Emergency Deficit Control Act  
5 of 1985.

6 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,  
7 NATIONAL DEFENSE RESTORATION FUND  
8 (INCLUDING TRANSFER OF FUNDS)

9 In addition to amounts provided elsewhere in this  
10 Act, there is appropriated \$1,000,000,000, for the “Re-  
11 search, Development, Test and Evaluation, National De-  
12 fense Restoration Fund”; *Provided*, That of the funds  
13 made available under this heading, the Secretary of De-  
14 fense may transfer these funds only to research, develop-  
15 ment, test and evaluation accounts; *Provided further*, That  
16 the funds transferred shall be merged with and shall be  
17 available for the same purposes and for the same time pe-  
18 riod, as the appropriation to which transferred; *Provided*  
19 *further*, That none of the funds made available under this  
20 heading may be transferred to any program, project, or  
21 activity specifically limited or denied by this Act; *Provided*  
22 *further*, That the transfer authority provided under this  
23 heading is in addition to any other transfer authority  
24 available to the Department of Defense; *Provided further*,  
25 That the Secretary of Defense shall notify the congress-

1 sional defense committees 15 days prior to making trans-  
2 fers of funds under this heading; *Provided further*, That  
3 each notification provided under this heading shall identify  
4 the accounts to which funds are being transferred, and  
5 the purposes therefor; *Provided further*, That such amount  
6 is designated by the Congress for Overseas Contingency  
7 Operations/Global War on Terrorism pursuant to section  
8 251(b)(2)(A)(ii) of the Balanced Budget and Emergency  
9 Deficit Control Act of 1985.

#### 10 REVOLVING AND MANAGEMENT FUNDS

##### 11 DEFENSE WORKING CAPITAL FUNDS

12 For an additional amount for “Defense Working  
13 Capital Funds”, \$148,956,000: *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 OTHER DEPARTMENT OF DEFENSE PROGRAMS

##### 19 DEFENSE HEALTH PROGRAM

20 For an additional amount for “Defense Health Pro-  
21 gram”, \$395,805,000, which shall be for operation and  
22 maintenance: *Provided*, That such amount is designated  
23 by the Congress for Overseas Contingency Operations/  
24 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 DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES,  
4 DEFENSE

5 For an additional amount for “Drug Interdiction and  
6 Counter-Drug Activities, Defense”, \$196,300,000: *Pro-*  
7 *vided*, That such amount is designated by the Congress  
8 for Overseas Contingency Operations/Global War on Ter-  
9 rorism pursuant to section 251(b)(2)(A)(ii) of the Bal-  
10 anced Budget and Emergency Deficit Control Act of 1985.

11 JOINT IMPROVISED-THREAT DEFEAT FUND

12 (INCLUDING TRANSFER OF FUNDS)

13 For the “Joint Improvised-Threat Defeat Fund”,  
14 \$483,058,000, to remain available until September 30,  
15 2020: *Provided*, That such funds shall be available to the  
16 Secretary of Defense, notwithstanding any other provision  
17 of law, for the purpose of allowing the Director of the  
18 Joint Improvised-Threat Defeat Organization to inves-  
19 tigate, develop and provide equipment, supplies, services,  
20 training, facilities, personnel and funds to assist United  
21 States forces in the defeat of improvised explosive devices:  
22 *Provided further*, That the Secretary of Defense may  
23 transfer funds provided herein to appropriations for mili-  
24 tary personnel; operation and maintenance; procurement;  
25 research, development, test and evaluation; and defense

1 working capital funds to accomplish the purpose provided  
2 herein: *Provided further*, That this transfer authority is  
3 in addition to any other transfer authority available to the  
4 Department of Defense: *Provided further*, That the Sec-  
5 retary of Defense shall, not fewer than 5 days prior to  
6 making transfers from this appropriation, notify the con-  
7 gressional defense committees in writing of the details of  
8 any such transfer: *Provided further*, That such amount is  
9 designated by the Congress for Overseas Contingency Op-  
10 erations/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.

13 OFFICE OF THE INSPECTOR GENERAL

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

20 GENERAL PROVISIONS—THIS TITLE

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

1 (INCLUDING TRANSFER OF FUNDS)

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

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

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

6           (1) passenger motor vehicles up to a limit of  
7       \$75,000 per vehicle; and

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

13      SEC. 9005. Not to exceed \$5,000,000 of the amounts  
14 appropriated by this title under the heading “Operation  
15 and Maintenance, Army” may be used, notwithstanding  
16 any other provision of law, to fund the Commanders’  
17 Emergency Response Program (CERP), for the purpose  
18 of enabling military commanders in Afghanistan to re-  
19 spond to urgent, small-scale, humanitarian relief and re-  
20 construction requirements within their areas of responsi-  
21 bility: *Provided*, That each project (including any ancillary  
22 or related elements in connection with such project) exe-  
23 cuted under this authority shall not exceed \$2,000,000:  
24 *Provided further*, That not later than 45 days after the  
25 end of each 6 months of the fiscal year, the Secretary of

1 Defense shall submit to the congressional defense commit-  
2 tees a report regarding the source of funds and the alloca-  
3 tion and use of funds during that 6-month period that  
4 were made available pursuant to the authority provided  
5 in this section or under any other provision of law for the  
6 purposes described herein: *Provided further*, That, not  
7 later than 30 days after the end of each fiscal year quar-  
8 ter, the Army shall submit to the congressional defense  
9 committees quarterly commitment, obligation, and expend-  
10 iture data for the CERP in Afghanistan: *Provided further*,  
11 That, not less than 15 days before making funds available  
12 pursuant to the authority provided in this section or under  
13 any other provision of law for the purposes described here-  
14 in for a project with a total anticipated cost for completion  
15 of \$500,000 or more, the Secretary shall submit to the  
16 congressional defense committees a written notice con-  
17 taining each of the following:

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

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

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

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

10       SEC. 9006. Funds available to the Department of De-  
11       fense for operation and maintenance may be used, not-  
12       withstanding any other provision of law, to provide sup-  
13       plies, services, transportation, including airlift and sealift,  
14       and other logistical support to allied forces participating  
15       in a combined operation with the armed forces of the  
16       United States and coalition forces supporting military and  
17       stability operations in Afghanistan and to counter the Is-  
18       lamic State of Iraq and the Levant: *Provided*, That the  
19       Secretary of Defense shall provide quarterly reports to the  
20       congressional defense committees regarding support pro-  
21       vided under this section.

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

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

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

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

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

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

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

1           (3) Sections 1002 and 1003 of the Department  
2           of Defense, Emergency Supplemental Appropriations  
3           to Address Hurricanes in the Gulf of Mexico, and  
4           Pandemic Influenza Act, 2006 (Public Law 109–  
5           148).

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

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



1 Commander of a Combatant Command engaged in contin-  
2 gency operations overseas, such funds may be used to pur-  
3 chase items having an investment item unit cost of not  
4 more than \$500,000.

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

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

15 SEC. 9013. For the “Ukraine Security Assistance Ini-  
16 tiative”, \$150,000,000 is hereby appropriated, to remain  
17 available until September 30, 2018: *Provided*, That such  
18 funds shall be available to the Secretary of Defense, in  
19 coordination with the Secretary of State, to provide assist-  
20 ance, including training; equipment; lethal weapons of a  
21 defensive nature; logistics support, supplies and services;  
22 sustainment; and intelligence support to the military and  
23 national security forces of Ukraine, and for replacement  
24 of any weapons or defensive articles provided to the Gov-  
25 ernment of Ukraine from the inventory of the United

1 States: *Provided further*, That the Secretary of Defense  
2 shall, not less than 15 days prior to obligating funds pro-  
3 vided under this heading, notify the congressional defense  
4 committees in writing of the details of any such obligation:  
5 *Provided further*, That the United States may accept  
6 equipment procured using funds provided under this head-  
7 ing in this or prior Acts that was transferred to the secu-  
8 rity forces of Ukraine and returned by such forces to the  
9 United States: *Provided further*, That equipment procured  
10 using funds provided under this heading in this or prior  
11 Acts, and not yet transferred to the military or National  
12 Security Forces of Ukraine or returned by such forces to  
13 the United States, may be treated as stocks of the Depart-  
14 ment of Defense upon written notification to the congres-  
15 sional defense committees: *Provided further*, That amounts  
16 made available by this section are designated by the Con-  
17 gress for Overseas Contingency Operations/Global War on  
18 Terrorism pursuant to section 251(b)(2)(A)(ii) of the Bal-  
19 anced Budget and Emergency Deficit Control Act of 1985.

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

1       SEC. 9015. None of the funds made available by this  
2 Act under section 9013 for “Assistance and Sustainment  
3 to the Military and National Security Forces of Ukraine”  
4 may be used to procure or transfer man-portable air de-  
5 fense systems.

6       SEC. 9016. (a) None of the funds appropriated or  
7 otherwise made available by this Act under the heading  
8 “Operation and Maintenance, Defense-Wide” for pay-  
9 ments under section 1233 of Public Law 110–181 for re-  
10 imbursement to the Government of Pakistan may be made  
11 available unless the Secretary of Defense, in coordination  
12 with the Secretary of State, certifies to the congressional  
13 defense committees that the Government of Pakistan is—

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

23           (2) not supporting terrorist activities against  
24 United States or coalition forces in Afghanistan, and  
25 Pakistan’s military and intelligence agencies are not

1       intervening extra-judicially into political and judicial  
2       processes in Pakistan;

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

6           (4) preventing the proliferation of nuclear-re-  
7       lated material and expertise;

8           (5) implementing policies to protect judicial  
9       independence and due process of law;

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

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

16       (b) The Secretary of Defense, in coordination with  
17       the Secretary of State, may waive the restriction in sub-  
18       section (a) on a case-by-case basis by certifying in writing  
19       to the congressional defense committees that it is in the  
20       national security interest to do so: *Provided*, That if the  
21       Secretary of Defense, in coordination with the Secretary  
22       of State, exercises such waiver authority, the Secretaries  
23       shall report to the congressional defense committees on  
24       both the justification for the waiver and on the require-  
25       ments of this section that the Government of Pakistan was

1 not able to meet: *Provided further*, That such report may  
2 be submitted in classified form if necessary.

3 (INCLUDING TRANSFER OF FUNDS)

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

1 authority to provide funding under this section shall termi-  
2 nate on September 30, 2018.

3 SEC. 9018. None of the funds made available by this  
4 Act may be used with respect to Syria in contravention  
5 of the War Powers Resolution (50 U.S.C. 1541 et seq.),  
6 including for the introduction of United States armed or  
7 military forces into hostilities in Syria, into situations in  
8 Syria where imminent involvement in hostilities is clearly  
9 indicated by the circumstances, or into Syrian territory,  
10 airspace, or waters while equipped for combat, in con-  
11 travention of the congressional consultation and reporting  
12 requirements of sections 3 and 4 of that law (50 U.S.C.  
13 1542 and 1543).

14 (RESCISSIONS)

15 SEC. 9019. Of the funds appropriated in Department  
16 of Defense Appropriations Acts, the following funds are  
17 hereby rescinded from the following accounts and pro-  
18 grams in the specified amounts: *Provided*, That such  
19 amounts are designated by the Congress for Overseas  
20 Contingency Operations/Global War on Terrorism pursu-  
21 ant to section 251(b)(2)(A)(ii) of the Balanced Budget  
22 and Emergency Deficit Control Act of 1985:

23 "Other Procurement, Air Force", 2017/2019,  
24 \$25,100,000;

1           “Afghanistan Security Forces Fund”, 2017/  
2           2018, \$100,000,000; and

3           “Counter-ISIL Train and Equip Fund”, 2017/  
4           2018, \$112,513,000.

5           “Operation and Maintenance, Defense-Wide,  
6           DSCA Coalition Support Fund”, 2017/2018,  
7           \$350,000,000.

8           SEC. 9020. Each amount designated in this Act 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 shall be available only if the President subse-  
13          quently so designates all such amounts and transmits such  
14          designations to the Congress.

15        TITLE X—ADDITIONAL GENERAL PROVISIONS

16                        SPENDING REDUCTION ACCOUNT

17          SEC. 10001. \$0.

18          This Act may be cited as the “Department of Defense  
19          Appropriations Act, 2018”.

[FULL COMMITTEE PRINT]

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

115<sup>TH</sup> CONGRESS  
1<sup>ST</sup> Session

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

[Report No. 115-\_\_\_\_]

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**A BILL**

Making appropriations for the Department of Defense for the fiscal year ending September 30, 2018, and for other purposes.

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, 2017

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