

114TH CONGRESS
1ST SESSION

H. R. 2685

AN ACT

Making appropriations for the Department of Defense for the fiscal year ending September 30, 2016, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 That the following sums are appropriated, out of any
2 money in the Treasury not otherwise appropriated, for the
3 fiscal year ending September 30, 2016, for military func-
4 tions administered by the Department of Defense and for
5 other purposes, namely:

6 TITLE I

7 MILITARY PERSONNEL

8 MILITARY PERSONNEL, ARMY

9 For pay, allowances, individual clothing, subsistence,
10 interest on deposits, gratuities, permanent change of sta-
11 tion travel (including all expenses thereof for organiza-
12 tional movements), and expenses of temporary duty travel
13 between permanent duty stations, for members of the
14 Army on active duty (except members of reserve compo-
15 nents provided for elsewhere), cadets, and aviation cadets;
16 for members of the Reserve Officers' Training Corps; and
17 for payments pursuant to section 156 of Public Law 97-
18 377, as amended (42 U.S.C. 402 note), and to the Depart-
19 ment of Defense Military Retirement Fund,
20 \$37,295,571,000.

21 MILITARY PERSONNEL, NAVY

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
2 Navy on active duty (except members of the Reserve pro-
3 vided for elsewhere), midshipmen, and aviation cadets; for
4 members of the Reserve Officers' Training Corps; and for
5 payments pursuant to section 156 of Public Law 97-377,
6 as amended (42 U.S.C. 402 note), and to the Department
7 of Defense Military Retirement Fund, \$26,711,323,000.

8 MILITARY PERSONNEL, MARINE CORPS

9 For pay, allowances, individual clothing, subsistence,
10 interest on deposits, gratuities, permanent change of sta-
11 tion travel (including all expenses thereof for organiza-
12 tional movements), and expenses of temporary duty travel
13 between permanent duty stations, for members of the Ma-
14 rine Corps on active duty (except members of the Reserve
15 provided for elsewhere); and for payments pursuant to sec-
16 tion 156 of Public Law 97-377, as amended (42 U.S.C.
17 402 note), and to the Department of Defense Military Re-
18 tirement Fund, \$12,586,679,000.

19 MILITARY PERSONNEL, AIR FORCE

20 For pay, allowances, individual clothing, subsistence,
21 interest on deposits, gratuities, permanent change of sta-
22 tion travel (including all expenses thereof for organiza-
23 tional movements), and expenses of temporary duty travel
24 between permanent duty stations, for members of the Air
25 Force on active duty (except members of reserve compo-

1 nents provided for elsewhere), cadets, and aviation cadets;
2 for members of the Reserve Officers' Training Corps; and
3 for payments pursuant to section 156 of Public Law 97–
4 377, as amended (42 U.S.C. 402 note), and to the Depart-
5 ment of Defense Military Retirement Fund,
6 \$26,226,952,000.

7 RESERVE PERSONNEL, ARMY

8 For pay, allowances, clothing, subsistence, gratuities,
9 travel, and related expenses for personnel of the Army Re-
10 serve on active duty under sections 10211, 10302, and
11 3038 of title 10, United States Code, or while serving on
12 active duty under section 12301(d) of title 10, United
13 States Code, in connection with performing duty specified
14 in section 12310(a) of title 10, United States Code, or
15 while undergoing reserve training, or while performing
16 drills or equivalent duty or other duty, and expenses au-
17 thorized by section 16131 of title 10, United States Code;
18 and for payments to the Department of Defense Military
19 Retirement Fund, \$4,463,164,000.

20 RESERVE PERSONNEL, NAVY

21 For pay, allowances, clothing, subsistence, gratuities,
22 travel, and related expenses for personnel of the Navy Re-
23 serve on active duty under section 10211 of title 10,
24 United States Code, or while serving on active duty under
25 section 12301(d) of title 10, United States Code, in con-

1 nection with performing duty specified in section 12310(a)
2 of title 10, United States Code, or while undergoing re-
3 serve training, or while performing drills or equivalent
4 duty, and expenses authorized by section 16131 of title
5 10, United States Code; and for payments to the Depart-
6 ment of Defense Military Retirement Fund,
7 \$1,866,891,000.

8 RESERVE PERSONNEL, MARINE CORPS

9 For pay, allowances, clothing, subsistence, gratuities,
10 travel, and related expenses for personnel of the Marine
11 Corps Reserve on active duty under section 10211 of title
12 10, United States Code, or while serving on active duty
13 under section 12301(d) of title 10, United States Code,
14 in connection with performing duty specified in section
15 12310(a) of title 10, United States Code, or while under-
16 going reserve training, or while performing drills or equiv-
17 alent duty, and for members of the Marine Corps platoon
18 leaders class, and expenses authorized by section 16131
19 of title 10, United States Code; and for payments to the
20 Department of Defense Military Retirement Fund,
21 \$705,271,000.

22 RESERVE PERSONNEL, AIR FORCE

23 For pay, allowances, clothing, subsistence, gratuities,
24 travel, and related expenses for personnel of the Air Force
25 Reserve on active duty under sections 10211, 10305, and

1 8038 of title 10, United States Code, or while serving on
2 active duty under section 12301(d) of title 10, United
3 States Code, in connection with performing duty specified
4 in section 12310(a) of title 10, United States Code, or
5 while undergoing reserve training, or while performing
6 drills or equivalent duty or other duty, and expenses au-
7 thorized by section 16131 of title 10, United States Code;
8 and for payments to the Department of Defense Military
9 Retirement Fund, \$1,689,333,000.

10 NATIONAL GUARD PERSONNEL, ARMY

11 For pay, allowances, clothing, subsistence, gratuities,
12 travel, and related expenses for personnel of the Army Na-
13 tional Guard while on duty under sections 10211, 10302,
14 or 12402 of title 10 or section 708 of title 32, United
15 States Code, or while serving on duty under section
16 12301(d) of title 10 or section 502(f) of title 32, United
17 States Code, in connection with performing duty specified
18 in section 12310(a) of title 10, United States Code, or
19 while undergoing training, or while performing drills or
20 equivalent duty or other duty, and expenses authorized by
21 section 16131 of title 10, United States Code; and for pay-
22 ments to the Department of Defense Military Retirement
23 Fund, \$7,980,413,000.

1 NATIONAL GUARD PERSONNEL, AIR FORCE

2 For pay, allowances, clothing, subsistence, gratuities,
3 travel, and related expenses for personnel of the Air Na-
4 tional Guard on duty under sections 10211, 10305, or
5 12402 of title 10 or section 708 of title 32, United States
6 Code, or while serving on duty under section 12301(d) of
7 title 10 or section 502(f) of title 32, United States Code,
8 in connection with performing duty specified in section
9 12310(a) of title 10, United States Code, or while under-
10 going training, or while performing drills or equivalent
11 duty or other duty, and expenses authorized by section
12 16131 of title 10, United States Code; and for payments
13 to the Department of Defense Military Retirement Fund,
14 \$3,202,010,000.

15 TITLE II

16 OPERATION AND MAINTENANCE

17 OPERATION AND MAINTENANCE, ARMY

18 For expenses, not otherwise provided for, necessary
19 for the operation and maintenance of the Army, as author-
20 ized by law, \$28,349,761,000: *Provided*, That not to ex-
21 ceed \$12,478,000 can be used for emergencies and ex-
22 traordinary expenses, to be expended on the approval or
23 authority of the Secretary of the Army, and payments may
24 be made on his certificate of necessity for confidential mili-
25 tary purposes.

1 OPERATION AND MAINTENANCE, NAVY

2 For expenses, not otherwise provided for, necessary
3 for the operation and maintenance of the Navy and the
4 Marine Corps, as authorized by law, \$40,548,338,000:
5 *Provided*, That not to exceed \$15,055,000 can be used for
6 emergencies and extraordinary expenses, to be expended
7 on the approval or authority of the Secretary of the Navy,
8 and payments may be made on his certificate of necessity
9 for confidential military purposes.

10 OPERATION AND MAINTENANCE, MARINE CORPS

11 For expenses, not otherwise provided for, necessary
12 for the operation and maintenance of the Marine Corps,
13 as authorized by law, \$5,338,793,000.

14 OPERATION AND MAINTENANCE, AIR FORCE

15 For expenses, not otherwise provided for, necessary
16 for the operation and maintenance of the Air Force, as
17 authorized by law, \$36,094,484,000: *Provided*, That not
18 to exceed \$7,699,000 can be used for emergencies and ex-
19 traordinary expenses, to be expended on the approval or
20 authority of the Secretary of the Air Force, and payments
21 may be made on his certificate of necessity for confidential
22 military purposes.

1 OPERATION AND MAINTENANCE, DEFENSE-WIDE

2 (INCLUDING TRANSFER OF FUNDS)

3 For expenses, not otherwise provided for, necessary
4 for the operation and maintenance of activities and agen-
5 cies of the Department of Defense (other than the military
6 departments), as authorized by law, \$30,182,187,000 (re-
7 duced by \$3,200,000) (reduced by \$5,500,000) (increased
8 by \$5,500,000) (reduced by \$7,463,000) (reduced by
9 \$2,000,000) (increased by \$2,000,000) (reduced by
10 \$1,000,000) (reduced by \$5,000,000) (increased by
11 \$5,000,000) (reduced by \$10,000,000) (reduced by
12 \$10,000,000) (reduced by \$5,000,000) (reduced by
13 \$25,000,000) (increased by \$25,000,000) (reduced by
14 \$15,000,000) (reduced by \$1,000,000): *Provided*, That
15 not more than \$15,000,000 may be used for the Combat-
16 ant Commander Initiative Fund authorized under section
17 166a of title 10, United States Code: *Provided further*,
18 That not to exceed \$36,000,000 can be used for emer-
19 gencies and extraordinary expenses, to be expended on the
20 approval or authority of the Secretary of Defense, and
21 payments may be made on his certificate of necessity for
22 confidential military purposes: *Provided further*, That of
23 the funds provided under this heading, not less than
24 \$35,045,000 shall be made available for the Procurement
25 Technical Assistance Cooperative Agreement Program, of

1 which not less than \$3,600,000 shall be available for cen-
2 ters defined in 10 U.S.C. 2411(1)(D): *Provided further*,
3 That none of the funds appropriated or otherwise made
4 available by this Act may be used to plan or implement
5 the consolidation of a budget or appropriations liaison of-
6 fice of the Office of the Secretary of Defense, the office
7 of the Secretary of a military department, or the service
8 headquarters of one of the Armed Forces into a legislative
9 affairs or legislative liaison office: *Provided further*, That
10 \$9,031,000, to remain available until expended, is avail-
11 able only for expenses relating to certain classified activi-
12 ties, and may be transferred as necessary by the Secretary
13 of Defense to operation and maintenance appropriations
14 or research, development, test and evaluation appropria-
15 tions, to be merged with and to be available for the same
16 time period as the appropriations to which transferred:
17 *Provided further*, That any ceiling on the investment item
18 unit cost of items that may be purchased with operation
19 and maintenance funds shall not apply to the funds de-
20 scribed in the preceding proviso: *Provided further*, That
21 the transfer authority provided under this heading is in
22 addition to any other transfer authority provided else-
23 where in this Act.

1 OPERATION AND MAINTENANCE, ARMY RESERVE

2 For expenses, not otherwise provided for, necessary
3 for the operation and maintenance, including training, or-
4 ganization, and administration, of the Army Reserve; re-
5 pair of facilities and equipment; hire of passenger motor
6 vehicles; travel and transportation; care of the dead; re-
7 cruiting; procurement of services, supplies, and equip-
8 ment; and communications, \$2,644,274,000.

9 OPERATION AND MAINTENANCE, NAVY RESERVE

10 For expenses, not otherwise provided for, necessary
11 for the operation and maintenance, including training, or-
12 ganization, and administration, of the Navy Reserve; re-
13 pair of facilities and equipment; hire of passenger motor
14 vehicles; travel and transportation; care of the dead; re-
15 cruiting; procurement of services, supplies, and equip-
16 ment; and communications, \$999,621,000.

17 OPERATION AND MAINTENANCE, MARINE CORPS

18 RESERVE

19 For expenses, not otherwise provided for, necessary
20 for the operation and maintenance, including training, or-
21 ganization, and administration, of the Marine Corps Re-
22 serve; repair of facilities and equipment; hire of passenger
23 motor vehicles; travel and transportation; care of the dead;
24 recruiting; procurement of services, supplies, and equip-
25 ment; and communications, \$276,761,000.

1 OPERATION AND MAINTENANCE, AIR FORCE RESERVE

2 For expenses, not otherwise provided for, necessary
3 for the operation and maintenance, including training, or-
4 ganization, and administration, of the Air Force Reserve;
5 repair of facilities and equipment; hire of passenger motor
6 vehicles; travel and transportation; care of the dead; re-
7 cruiting; procurement of services, supplies, and equip-
8 ment; and communications, \$2,815,862,000.

9 OPERATION AND MAINTENANCE, ARMY NATIONAL
10 GUARD

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

1 equipment (including aircraft), \$6,731,119,000 (increased
2 by \$2,000,000).

3 OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

4 For expenses of training, organizing, and admin-
5 istering the Air National Guard, including medical and
6 hospital treatment and related expenses in non-Federal
7 hospitals; maintenance, operation, and repairs to struc-
8 tures and facilities; transportation of things, hire of pas-
9 senger motor vehicles; supplying and equipping the Air
10 National Guard, as authorized by law; expenses for repair,
11 modification, maintenance, and issue of supplies and
12 equipment, including those furnished from stocks under
13 the control of agencies of the Department of Defense;
14 travel expenses (other than mileage) on the same basis as
15 authorized by law for Air National Guard personnel on
16 active Federal duty, for Air National Guard commanders
17 while inspecting units in compliance with National Guard
18 Bureau regulations when specifically authorized by the
19 Chief, National Guard Bureau, \$6,605,400,000.

20 UNITED STATES COURT OF APPEALS FOR THE ARMED
21 FORCES

22 For salaries and expenses necessary for the United
23 States Court of Appeals for the Armed Forces,
24 \$14,078,000, of which not to exceed \$5,000 may be used
25 for official representation purposes.

1 ENVIRONMENTAL RESTORATION, ARMY

2 (INCLUDING TRANSFER OF FUNDS)

3 For the Department of the Army, \$234,829,000 (re-
4 duced by \$1,000,000), to remain available until trans-
5 ferred: *Provided*, That the Secretary of the Army shall,
6 upon determining that such funds are required for envi-
7 ronmental restoration, reduction and recycling of haz-
8 ardous waste, removal of unsafe buildings and debris of
9 the Department of the Army, or for similar purposes,
10 transfer the funds made available by this appropriation
11 to other appropriations made available to the Department
12 of the Army, to be merged with and to be available for
13 the same purposes and for the same time period as the
14 appropriations to which transferred: *Provided further*,
15 That upon a determination that all or part of the funds
16 transferred from this appropriation are not necessary for
17 the purposes provided herein, such amounts may be trans-
18 ferred back to this appropriation: *Provided further*, That
19 the transfer authority provided under this heading is in
20 addition to any other transfer authority provided else-
21 where in this Act.

22 ENVIRONMENTAL RESTORATION, NAVY

23 (INCLUDING TRANSFER OF FUNDS)

24 For the Department of the Navy, \$300,000,000, to
25 remain available until transferred: *Provided*, That the Sec-

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

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

19 For the Department of the Air Force, \$368,131,000,
20 to remain available until transferred: *Provided*, That the
21 Secretary of the Air Force shall, upon determining that
22 such funds are required for environmental restoration, re-
23 duction and recycling of hazardous waste, removal of un-
24 safe buildings and debris of the Department of the Air
25 Force, or for similar purposes, transfer the funds made

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

12 ENVIRONMENTAL RESTORATION, DEFENSE-WIDE

13 (INCLUDING TRANSFER OF FUNDS)

14 For the Department of Defense, \$8,232,000, to re-
15 main available until transferred: *Provided*, That the Sec-
16 retary of Defense shall, upon determining that such funds
17 are required for environmental restoration, reduction and
18 recycling of hazardous waste, removal of unsafe buildings
19 and debris of the Department of Defense, or for similar
20 purposes, transfer the funds made available by this appro-
21 priation to other appropriations made available to the De-
22 partment of Defense, to be merged with and to be avail-
23 able for the same purposes and for the same time period
24 as the appropriations to which transferred: *Provided fur-*
25 *ther*, That upon a determination that all or part of the

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

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

10 For the Department of the Army, \$228,717,000, to
11 remain available until transferred: *Provided*, That the Sec-
12 retary of the Army shall, upon determining that such
13 funds are required for environmental restoration, reduc-
14 tion and recycling of hazardous waste, removal of unsafe
15 buildings and debris at sites formerly used by the Depart-
16 ment of Defense, transfer the funds made available by this
17 appropriation to other appropriations made available to
18 the Department of the Army, to be merged with and to
19 be available for the same purposes and for the same time
20 period as the appropriations to which transferred: *Pro-*
21 *vided further*, That upon a determination that all or part
22 of the funds transferred from this appropriation are not
23 necessary for the purposes provided herein, such amounts
24 may be transferred back to this appropriation: *Provided*
25 *further*, That the transfer authority provided under this

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

3 OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AID

4 For expenses relating to the Overseas Humanitarian,
5 Disaster, and Civic Aid programs of the Department of
6 Defense (consisting of the programs provided under sec-
7 tions 401, 402, 404, 407, 2557, and 2561 of title 10,
8 United States Code), \$103,266,000, to remain available
9 until September 30, 2017.

10 COOPERATIVE THREAT REDUCTION ACCOUNT

11 For assistance to the republics of the former Soviet
12 Union and, with appropriate authorization by the Depart-
13 ment of Defense and Department of State, to countries
14 outside of the former Soviet Union, including assistance
15 provided by contract or by grants, for facilitating the
16 elimination and the safe and secure transportation and
17 storage of nuclear, chemical and other weapons; for estab-
18 lishing programs to prevent the proliferation of weapons,
19 weapons components, and weapon-related technology and
20 expertise; for programs relating to the training and sup-
21 port of defense and military personnel for demilitarization
22 and protection of weapons, weapons components, and
23 weapons technology and expertise, and for defense and
24 military contacts, \$358,496,000, to remain available until
25 September 30, 2018.

1 DEPARTMENT OF DEFENSE ACQUISITION WORKFORCE
2 DEVELOPMENT FUND

3 For the Department of Defense Acquisition Work-
4 force Development Fund, \$84,140,000.

5 TITLE III

6 PROCUREMENT

7 AIRCRAFT PROCUREMENT, ARMY

8 For construction, procurement, production, modifica-
9 tion, and modernization of aircraft, equipment, including
10 ordnance, ground handling equipment, spare parts, and
11 accessories therefor; specialized equipment and training
12 devices; expansion of public and private plants, including
13 the land necessary therefor, for the foregoing purposes,
14 and such lands and interests therein, may be acquired,
15 and construction prosecuted thereon prior to approval of
16 title; and procurement and installation of equipment, ap-
17 pliances, and machine tools in public and private plants;
18 reserve plant and Government and contractor-owned
19 equipment layaway; and other expenses necessary for the
20 foregoing purposes, \$5,336,971,000, to remain available
21 for obligation until September 30, 2018.

22 MISSILE PROCUREMENT, ARMY

23 For construction, procurement, production, modifica-
24 tion, and modernization of missiles, equipment, including
25 ordnance, ground handling equipment, spare parts, and

1 accessories therefor; specialized equipment and training
2 devices; expansion of public and private plants, including
3 the land necessary therefor, for the foregoing purposes,
4 and such lands and interests therein, may be acquired,
5 and construction prosecuted thereon prior to approval of
6 title; and procurement and installation of equipment, ap-
7 pliances, and machine tools in public and private plants;
8 reserve plant and Government and contractor-owned
9 equipment layaway; and other expenses necessary for the
10 foregoing purposes, \$1,160,482,000, to remain available
11 for obligation until September 30, 2018.

12 PROCUREMENT OF WEAPONS AND TRACKED COMBAT
13 VEHICLES, ARMY

14 For construction, procurement, production, and
15 modification of weapons and tracked combat vehicles,
16 equipment, including ordnance, spare parts, and acces-
17 sories therefor; specialized equipment and training devices;
18 expansion of public and private plants, including the land
19 necessary therefor, for the foregoing purposes, and such
20 lands and interests therein, may be acquired, and con-
21 struction prosecuted thereon prior to approval of title; and
22 procurement and installation of equipment, appliances,
23 and machine tools in public and private plants; reserve
24 plant and Government and contractor-owned equipment
25 layaway; and other expenses necessary for the foregoing

1 purposes, \$1,805,773,000, to remain available for obliga-
2 tion until September 30, 2018.

3 PROCUREMENT OF AMMUNITION, ARMY

4 For construction, procurement, production, and
5 modification of ammunition, and accessories therefor; spe-
6 cialized equipment and training devices; expansion of pub-
7 lic and private plants, including ammunition facilities, au-
8 thorized by section 2854 of title 10, United States Code,
9 and the land necessary therefor, for the foregoing pur-
10 poses, and such lands and interests therein, may be ac-
11 quired, and construction prosecuted thereon prior to ap-
12 proval of title; and procurement and installation of equip-
13 ment, appliances, and machine tools in public and private
14 plants; reserve plant and Government and contractor-
15 owned equipment layaway; and other expenses necessary
16 for the foregoing purposes, \$1,007,778,000, to remain
17 available for obligation until September 30, 2018.

18 OTHER PROCUREMENT, ARMY

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

1 private plants, including the land necessary therefor, for
2 the foregoing purposes, and such lands and interests
3 therein, may be acquired, and construction prosecuted
4 thereon prior to approval of title; and procurement and
5 installation of equipment, appliances, and machine tools
6 in public and private plants; reserve plant and Govern-
7 ment and contractor-owned equipment layaway; and other
8 expenses necessary for the foregoing purposes,
9 \$5,230,677,000, to remain available for obligation until
10 September 30, 2018.

11 AIRCRAFT PROCUREMENT, NAVY

12 For construction, procurement, production, modifica-
13 tion, and modernization of aircraft, equipment, including
14 ordnance, spare parts, and accessories therefor; specialized
15 equipment; expansion of public and private plants, includ-
16 ing the land necessary therefor, and such lands and inter-
17 ests therein, may be acquired, and construction prosecuted
18 thereon prior to approval of title; and procurement and
19 installation of equipment, appliances, and machine tools
20 in public and private plants; reserve plant and Govern-
21 ment and contractor-owned equipment layaway,
22 \$16,871,819,000, to remain available for obligation until
23 September 30, 2018.

1 WEAPONS PROCUREMENT, NAVY

2 For construction, procurement, production, modifica-
3 tion, and modernization of missiles, torpedoes, other weap-
4 ons, and related support equipment including spare parts,
5 and accessories therefor; expansion of public and private
6 plants, including the land necessary therefor, and such
7 lands and interests therein, may be acquired, and con-
8 struction prosecuted thereon prior to approval of title; and
9 procurement and installation of equipment, appliances,
10 and machine tools in public and private plants; reserve
11 plant and Government and contractor-owned equipment
12 layaway, \$2,998,541,000, to remain available for obliga-
13 tion until September 30, 2018.

14 PROCUREMENT OF AMMUNITION, NAVY AND MARINE
15 CORPS

16 For construction, procurement, production, and
17 modification of ammunition, and accessories therefor; spe-
18 cialized equipment and training devices; expansion of pub-
19 lic and private plants, including ammunition facilities, au-
20 thorized by section 2854 of title 10, United States Code,
21 and the land necessary therefor, for the foregoing pur-
22 poses, and such lands and interests therein, may be ac-
23 quired, and construction prosecuted thereon prior to ap-
24 proval of title; and procurement and installation of equip-
25 ment, appliances, and machine tools in public and private

1 plants; reserve plant and Government and contractor-
 2 owned equipment layaway; and other expenses necessary
 3 for the foregoing purposes, \$559,141,000, to remain avail-
 4 able for obligation until September 30, 2018.

5 SHIPBUILDING AND CONVERSION, NAVY

6 (INCLUDING TRANSFER OF FUNDS)

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

19 Carrier Replacement Program, \$1,559,977,000;

20 Carrier Replacement Program (AP-CY),
 21 \$874,658,000;

22 Virginia Class Submarine, \$3,346,370,000;

23 Virginia Class Submarine (AP),
 24 \$1,971,840,000;

25 CVN Refueling Overhaul, \$637,588,000;

1 CVN Refueling Overhauls (AP), \$14,951,000;
2 DDG-1000 Program, \$433,404,000;
3 DDG-51 Destroyer, \$3,012,904,000;
4 Littoral Combat Ship, \$1,347,411,000;
5 LPD-17, \$550,000,000;
6 Afloat Forward Staging Base, \$635,000,000;
7 LHA Replacement (AP-CY), \$277,543,000;
8 TAO Fleet Oiler, \$674,190,000;
9 Moored Training Ship (AP), \$138,200,000;
10 Ship to Shore Connector, \$255,630,000;
11 Service Craft, \$30,014,000;
12 YP Craft Maintenance ROH/SLEP,
13 \$21,838,000;
14 LCAC Service Life Extension Program,
15 \$80,738,000; and
16 For outfitting, post delivery, conversions, and
17 first destination transportation, \$601,008,000.
18 Completion of Prior Year Shipbuilding Programs,
19 \$389,305,000.
20 In all: \$16,852,569,000, to remain available for obli-
21 gation until September 30, 2020, of which \$389,305,000
22 shall remain available until September 30, 2016, to fund
23 completion of prior year shipbuilding programs: *Provided,*
24 That amounts made available for prior year shipbuilding
25 programs may be transferred to and merged with appro-

1 priations made available for such purposes in prior Acts:
2 *Provided further*, That additional obligations may be in-
3 curred after September 30, 2020, for engineering services,
4 tests, evaluations, and other such budgeted work that
5 must be performed in the final stage of ship construction:
6 *Provided further*, That none of the funds provided under
7 this heading for the construction or conversion of any
8 naval vessel to be constructed in shipyards in the United
9 States shall be expended in foreign facilities for the con-
10 struction of major components of such vessel: *Provided*
11 *further*, That none of the funds provided under this head-
12 ing shall be used for the construction of any naval vessel
13 in foreign shipyards.

14 OTHER PROCUREMENT, NAVY

15 For procurement, production, and modernization of
16 support equipment and materials not otherwise provided
17 for, Navy ordnance (except ordnance for new aircraft, new
18 ships, and ships authorized for conversion); the purchase
19 of passenger motor vehicles for replacement only; expan-
20 sion of public and private plants, including the land nec-
21 essary therefor, and such lands and interests therein, may
22 be acquired, and construction prosecuted thereon prior to
23 approval of title; and procurement and installation of
24 equipment, appliances, and machine tools in public and
25 private plants; reserve plant and Government and con-

1 tractor-owned equipment layaway, \$6,696,715,000, to re-
2 main available for obligation until September 30, 2018.

3 PROCUREMENT, MARINE CORPS

4 For expenses necessary for the procurement, manu-
5 facture, and modification of missiles, armament, military
6 equipment, spare parts, and accessories therefor; plant
7 equipment, appliances, and machine tools, and installation
8 thereof in public and private plants; reserve plant and
9 Government and contractor-owned equipment layaway; ve-
10 hicles for the Marine Corps, including the purchase of pas-
11 senger motor vehicles for replacement only; and expansion
12 of public and private plants, including land necessary
13 therefor, and such lands and interests therein, may be ac-
14 quired, and construction prosecuted thereon prior to ap-
15 proval of title, \$973,084,000, to remain available for obli-
16 gation until September 30, 2018.

17 AIRCRAFT PROCUREMENT, AIR FORCE

18 For construction, procurement, and modification of
19 aircraft and equipment, including armor and armament,
20 specialized ground handling equipment, and training de-
21 vices, spare parts, and accessories therefor; specialized
22 equipment; expansion of public and private plants, Gov-
23 ernment-owned equipment and installation thereof in such
24 plants, erection of structures, and acquisition of land, for
25 the foregoing purposes, and such lands and interests

1 therein, may be acquired, and construction prosecuted
2 thereon prior to approval of title; reserve plant and Gov-
3 ernment and contractor-owned equipment layaway; and
4 other expenses necessary for the foregoing purposes in-
5 cluding rents and transportation of things,
6 \$14,224,475,000, to remain available for obligation until
7 September 30, 2018: *Provided*, That of the funds provided
8 under this heading for F-35A Joint Strike Fighter air-
9 frames and contractor furnished equipment, no more than
10 the amount necessary to fully fund procurement of 36 air-
11 frames and associated contractor furnished equipment
12 may be obligated until the Secretary of Defense certifies
13 to the congressional defense committees that the Depart-
14 ment of Defense has accepted Autonomic Logistics Infor-
15 mation System equipment that meets requirements to sup-
16 port a declaration of Air Force initial operating capability
17 for the Joint Strike Fighter.

18 MISSILE PROCUREMENT, AIR FORCE

19 For construction, procurement, and modification of
20 missiles, rockets, and related equipment, including spare
21 parts and accessories therefor; ground handling equip-
22 ment, and training devices; expansion of public and pri-
23 vate plants, Government-owned equipment and installa-
24 tion thereof in such plants, erection of structures, and ac-
25 quisition of land, 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; re-
3 serve plant and Government and contractor-owned equip-
4 ment layaway; and other expenses necessary for the fore-
5 going purposes including rents and transportation of
6 things, \$2,334,165,000, to remain available for obligation
7 until September 30, 2018.

8 SPACE PROCUREMENT, AIR FORCE

9 For construction, procurement, production, and
10 modification of spacecraft, rockets, and related equipment,
11 including spare parts and accessories therefor; ground
12 handling equipment, and training devices; expansion of
13 public and private plants, Government-owned equipment
14 and installation thereof in such plants, erection of struc-
15 tures, and acquisition of land, for the foregoing purposes,
16 and such lands and interests therein, may be acquired,
17 and construction prosecuted thereon prior to approval of
18 title; reserve plant and Government and contractor-owned
19 equipment layaway; and other expenses necessary for the
20 foregoing purposes including rents and transportation of
21 things, \$1,935,034,000, to remain available for obligation
22 until September 30, 2018.

23 PROCUREMENT OF AMMUNITION, AIR FORCE

24 For construction, procurement, production, and
25 modification of ammunition, and accessories therefor; spe-

1 cialized equipment and training devices; expansion of pub-
2 lic and private plants, including ammunition facilities, au-
3 thorized by section 2854 of title 10, United States Code,
4 and the land necessary therefor, for the foregoing pur-
5 poses, and such lands and interests therein, may be ac-
6 quired, and construction prosecuted thereon prior to ap-
7 proval of title; and procurement and installation of equip-
8 ment, appliances, and machine tools in public and private
9 plants; reserve plant and Government and contractor-
10 owned equipment layaway; and other expenses necessary
11 for the foregoing purposes, \$253,496,000, to remain avail-
12 able for obligation until September 30, 2018.

13 OTHER PROCUREMENT, AIR FORCE

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

1 ernment and contractor-owned equipment layaway,
2 \$15,098,950,000, to remain available for obligation until
3 September 30, 2018.

4 PROCUREMENT, DEFENSE-WIDE

5 For expenses of activities and agencies of the Depart-
6 ment of Defense (other than the military departments)
7 necessary for procurement, production, and modification
8 of equipment, supplies, materials, and spare parts there-
9 for, not otherwise provided for; the purchase of passenger
10 motor vehicles for replacement only; expansion of public
11 and private plants, equipment, and installation thereof in
12 such plants, erection of structures, and acquisition of land
13 for the foregoing purposes, and such lands and interests
14 therein, may be acquired, and construction prosecuted
15 thereon prior to approval of title; reserve plant and Gov-
16 ernment and contractor-owned equipment layaway,
17 \$5,143,095,000 (reduced by \$10,000,000), to remain
18 available for obligation until September 30, 2018.

19 DEFENSE PRODUCTION ACT PURCHASES

20 For activities by the Department of Defense pursuant
21 to sections 108, 301, 302, and 303 of the Defense Produc-
22 tion Act of 1950 (50 U.S.C. App. 2078, 2091, 2092, and
23 2093), \$76,680,000, to remain available until expended.

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

4 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,
5 ARMY

6 For expenses necessary for basic and applied sci-
7 entific research, development, test and evaluation, includ-
8 ing maintenance, rehabilitation, lease, and operation of fa-
9 cilities and equipment, \$7,372,047,000, to remain avail-
10 able for obligation until September 30, 2017.

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, \$17,237,724,000, to remain avail-
17 able for obligation until September 30, 2017: *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, \$23,163,152,000, to remain avail-
2 able for obligation until September 30, 2017.

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 \$18,207,171,000 (reduced by \$25,000,000), to remain
14 available for obligation until September 30, 2017: *Pro-*
15 *vided*, That of the funds made available in this paragraph,
16 \$250,000,000 for the Defense Rapid Innovation Program
17 shall only be available for expenses, not otherwise provided
18 for, to include program management and oversight, to
19 conduct research, development, test and evaluation to in-
20 clude proof of concept demonstration; engineering, testing,
21 and validation; and transition to full-scale production:
22 *Provided further*, That the Secretary of Defense may
23 transfer funds provided herein for the Defense Rapid In-
24 novation Program to appropriations for research, develop-
25 ment, test and evaluation to accomplish the purpose pro-

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

8 OPERATIONAL TEST AND EVALUATION, DEFENSE

9 For expenses, not otherwise provided for, necessary
 10 for the independent activities of the Director, Operational
 11 Test and Evaluation, in the direction and supervision of
 12 operational test and evaluation, including initial oper-
 13 ational test and evaluation which is conducted prior to,
 14 and in support of, production decisions; joint operational
 15 testing and evaluation; and administrative expenses in
 16 connection therewith, \$170,558,000, to remain available
 17 for obligation until September 30, 2017.

18 TITLE V

19 REVOLVING AND MANAGEMENT FUNDS

20 DEFENSE WORKING CAPITAL FUNDS

21 For the Defense Working Capital Funds,
 22 \$1,634,568,000.

23 NATIONAL DEFENSE SEALIFT FUND

24 For National Defense Sealift Fund programs,
 25 projects, and activities, and for expenses of the National

1 Defense Reserve Fleet, as established by section 11 of the
2 Merchant Ship Sales Act of 1946 (50 U.S.C. App. 1744),
3 and for the necessary expenses to maintain and preserve
4 a U.S.-flag merchant fleet to serve the national security
5 needs of the United States, \$474,164,000, to remain avail-
6 able until expended: *Provided*, That none of the funds pro-
7 vided in this paragraph shall be used to award a new con-
8 tract that provides for the acquisition of any of the fol-
9 lowing major components unless such components are
10 manufactured in the United States: auxiliary equipment,
11 including pumps, for all shipboard services; propulsion
12 system components (engines, reduction gears, and propel-
13 lers); shipboard cranes; and spreaders for shipboard
14 cranes: *Provided further*, That the exercise of an option
15 in a contract awarded through the obligation of previously
16 appropriated funds shall not be considered to be the award
17 of a new contract: *Provided further*, That none of the
18 funds provided in this paragraph shall be used to award
19 a new contract for the construction, acquisition, or conver-
20 sion of vessels, including procurement of critical, long lead
21 time components and designs for vessels to be constructed
22 or converted in the future: *Provided further*, That the Sec-
23 retary of the military department responsible for such pro-
24 curement may waive the restrictions in the first proviso
25 on a case-by-case basis by certifying in writing to the

1 Committees on Appropriations of the House of Represent-
 2 atives and the Senate that adequate domestic supplies are
 3 not available to meet Department of Defense requirements
 4 on a timely basis and that such an acquisition must be
 5 made in order to acquire capability for national security
 6 purposes.

7 TITLE VI

8 OTHER DEPARTMENT OF DEFENSE PROGRAMS

9 DEFENSE HEALTH PROGRAM

10 For expenses, not otherwise provided for, for medical
 11 and health care programs of the Department of Defense
 12 as authorized by law, \$31,440,009,000 (increased by
 13 \$1,000,000) (increased by \$10,000,000) (increased by
 14 \$10,000,000) (increased by \$5,000,000) (increased by
 15 \$1,000,000) (increased by \$1,000,000) (increased by
 16 \$10,000,000) (increased by \$25,000,000) (reduced by
 17 \$1,000,000) (increased by \$1,000,000); of which
 18 \$29,489,521,000 shall be for operation and maintenance,
 19 of which not to exceed one percent shall remain available
 20 for obligation until September 30, 2017, and of which up
 21 to \$13,972,542,000 may be available for contracts entered
 22 into under the TRICARE program; of which
 23 \$373,287,000, to remain available for obligation until Sep-
 24 tember 30, 2018, shall be for procurement; and of which
 25 \$1,577,201,000 (increased by \$1,000,000) (increased by

1 \$10,000,000) (increased by \$10,000,000) (increased by
2 \$5,000,000) (increased by \$1,000,000) (increased by
3 \$1,000,000) (increased by \$10,000,000) (increased by
4 \$25,000,000) (reduced by \$1,000,000) (increased by
5 \$1,000,000), to remain available for obligation until Sep-
6 tember 30, 2017, shall be for research, development, test
7 and evaluation: *Provided*, That, notwithstanding any other
8 provision of law, of the amount made available under this
9 heading for research, development, test and evaluation,
10 not less than \$8,000,000 shall be available for HIV pre-
11 vention educational activities undertaken in connection
12 with United States military training, exercises, and hu-
13 manitarian assistance activities conducted primarily in Af-
14 rican nations: *Provided further*, That of the funds provided
15 under this heading for research, development, test and
16 evaluation, not less than \$597,100,000 (increased by
17 \$5,000,000) (increased by \$1,000,000) shall be made
18 available to the United States Army Medical Research and
19 Materiel Command to carry out the congressionally di-
20 rected medical research programs.

21 CHEMICAL AGENTS AND MUNITIONS DESTRUCTION,

22 DEFENSE

23 For expenses, not otherwise provided for, necessary
24 for the destruction of the United States stockpile of lethal
25 chemical agents and munitions in accordance with the pro-

visions of section 1412 of the Department of Defense Authorization Act, 1986 (50 U.S.C. 1521), and for the destruction of other chemical warfare materials that are not in the chemical weapon stockpile, \$720,721,000, of which \$139,098,000 shall be for operation and maintenance, of which no less than \$50,743,000 shall be for the Chemical Stockpile Emergency Preparedness Program, consisting of \$21,289,000 for activities on military installations and \$29,454,000, to remain available until September 30, 2017, to assist State and local governments; \$2,281,000 shall be for procurement, to remain available until September 30, 2018, of which \$2,281,000 shall be for the Chemical Stockpile Emergency Preparedness Program to assist State and local governments; and \$579,342,000, to remain available until September 30, 2017, shall be for research, development, test and evaluation, of which \$569,339,000 shall only be for the Assembled Chemical Weapons Alternatives program.

DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES,

DEFENSE

(INCLUDING TRANSFER OF FUNDS)

For drug interdiction and counter-drug activities of the Department of Defense, for transfer to appropriations available to the Department of Defense for military personnel of the reserve components serving under the provi-

1 sions of title 10 and title 32, United States Code; for oper-
2 ation and maintenance; for procurement; and for research,
3 development, test and evaluation, \$878,298,000, of which
4 \$616,811,000 shall be for counter-narcotics support;
5 \$113,589,000 shall be for the drug demand reduction pro-
6 gram; and \$147,898,000 shall be for the National Guard
7 counter-drug program: *Provided*, That the funds appro-
8 priated under this heading shall be available for obligation
9 for the same time period and for the same purpose as the
10 appropriation to which transferred: *Provided further*, That
11 upon a determination that all or part of the funds trans-
12 ferred from this appropriation are not necessary for the
13 purposes provided herein, such amounts may be trans-
14 ferred back to this appropriation: *Provided further*, That
15 the transfer authority provided under this heading is in
16 addition to any other transfer authority contained else-
17 where in this Act.

18 OFFICE OF THE INSPECTOR GENERAL

19 For expenses and activities of the Office of the In-
20 spector General in carrying out the provisions of the In-
21 spector General Act of 1978, as amended, \$316,159,000,
22 of which \$314,059,000, shall be for operation and mainte-
23 nance, of which not to exceed \$700,000 is available for
24 emergencies and extraordinary expenses to be expended on
25 the approval or authority of the Inspector General, and

1 payments may be made on the Inspector General's certifi-
2 cate of necessity for confidential military purposes; and
3 of which \$2,100,000, to remain available until September
4 30, 2017, shall be for research, development, test and eval-
5 uation.

6 TITLE VII

7 RELATED AGENCIES

8 CENTRAL INTELLIGENCE AGENCY RETIREMENT AND 9 DISABILITY SYSTEM FUND

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

15 INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT

16 For necessary expenses of the Intelligence Commu-
17 nity Management Account, \$507,923,000.

18 TITLE VIII

19 GENERAL PROVISIONS

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

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

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

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

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

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

3 (TRANSFER OF FUNDS)

4 SEC. 8005. Upon determination by the Secretary of
5 Defense that such action is necessary in the national inter-
6 est, he may, with the approval of the Office of Manage-
7 ment and Budget, transfer not to exceed \$4,500,000,000
8 of working capital funds of the Department of Defense
9 or funds made available in this Act to the Department
10 of Defense for military functions (except military con-
11 struction) between such appropriations or funds or any
12 subdivision thereof, to be merged with and to be available
13 for the same purposes, and for the same time period, as
14 the appropriation or fund to which transferred: *Provided*,
15 That such authority to transfer may not be used unless
16 for higher priority items, based on unforeseen military re-
17 quirements, than those for which originally appropriated
18 and in no case where the item for which funds are re-
19 quested has been denied by the Congress: *Provided further*,
20 That the Secretary of Defense shall notify the Congress
21 promptly of all transfers made pursuant to this authority
22 or any other authority in this Act: *Provided further*, That
23 no part of the funds in this Act shall be available to pre-
24 pare or present a request to the Committees on Appropria-
25 tions for reprogramming of funds, unless for higher pri-

1 ority items, based on unforeseen military requirements,
2 than those for which originally appropriated and in no
3 case where the item for which reprogramming is requested
4 has been denied by the Congress: *Provided further*, That
5 a request for multiple reprogrammings of funds using au-
6 thority provided in this section shall be made prior to June
7 30, 2016: *Provided further*, That transfers among military
8 personnel appropriations shall not be taken into account
9 for purposes of the limitation on the amount of funds that
10 may be transferred under this section.

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

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

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

5 SEC. 8007. (a) Not later than 60 days after enact-
6 ment of this Act, the Department of Defense shall submit
7 a report to the congressional defense committees to estab-
8 lish the baseline for application of reprogramming and
9 transfer authorities for fiscal year 2016: *Provided*, That
10 the report shall include—

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

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

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

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

1 committees, unless the Secretary of Defense certifies in
2 writing to the congressional defense committees that such
3 reprogramming or transfer is necessary as an emergency
4 requirement.

5 (TRANSFER OF FUNDS)

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

1 ventory, unless the Secretary of Defense has notified the
2 Congress prior to any such obligation.

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

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

1 less specifically provided in this Act: *Provided further*,
2 That no multiyear procurement contract can be termi-
3 nated without 30-day prior notification to the congres-
4 sional defense committees: *Provided further*, That the exe-
5 cution of multiyear authority shall require the use of a
6 present value analysis to determine lowest cost compared
7 to an annual procurement: *Provided further*, That none of
8 the funds provided in this Act may be used for a multiyear
9 contract executed after the date of the enactment of this
10 Act unless in the case of any such contract—

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

21 (2) cancellation provisions in the contract do
22 not include consideration of recurring manufacturing
23 costs of the contractor associated with the produc-
24 tion of unfunded units to be delivered under the con-
25 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 SEC. 8011. Within the funds appropriated for the op-
8 eration and maintenance of the Armed Forces, funds are
9 hereby appropriated pursuant to section 401 of title 10,
10 United States Code, for humanitarian and civic assistance
11 costs under chapter 20 of title 10, United States Code.
12 Such funds may also be obligated for humanitarian and
13 civic assistance costs incidental to authorized operations
14 and pursuant to authority granted in section 401 of chap-
15 ter 20 of title 10, United States Code, and these obliga-
16 tions shall be reported as required by section 401(d) of
17 title 10, United States Code: *Provided*, That funds avail-
18 able for operation and maintenance shall be available for
19 providing humanitarian and similar assistance by using
20 Civic Action Teams in the Trust Territories of the Pacific
21 Islands and freely associated states of Micronesia, pursu-
22 ant to the Compact of Free Association as authorized by
23 Public Law 99–239: *Provided further*, That upon a deter-
24 mination by the Secretary of the Army that such action
25 is beneficial for graduate medical education programs con-

1 ducted at Army medical facilities located in Hawaii, the
2 Secretary of the Army may authorize the provision of med-
3 ical services at such facilities and transportation to such
4 facilities, on a nonreimbursable basis, for civilian patients
5 from American Samoa, the Commonwealth of the North-
6 ern Mariana Islands, the Marshall Islands, the Federated
7 States of Micronesia, Palau, and Guam.

8 SEC. 8012. (a) During fiscal year 2016, the civilian
9 personnel of the Department of Defense may not be man-
10 aged on the basis of any end-strength, and the manage-
11 ment of such personnel during that fiscal year shall not
12 be subject to any constraint or limitation (known as an
13 end-strength) on the number of such personnel who may
14 be employed on the last day of such fiscal year.

15 (b) The fiscal year 2017 budget request for the De-
16 partment of Defense as well as all justification material
17 and other documentation supporting the fiscal year 2017
18 Department of Defense budget request shall be prepared
19 and submitted to the Congress as if subsections (a) and
20 (b) of this provision were effective with regard to fiscal
21 year 2017.

22 (c) As required by section 1107 of the National De-
23 fense Authorization Act for Fiscal Year 2014 (Public Law
24 113–66; 10 U.S.C. 2358 note) civilian personnel at the
25 Department of Army Science and Technology Reinvention

1 Laboratories may not be managed on the basis of the
2 Table of Distribution and Allowances, and the manage-
3 ment of the workforce strength shall be done in a manner
4 consistent with the budget available with respect to such
5 Laboratories.

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

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

12 SEC. 8014. None of the funds appropriated by this
13 Act shall be available for the basic pay and allowances of
14 any member of the Army participating as a full-time stu-
15 dent and receiving benefits paid by the Secretary of Vet-
16 erans Affairs from the Department of Defense Education
17 Benefits Fund when time spent as a full-time student is
18 credited toward completion of a service commitment: *Pro-*
19 *vided*, That this section shall not apply to those members
20 who have reenlisted with this option prior to October 1,
21 1987: *Provided further*, That this section applies only to
22 active components of the Army.

23 (TRANSFER OF FUNDS)

24 SEC. 8015. Funds appropriated in title III of this Act
25 for the Department of Defense Pilot Mentor-Protege Pro-

1 gram may be transferred to any other appropriation con-
2 tained in this Act solely for the purpose of implementing
3 a Mentor-Protege Program developmental assistance
4 agreement pursuant to section 831 of the National De-
5 fense Authorization Act for Fiscal Year 1991 (Public Law
6 101–510; 10 U.S.C. 2302 note), as amended, under the
7 authority of this provision or any other transfer authority
8 contained in this Act.

9 SEC. 8016. None of the funds in this Act may be
10 available for the purchase by the Department of Defense
11 (and its departments and agencies) of welded shipboard
12 anchor and mooring chain 4 inches in diameter and under
13 unless the anchor and mooring chain are manufactured
14 in the United States from components which are substan-
15 tially manufactured in the United States: *Provided*, That
16 for the purpose of this section, the term “manufactured”
17 shall include cutting, heat treating, quality control, testing
18 of chain and welding (including the forging and shot blast-
19 ing process): *Provided further*, That for the purpose of this
20 section substantially all of the components of anchor and
21 mooring chain shall be considered to be produced or manu-
22 factured in the United States if the aggregate cost of the
23 components produced or manufactured in the United
24 States exceeds the aggregate cost of the components pro-
25 duced or manufactured outside the United States: *Pro-*

1 *vided further*, That when adequate domestic supplies are
2 not available to meet Department of Defense requirements
3 on a timely basis, the Secretary of the service responsible
4 for the procurement may waive this restriction on a case-
5 by-case basis by certifying in writing to the Committees
6 on Appropriations that such an acquisition must be made
7 in order to acquire capability for national security pur-
8 poses.

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

20 SEC. 8018. No more than \$500,000 of the funds ap-
21 propriated or made available in this Act shall be used dur-
22 ing a single fiscal year for any single relocation of an orga-
23 nization, unit, activity or function of the Department of
24 Defense into or within the National Capital Region: *Pro-*
25 *vided*, That the Secretary of Defense may waive this re-

1 striction on a case-by-case basis by certifying in writing
2 to the congressional defense committees that such a relo-
3 cation is required in the best interest of the Government.

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

1 or supplier defined in section 1544 of title 25, United
2 States Code, or a small business owned and controlled by
3 an individual or individuals defined under section 4221(9)
4 of title 25, United States Code.

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

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

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

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

1 (2) \$10,400,000 shall be available from “Air-
2 craft Procurement, Air Force”; and

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

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

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

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

1 travel expenses and per diem as authorized under the Fed-
2 eral Joint Travel Regulations, when engaged in the per-
3 formance of membership duties.

4 (c) Notwithstanding any other provision of law, none
5 of the funds available to the department from any source
6 during fiscal year 2016 may be used by a defense FFRDC,
7 through a fee or other payment mechanism, for construc-
8 tion of new buildings, for payment of cost sharing for
9 projects funded by Government grants, for absorption of
10 contract overruns, or for certain charitable contributions,
11 not to include employee participation in community service
12 and/or development.

13 (d) Notwithstanding any other provision of law, of
14 the funds available to the department during fiscal year
15 2016, not more than 5,750 staff years of technical effort
16 (staff years) may be funded for defense FFRDCs: *Pro-*
17 *vided*, That of the specific amount referred to previously
18 in this subsection, not more than 1,125 staff years may
19 be funded for the defense studies and analysis FFRDCs:
20 *Provided further*, That this subsection shall not apply to
21 staff years funded in the National Intelligence Program
22 (NIP) and the Military Intelligence Program (MIP).

23 (e) The Secretary of Defense shall, with the submis-
24 sion of the department's fiscal year 2017 budget request,
25 submit a report presenting the specific amounts of staff

1 years of technical effort to be allocated for each defense
2 FFRDC during that fiscal year and the associated budget
3 estimates.

4 (f) Notwithstanding any other provision of this Act,
5 the total amount appropriated in this Act for FFRDCs
6 is hereby reduced by \$88,400,000.

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

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

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

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

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

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

17 (b) The Secretary of Defense shall submit to the Con-
18 gress a report on the amount of Department of Defense
19 purchases from foreign entities in fiscal year 2016. Such
20 report shall separately indicate the dollar value of items
21 for which the Buy American Act was waived pursuant to
22 any agreement described in subsection (a)(2), the Trade
23 Agreement Act of 1979 (19 U.S.C. 2501 et seq.), or any
24 international agreement to which the United States is a
25 party.

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

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

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

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

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

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

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

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

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

24 (1) disestablish, or prepare to disestablish, a
25 Senior Reserve Officers’ Training Corps program in

1 accordance with Department of Defense Instruction
2 Number 1215.08, dated June 26, 2006; or

3 (2) close, downgrade from host to extension
4 center, or place on probation a Senior Reserve Offi-
5 cers' Training Corps program in accordance with the
6 information paper of the Department of the Army
7 titled "Army Senior Reserve Officers' Training
8 Corps (SROTC) Program Review and Criteria",
9 dated January 27, 2014.

10 SEC. 8032. (a) During the current fiscal year, none
11 of the appropriations or funds available to the Department
12 of Defense Working Capital Funds shall be used for the
13 purchase of an investment item for the purpose of acquir-
14 ing a new inventory item for sale or anticipated sale dur-
15 ing the current fiscal year or a subsequent fiscal year to
16 customers of the Department of Defense Working Capital
17 Funds if such an item would not have been chargeable
18 to the Department of Defense Business Operations Fund
19 during fiscal year 1994 and if the purchase of such an
20 investment item would be chargeable during the current
21 fiscal year to appropriations made to the Department of
22 Defense for procurement.

23 (b) The fiscal year 2017 budget request for the De-
24 partment of Defense as well as all justification material
25 and other documentation supporting the fiscal year 2017

1 Department of Defense budget shall be prepared and sub-
2 mitted to the Congress on the basis that any equipment
3 which was classified as an end item and funded in a pro-
4 curement appropriation contained in this Act shall be
5 budgeted for in a proposed fiscal year 2017 procurement
6 appropriation and not in the supply management business
7 area or any other area or category of the Department of
8 Defense Working Capital Funds.

9 SEC. 8033. None of the funds appropriated by this
10 Act for programs of the Central Intelligence Agency shall
11 remain available for obligation beyond the current fiscal
12 year, except for funds appropriated for the Reserve for
13 Contingencies, which shall remain available until Sep-
14 tember 30, 2017: *Provided*, That funds appropriated,
15 transferred, or otherwise credited to the Central Intel-
16 ligence Agency Central Services Working Capital Fund
17 during this or any prior or subsequent fiscal year shall
18 remain available until expended: *Provided further*, That
19 any funds appropriated or transferred to the Central Intel-
20 ligence Agency for advanced research and development ac-
21 quisition, for agent operations, and for covert action pro-
22 grams authorized by the President under section 503 of
23 the National Security Act of 1947 (50 U.S.C. 3093) shall
24 remain available until September 30, 2017.

1 SEC. 8034. Notwithstanding any other provision of
2 law, funds made available in this Act for the Defense In-
3 telligence Agency may be used for the design, develop-
4 ment, and deployment of General Defense Intelligence
5 Program intelligence communications and intelligence in-
6 formation systems for the Services, the Unified and Speci-
7 fied Commands, and the component commands.

8 SEC. 8035. Of the funds appropriated to the Depart-
9 ment of Defense under the heading “Operation and Main-
10 tenance, Defense-Wide”, not less than \$12,000,000 shall
11 be made available only for the mitigation of environmental
12 impacts, including training and technical assistance to
13 tribes, related administrative support, the gathering of in-
14 formation, documenting of environmental damage, and de-
15 veloping a system for prioritization of mitigation and cost
16 to complete estimates for mitigation, on Indian lands re-
17 sulting from Department of Defense activities.

18 SEC. 8036. (a) None of the funds appropriated in this
19 Act may be expended by an entity of the Department of
20 Defense unless the entity, in expending the funds, com-
21 plies with the Buy American Act. For purposes of this
22 subsection, the term “Buy American Act” means chapter
23 83 of title 41, United States Code.

24 (b) If the Secretary of Defense determines that a per-
25 son has been convicted of intentionally affixing a label

1 bearing a “Made in America” inscription to any product
2 sold in or shipped to the United States that is not made
3 in America, the Secretary shall determine, in accordance
4 with section 2410f of title 10, United States Code, wheth-
5 er the person should be debarred from contracting with
6 the Department of Defense.

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

15 SEC. 8037. None of the funds appropriated by this
16 Act shall be available for a contract for studies, analysis,
17 or consulting services entered into without competition on
18 the basis of an unsolicited proposal unless the head of the
19 activity responsible for the procurement determines—

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

23 (2) the purpose of the contract is to explore an
24 unsolicited proposal which offers significant sci-
25 entific or technological promise, represents the prod-

1 uct of original thinking, and was submitted in con-
2 fidence by one source; or

3 (3) the purpose of the contract is to take ad-
4 vantage of unique and significant industrial accom-
5 plishment by a specific concern, or to insure that a
6 new product or idea of a specific concern is given fi-
7 nancial support: *Provided*, That this limitation shall
8 not apply to contracts in an amount of less than
9 \$25,000, contracts related to improvements of equip-
10 ment that is in development or production, or con-
11 tracts as to which a civilian official of the Depart-
12 ment of Defense, who has been confirmed by the
13 Senate, determines that the award of such contract
14 is in the interest of the national defense.

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

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

19 (2) to pay the basic pay of a member of the
20 Armed Forces or civilian employee of the depart-
21 ment who is transferred or reassigned from a head-
22 quarters activity if the member or employee's place
23 of duty remains at the location of that headquarters.

24 (b) The Secretary of Defense or Secretary of a mili-
25 tary department may waive the limitations in subsection

1 (a), on a case-by-case basis, if the Secretary determines,
2 and certifies to the Committees on Appropriations of the
3 House of Representatives and the Senate that the grant-
4 ing of the waiver will reduce the personnel requirements
5 or the financial requirements of the department.

6 (c) This section does not apply to—

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

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

13 (3) an Army field operating agency established
14 to improve the effectiveness and efficiencies of bio-
15 metric activities and to integrate common biometric
16 technologies throughout the Department of Defense;
17 or

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

22 SEC. 8039. (a) None of the funds appropriated by
23 this Act shall be available to convert to contractor per-
24 formance an activity or function of the Department of De-
25 fense that, on or after the date of the enactment of this

1 Act, is performed by Department of Defense civilian em-
2 ployees unless—

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

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

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

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

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

22 (A) not making an employer-sponsored
23 health insurance plan available to the workers
24 who are to be employed in the performance of
25 that activity or function under the contract; or

1 (B) offering to such workers an employer-
2 sponsored health benefits plan that requires the
3 employer to contribute less towards the pre-
4 mium or subscription share than the amount
5 that is paid by the Department of Defense for
6 health benefits for civilian employees under
7 chapter 89 of title 5, United States Code.

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

16 (A) is included on the procurement list es-
17 tablished pursuant to section 2 of the Javits-
18 Wagner-O'Day Act (section 8503 of title 41,
19 United States Code);

20 (B) is planned to be converted to perform-
21 ance by a qualified nonprofit agency for the
22 blind or by a qualified nonprofit agency for
23 other severely handicapped individuals in ac-
24 cordance with that Act; or

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

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

(c) The conversion of any activity or function of the Department of Defense under the authority provided by this section shall be credited toward any competitive or outsourcing goal, target, or measurement that may be established by statute, regulation, or policy and is deemed to be awarded under the authority of, and in compliance with, subsection (h) of section 2304 of title 10, United States Code, for the competition or outsourcing of commercial activities.

(RESCISSIONS)

SEC. 8040. Of the funds appropriated in Department of Defense Appropriations Acts, the following funds are hereby rescinded from the following accounts and pro-

1 grams in the specified amounts: *Provided*, That no
2 amounts may be rescinded from amounts that were des-
3 ignated by the Congress for Overseas Contingency Oper-
4 ations/Global War on Terrorism or as an emergency re-
5 quirement pursuant to the Concurrent Resolution on the
6 Budget or the Balanced Budget and Emergency Deficit
7 Control Act of 1985, as amended:

8 (1) “Other Procurement, Army”, 2014/2016,
9 \$40,000,000;

10 (2) “Aircraft Procurement, Navy”, 2014/2016,
11 \$91,571,000;

12 (3) “Weapons Procurement, Navy”, 2014/2016,
13 \$888,000;

14 (4) “Aircraft Procurement, Air Force”, 2014/
15 2016, \$2,300,000;

16 (5) “Missile Procurement, Air Force”, 2014/
17 2016, \$1,000,000;

18 (6) “Procurement of Ammunition, Air Force”,
19 2014/2016, \$12,600,000;

20 (7) “Other Procurement, Air Force”, 2014/
21 2016, \$14,000,000;

22 (8) “Procurement of Weapons and Tracked
23 Combat Vehicles, Army”, 2015/2017, \$30,000,000;

24 (9) “Other Procurement, Army”, 2015/2017,
25 \$30,000,000;

1 (10) “Aircraft Procurement, Navy”, 2015/2017,
2 \$49,377,000;

3 (11) “Weapons Procurement, Navy”, 2015/
4 2017, \$15,422,000;

5 (12) “Procurement of Ammunition, Navy and
6 Marine Corps”, 2015/2017, \$8,906,000;

7 (13) “Procurement, Marine Corps”, 2015/2017,
8 \$88,996,000;

9 (14) “Aircraft Procurement, Air Force”, 2015/
10 2017, \$108,870,000;

11 (15) “Missile Procurement, Air Force”, 2015/
12 2017, \$75,000,000;

13 (16) “Other Procurement, Air Force”, 2015/
14 2017, \$8,000,000;

15 (17) “Research, Development, Test and Evalua-
16 tion, Navy”, 2015/2016, \$232,228,000; and

17 (18) “Research, Development, Test and Evalua-
18 tion, Air Force”, 2015/2016, \$60,271,000.

19 SEC. 8041. None of the funds available in this Act
20 may be used to reduce the authorized positions for mili-
21 tary technicians (dual status) of the Army National
22 Guard, Air National Guard, Army Reserve and Air Force
23 Reserve for the purpose of applying any administratively
24 imposed civilian personnel ceiling, freeze, or reduction on
25 military technicians (dual status), unless such reductions

1 are a direct result of a reduction in military force struc-
2 ture.

3 SEC. 8042. None of the funds appropriated or other-
4 wise made available in this Act may be obligated or ex-
5 pended for assistance to the Democratic People's Republic
6 of Korea unless specifically appropriated for that purpose.

7 SEC. 8043. Funds appropriated in this Act for oper-
8 ation and maintenance of the Military Departments, Com-
9 batant Commands and Defense Agencies shall be available
10 for reimbursement of pay, allowances and other expenses
11 which would otherwise be incurred against appropriations
12 for the National Guard and Reserve when members of the
13 National Guard and Reserve provide intelligence or coun-
14 terintelligence support to Combatant Commands, Defense
15 Agencies and Joint Intelligence Activities, including the
16 activities and programs included within the National Intel-
17 ligence Program and the Military Intelligence Program:
18 *Provided*, That nothing in this section authorizes deviation
19 from established Reserve and National Guard personnel
20 and training procedures.

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

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

6 SEC. 8045. None of the funds appropriated by this
7 Act may be used for the procurement of ball and roller
8 bearings other than those produced by a domestic source
9 and of domestic origin: *Provided*, That the Secretary of
10 the military department responsible for such procurement
11 may waive this restriction on a case-by-case basis by certi-
12 fying in writing to the Committees on Appropriations of
13 the House of Representatives and the Senate, that ade-
14 quate domestic supplies are not available to meet Depart-
15 ment of Defense requirements on a timely basis and that
16 such an acquisition must be made in order to acquire ca-
17 pability for national security purposes: *Provided further*,
18 That this restriction shall not apply to the purchase of
19 “commercial items”, as defined by section 103 of title 41,
20 United States Code, except that the restriction shall apply
21 to ball or roller bearings purchased as end items.

22 SEC. 8046. In addition to the amounts appropriated
23 or otherwise made available elsewhere in this Act,
24 \$44,000,000 (increased by \$10,000,000) is hereby appro-
25 priated to the Department of Defense: *Provided*, That

1 upon the determination of the Secretary of Defense that
2 it shall serve the national interest, the Secretary shall
3 make grants in the amounts specified as follows:
4 \$20,000,000 (increased by \$10,000,000) to the United
5 Service Organizations and \$24,000,000 to the Red Cross.

6 SEC. 8047. None of the funds in this Act may be
7 used to purchase any supercomputer which is not manu-
8 factured in the United States, unless the Secretary of De-
9 fense certifies to the congressional defense committees
10 that such an acquisition must be made in order to acquire
11 capability for national security purposes that is not avail-
12 able from United States manufacturers.

13 SEC. 8048. Notwithstanding any other provision in
14 this Act, the Small Business Innovation Research program
15 and the Small Business Technology Transfer program set-
16 asides may be taken from programs, projects, or activities
17 to the extent they contribute to the extramural budget.

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

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

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

3 (INCLUDING TRANSFER OF FUNDS)

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

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

24 (1) the obligation would have been properly
25 chargeable (except as to amount) to the expired or

1 closed account before the end of the period of avail-
2 ability or closing of that account;

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

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

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

1 able, reimbursable basis. The Chief of the National Guard
2 Bureau shall establish the amount of reimbursement for
3 such use on a case-by-case basis.

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

10 (INCLUDING TRANSFER OF FUNDS)

11 SEC. 8054. Of the funds appropriated in this Act
12 under the heading “Operation and Maintenance, Defense-
13 wide”, \$20,000,000 shall be for support of high priority
14 Sexual Assault Prevention and Response Program require-
15 ments and activities, including the training and funding
16 of personnel: *Provided*, That the funds are made available
17 for transfer to the Department of the Army, the Depart-
18 ment of the Navy, and the Department of the Air Force:
19 *Provided further*, That funds transferred shall be merged
20 with and available for the same purposes and for the same
21 time period as the appropriations to which the funds are
22 transferred: *Provided further*, That this transfer authority
23 is in addition to any other transfer authority provided in
24 this Act.

1 SEC. 8055. None of the funds appropriated in title
2 IV of this Act may be used to procure end-items for deliv-
3 ery to military forces for operational training, operational
4 use or inventory requirements: *Provided*, That this restric-
5 tion does not apply to end-items used in development,
6 prototyping, and test activities preceding and leading to
7 acceptance for operational use: *Provided further*, That this
8 restriction does not apply to programs funded within the
9 National Intelligence Program: *Provided further*, That the
10 Secretary of Defense may waive this restriction on a case-
11 by-case basis by certifying in writing to the Committees
12 on Appropriations of the House of Representatives and the
13 Senate that it is in the national security interest to do
14 so.

15 SEC. 8056. (a) The Secretary of Defense may, on a
16 case-by-case basis, waive with respect to a foreign country
17 each limitation on the procurement of defense items from
18 foreign sources provided in law if the Secretary determines
19 that the application of the limitation with respect to that
20 country would invalidate cooperative programs entered
21 into between the Department of Defense and the foreign
22 country, or would invalidate reciprocal trade agreements
23 for the procurement of defense items entered into under
24 section 2531 of title 10, United States Code, and the
25 country does not discriminate against the same or similar

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

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

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

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

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

20 SEC. 8057. (a) IN GENERAL.—

21 (1) None of the funds made available by this
22 Act may be used for any training, equipment, or
23 other assistance for a unit of a foreign security force
24 if the Secretary of Defense has credible information

1 that the unit has committed a gross violation of
2 human rights.

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

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

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

22 (d) PROCEDURES.—The Secretary of Defense shall
23 establish, and periodically update, procedures to ensure
24 that any information in the possession of the Department
25 of Defense about gross violations of human rights by units

1 of foreign security forces is shared on a timely basis with
2 the Department of State.

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

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

11 (2) in the case of a waiver under subsection (c),
12 describing the information relating to the gross vio-
13 lation of human rights; the extraordinary cir-
14 cumstances that necessitate the waiver; the purpose
15 and duration of the training, equipment, or other as-
16 sistance; and the United States forces and the for-
17 eign security force unit involved.

18 SEC. 8058. None of the funds appropriated or other-
19 wise made available by this or other Department of De-
20 fense Appropriations Acts may be obligated or expended
21 for the purpose of performing repairs or maintenance to
22 military family housing units of the Department of De-
23 fense, including areas in such military family housing
24 units that may be used for the purpose of conducting offi-
25 cial Department of Defense business.

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

14 SEC. 8060. The Secretary of Defense shall provide
15 a classified quarterly report beginning 30 days after enact-
16 ment of this Act, to the House and Senate Appropriations
17 Committees, Subcommittees on Defense on certain mat-
18 ters as directed in the classified annex accompanying this
19 Act.

20 SEC. 8061. Notwithstanding section 12310(b) of title
21 10, United States Code, a Reserve who is a member of
22 the National Guard serving on full-time National Guard
23 duty under section 502(f) of title 32, United States Code,
24 may perform duties in support of the ground-based ele-
25 ments of the National Ballistic Missile Defense System.

1 SEC. 8062. None of the funds provided in this Act
2 may be used to transfer to any nongovernmental entity
3 ammunition held by the Department of Defense that has
4 a center-fire cartridge and a United States military no-
5 menclature designation of “armor penetrator”, “armor
6 piercing (AP)”, “armor piercing incendiary (API)”, or
7 “armor-piercing incendiary tracer (API-T)”, except to an
8 entity performing demilitarization services for the Depart-
9 ment of Defense under a contract that requires the entity
10 to demonstrate to the satisfaction of the Department of
11 Defense that armor piercing projectiles are either: (1) ren-
12 dered incapable of reuse by the demilitarization process;
13 or (2) used to manufacture ammunition pursuant to a con-
14 tract with the Department of Defense or the manufacture
15 of ammunition for export pursuant to a License for Per-
16 manent Export of Unclassified Military Articles issued by
17 the Department of State.

18 SEC. 8063. Notwithstanding any other provision of
19 law, the Chief of the National Guard Bureau, or his des-
20 ignee, may waive payment of all or part of the consider-
21 ation that otherwise would be required under section 2667
22 of title 10, United States Code, in the case of a lease of
23 personal property for a period not in excess of 1 year to
24 any organization specified in section 508(d) of title 32,
25 United States Code, or any other youth, social, or fra-

1 ternal nonprofit organization as may be approved by the
2 Chief of the National Guard Bureau, or his designee, on
3 a case-by-case basis.

4 SEC. 8064. None of the funds appropriated by this
5 Act shall be used for the support of any nonappropriated
6 funds activity of the Department of Defense that procures
7 malt beverages and wine with nonappropriated funds for
8 resale (including such alcoholic beverages sold by the
9 drink) on a military installation located in the United
10 States unless such malt beverages and wine are procured
11 within that State, or in the case of the District of Colum-
12 bia, within the District of Columbia, in which the military
13 installation is located: *Provided*, That in a case in which
14 the military installation is located in more than one State,
15 purchases may be made in any State in which the installa-
16 tion is located: *Provided further*, That such local procure-
17 ment requirements for malt beverages and wine shall
18 apply to all alcoholic beverages only for military installa-
19 tions in States which are not contiguous with another
20 State: *Provided further*, That alcoholic beverages other
21 than wine and malt beverages, in contiguous States and
22 the District of Columbia shall be procured from the most
23 competitive source, price and other factors considered.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8065. Of the amounts appropriated in this Act under the heading “Operation and Maintenance, Army”, \$76,611,750 shall remain available until expended: *Provided*, That notwithstanding any other provision of law, the Secretary of Defense is authorized to transfer such funds to other activities of the Federal Government: *Provided further*, That the Secretary of Defense is authorized to enter into and carry out contracts for the acquisition of real property, construction, personal services, and operations related to projects carrying out the purposes of this section: *Provided further*, That contracts entered into under the authority of this section may provide for such indemnification as the Secretary determines to be necessary: *Provided further*, That projects authorized by this section shall comply with applicable Federal, State, and local law to the maximum extent consistent with the national security, as determined by the Secretary of Defense.

SEC. 8066. (a) None of the funds appropriated in this or any other Act may be used to take any action to modify—

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

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

5 (3) the process by which the National Intel-
6 ligence Program appropriations are apportioned to
7 the executing agencies; or

8 (4) the process by which the National Intel-
9 ligence Program appropriations are allotted, obli-
10 gated and disbursed.

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

16 (c) The Director of National Intelligence and the Sec-
17 retary of Defense may jointly, only for the purposes of
18 achieving auditable financial statements and improving
19 fiscal reporting, study and develop detailed proposals for
20 alternative financial management processes. Such study
21 shall include a comprehensive counterintelligence risk as-
22 sessment to ensure that none of the alternative processes
23 will adversely affect counterintelligence.

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

4 (1) provide the proposed alternatives to all af-
5 fected agencies;

6 (2) receive certification from all affected agen-
7 cies attesting that the proposed alternatives will help
8 achieve auditability, improve fiscal reporting, and
9 will not adversely affect counterintelligence; and

10 (3) not later than 30 days after receiving all
11 necessary certifications under paragraph (2), present
12 the proposed alternatives and certifications to the
13 congressional defense and intelligence committees.

14 (e) This section shall not be construed to alter or af-
15 fect the application of section 1623 of the National De-
16 fense Authorization Act for Fiscal Year 2016 to the
17 amounts made available by this Act.

18 SEC. 8067. In addition to amounts provided else-
19 where in this Act, \$5,000,000 (increased by \$5,000,000)
20 is hereby appropriated to the Department of Defense, to
21 remain available for obligation until expended: *Provided*,
22 That notwithstanding any other provision of law, that
23 upon the determination of the Secretary of Defense that
24 it shall serve the national interest, these funds shall be
25 available only for a grant to the Fisher House Foundation,

1 Inc., only for the construction and furnishing of additional
2 Fisher Houses to meet the needs of military family mem-
3 bers when confronted with the illness or hospitalization of
4 an eligible military beneficiary.

5 (INCLUDING TRANSFER OF FUNDS)

6 SEC. 8068. Of the amounts appropriated in this Act
7 under the headings “Procurement, Defense-Wide” and
8 “Research, Development, Test and Evaluation, Defense-
9 Wide”, \$487,595,000 shall be for the Israeli Cooperative
10 Programs: *Provided*, That of this amount, \$55,000,000
11 shall be for the Secretary of Defense to provide to the Gov-
12 ernment of Israel for the procurement of the Iron Dome
13 defense system to counter short-range rocket threats, sub-
14 ject to the United States-Israel Iron Dome Procurement
15 Agreement, as amended; \$286,526,000 shall be for the
16 Short Range Ballistic Missile Defense (SRBMD) program,
17 including cruise missile defense research and development
18 under the SRBMD program, of which \$15,000,000 shall
19 be for production activities of SRBMD missiles in the
20 United States and in Israel to meet Israel’s defense re-
21 quirements consistent with each nation’s laws, regulations,
22 and procedures; \$89,550,000 shall be for an upper-tier
23 component to the Israeli Missile Defense Architecture; and
24 \$56,519,000 shall be for the Arrow System Improvement
25 Program including development of a long range, ground

1 and airborne, detection suite: *Provided further*, That funds
 2 made available under this provision for production of mis-
 3 siles and missile components may be transferred to appro-
 4 priations available for the procurement of weapons and
 5 equipment, to be merged with and to be available for the
 6 same time period and the same purposes as the appropria-
 7 tion to which transferred: *Provided further*, That the
 8 transfer authority provided under this provision is in addi-
 9 tion to any other transfer authority contained in this Act.

10 (INCLUDING TRANSFER OF FUNDS)

11 SEC. 8069. Of the amounts appropriated in this Act
 12 under the heading “Shipbuilding and Conversion, Navy”,
 13 \$389,305,000 shall be available until September 30, 2016,
 14 to fund prior year shipbuilding cost increases: *Provided*,
 15 That upon enactment of this Act, the Secretary of the
 16 Navy shall transfer funds to the following appropriations
 17 in the amounts specified: *Provided further*, That the
 18 amounts transferred shall be merged with and be available
 19 for the same purposes as the appropriations to which
 20 transferred to:

21 (1) Under the heading “Shipbuilding and Con-
 22 version, Navy”, 2008/2016: Carrier Replacement
 23 Program \$123,760,000;

1 (2) Under the heading “Shipbuilding and Con-
2 version, Navy”, 2009/2016: LPD–17 Amphibious
3 Transport Dock Program \$22,860,000;

4 (3) Under the heading “Shipbuilding and Con-
5 version, Navy”, 2012/2016: CVN Refueling Over-
6 hauls Program \$20,029,000;

7 (4) Under the heading “Shipbuilding and Con-
8 version, Navy”, 2012/2016: DDG–51 Destroyer
9 \$75,014,000;

10 (5) Under the heading “Shipbuilding and Con-
11 version, Navy”, 2012/2016: Littoral Combat Ship
12 \$82,674,000;

13 (6) Under the heading “Shipbuilding and Con-
14 version, Navy”, 2012/2016: Amphibious Transport
15 Dock Program \$38,733,000;

16 (7) Under the heading “Shipbuilding and Con-
17 version, Navy”, 2012/2016: Joint High Speed Vessel
18 \$22,597,000; and

19 (8) Under the heading “Shipbuilding and Con-
20 version, Navy”, 2013/2016: Joint High Speed Vessel
21 \$3,638,000.

22 SEC. 8070. Funds appropriated by this Act, or made
23 available by the transfer of funds in this Act, for intel-
24 ligence activities are deemed to be specifically authorized
25 by the Congress for purposes of section 504 of the Na-

1 tional Security Act of 1947 (50 U.S.C. 3094) during fiscal
2 year 2016 until the enactment of the Intelligence Author-
3 ization Act for Fiscal Year 2016.

4 SEC. 8071. None of the funds provided in this Act
5 shall be available for obligation or expenditure through a
6 reprogramming of funds that creates or initiates a new
7 program, project, or activity unless such program, project,
8 or activity must be undertaken immediately in the interest
9 of national security and only after written prior notifica-
10 tion to the congressional defense committees.

11 SEC. 8072. The budget of the President for fiscal
12 year 2017 submitted to the Congress pursuant to section
13 1105 of title 31, United States Code, shall include sepa-
14 rate budget justification documents for costs of United
15 States Armed Forces' participation in contingency oper-
16 ations for the Military Personnel accounts, the Operation
17 and Maintenance accounts, the Procurement accounts,
18 and the Research, Development, Test and Evaluation ac-
19 counts: *Provided*, That these documents shall include a de-
20 scription of the funding requested for each contingency op-
21 eration, for each military service, to include all Active and
22 Reserve components, and for each appropriations account:
23 *Provided further*, That these documents shall include esti-
24 mated costs for each element of expense or object class,
25 a reconciliation of increases and decreases for each contin-

1 gency operation, and programmatic data including, but
2 not limited to, troop strength for each Active and Reserve
3 component, and estimates of the major weapons systems
4 deployed in support of each contingency: *Provided further*,
5 That these documents shall include budget exhibits OP-
6 5 and OP-32 (as defined in the Department of Defense
7 Financial Management Regulation) for all contingency op-
8 erations for the budget year and the two preceding fiscal
9 years.

10 SEC. 8073. None of the funds in this Act may be
11 used for research, development, test, evaluation, procure-
12 ment or deployment of nuclear armed interceptors of a
13 missile defense system.

14 SEC. 8074. Notwithstanding any other provision of
15 this Act, to reflect savings due to favorable foreign ex-
16 change rates, the total amount appropriated in this Act
17 is hereby reduced by \$1,152,206,000.

18 SEC. 8075. None of the funds appropriated or made
19 available in this Act shall be used to reduce or disestablish
20 the operation of the 53rd Weather Reconnaissance Squad-
21 ron of the Air Force Reserve, if such action would reduce
22 the WC-130 Weather Reconnaissance mission below the
23 levels funded in this Act: *Provided*, That the Air Force
24 shall allow the 53rd Weather Reconnaissance Squadron to

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

3 SEC. 8076. None of the funds provided in this Act
4 shall be available for integration of foreign intelligence in-
5 formation unless the information has been lawfully col-
6 lected and processed during the conduct of authorized for-
7 eign intelligence activities: *Provided*, That information
8 pertaining to United States persons shall only be handled
9 in accordance with protections provided in the Fourth
10 Amendment of the United States Constitution as imple-
11 mented through Executive Order No. 12333.

12 SEC. 8077. (a) At the time members of reserve com-
13 ponents of the Armed Forces are called or ordered to ac-
14 tive duty under section 12302(a) of title 10, United States
15 Code, each member shall be notified in writing of the ex-
16 pected period during which the member will be mobilized.

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

22 SEC. 8078. (a) None of the funds appropriated by
23 this Act may be used to transfer research and develop-
24 ment, acquisition, or other program authority relating to

1 current tactical unmanned aerial vehicles (TUAVs) from
2 the Army.

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

8 SEC. 8079. Up to \$15,000,000 of the funds appro-
9 priated under the heading “Operation and Maintenance,
10 Navy” may be made available for the Asia Pacific Re-
11 gional Initiative Program for the purpose of enabling the
12 Pacific Command to execute Theater Security Cooperation
13 activities such as humanitarian assistance, and payment
14 of incremental and personnel costs of training and exer-
15 cising with foreign security forces: *Provided*, That funds
16 made available for this purpose may be used, notwith-
17 standing any other funding authorities for humanitarian
18 assistance, security assistance or combined exercise ex-
19 penses: *Provided further*, That funds may not be obligated
20 to provide assistance to any foreign country that is other-
21 wise prohibited from receiving such type of assistance
22 under any other provision of law.

23 SEC. 8080. None of the funds appropriated by this
24 Act for programs of the Office of the Director of National
25 Intelligence shall remain available for obligation beyond

1 the current fiscal year, except for funds appropriated for
2 research and technology, which shall remain available until
3 September 30, 2017.

4 SEC. 8081. For purposes of section 1553(b) of title
5 31, United States Code, any subdivision of appropriations
6 made in this Act under the heading “Shipbuilding and
7 Conversion, Navy” shall be considered to be for the same
8 purpose as any subdivision under the heading “Ship-
9 building and Conversion, Navy” appropriations in any
10 prior fiscal year, and the 1 percent limitation shall apply
11 to the total amount of the appropriation.

12 SEC. 8082. (a) Not later than 60 days after the date
13 of enactment of this Act, the Director of National Intel-
14 ligence shall submit a report to the congressional intel-
15 ligence committees to establish the baseline for application
16 of reprogramming and transfer authorities for fiscal year
17 2016: *Provided*, That the report shall include—

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

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

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

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

11 SEC. 8083. None of the funds made available by this
12 Act may be used to eliminate, restructure, or realign Army
13 Contracting Command–New Jersey or make dispropor-
14 tionate personnel reductions at any Army Contracting
15 Command–New Jersey sites without 30-day prior notifica-
16 tion to the congressional defense committees.

17 SEC. 8084. None of the funds made available by this
18 Act for excess defense articles, assistance under section
19 1206 of the National Defense Authorization Act for Fiscal
20 Year 2006 (Public Law 109–163; 119 Stat. 3456), or
21 peacekeeping operations for the countries designated an-
22 nually to be in violation of the standards of the Child Sol-
23 diers Prevention Act of 2008 (Public Law 110–457; 22
24 U.S.C. 2370c–1) may be used to support any military
25 training or operation that includes child soldiers, as de-

1 fined by the Child Soldiers Prevention Act of 2008, unless
2 such assistance is otherwise permitted under section 404
3 of the Child Soldiers Prevention Act of 2008.

4 (INCLUDING TRANSFER OF FUNDS)

5 SEC. 8085. Of the funds appropriated in the Intel-
6 ligence Community Management Account for the Program
7 Manager for the Information Sharing Environment,
8 \$20,000,000 is available for transfer by the Director of
9 National Intelligence to other departments and agencies
10 for purposes of Government-wide information sharing ac-
11 tivities: *Provided*, That funds transferred under this provi-
12 sion are to be merged with and available for the same pur-
13 poses and time period as the appropriation to which trans-
14 ferred: *Provided further*, That the Office of Management
15 and Budget must approve any transfers made under this
16 provision.

17 SEC. 8086. (a) None of the funds provided for the
18 National Intelligence Program in this or any prior appro-
19 priations Act shall be available for obligation or expendi-
20 ture through a reprogramming or transfer of funds in ac-
21 cordance with section 102A(d) of the National Security
22 Act of 1947 (50 U.S.C. 3024(d)) that—

23 (1) creates a new start effort;

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

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

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

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

19 SEC. 8087. The Director of National Intelligence
20 shall submit to Congress each year, at or about the time
21 that the President's budget is submitted to Congress that
22 year under section 1105(a) of title 31, United States
23 Code, a future-years intelligence program (including asso-
24 ciated annexes) reflecting the estimated expenditures and
25 proposed appropriations included in that budget. Any such

1 future-years intelligence program shall cover the fiscal
2 year with respect to which the budget is submitted and
3 at least the four succeeding fiscal years.

4 SEC. 8088. For the purposes of this Act, the term
5 “congressional intelligence committees” means the Perma-
6 nent Select Committee on Intelligence of the House of
7 Representatives, the Select Committee on Intelligence of
8 the Senate, the Subcommittee on Defense of the Com-
9 mittee on Appropriations of the House of Representatives,
10 and the Subcommittee on Defense of the Committee on
11 Appropriations of the Senate.

12 SEC. 8089. The Department of Defense shall con-
13 tinue to report incremental contingency operations costs
14 for Operation Inherent Resolve, Operation Freedom’s Sen-
15 tinel, and any named successor operations, on a monthly
16 basis and any other operation designated and identified
17 by the Secretary of Defense for the purposes of section
18 127a of title 10, United States Code, on a semi-annual
19 basis in the Cost of War Execution Report as prescribed
20 in the Department of Defense Financial Management
21 Regulation Department of Defense Instruction 7000.14,
22 Volume 12, Chapter 23 “Contingency Operations”, Annex
23 1, dated September 2005.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8090. During the current fiscal year, not to exceed \$11,000,000 from each of the appropriations made in title II of this Act for “Operation and Maintenance, Army”, “Operation and Maintenance, Navy”, and “Operation and Maintenance, Air Force” may be transferred by the military department concerned to its central fund established for Fisher Houses and Suites pursuant to section 2493(d) of title 10, United States Code.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8091. Funds appropriated by this Act may be available for the purpose of making remittances and transfers to the Defense Acquisition Workforce Development Fund in accordance with section 1705 of title 10, United States Code.

SEC. 8092. (a) Any agency receiving funds made available in this Act, shall, subject to subsections (b) and (c), post on the public Web site of that agency any report required to be submitted by the Congress in this or any other Act, upon the determination by the head of the agency that it shall serve the national interest.

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

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

(2) the report contains proprietary information.

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

5 SEC. 8093. (a) None of the funds appropriated or
6 otherwise made available by this Act may be expended for
7 any Federal contract for an amount in excess of
8 \$1,000,000, unless the contractor agrees not to—

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

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

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

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

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

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

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

12 (INCLUDING TRANSFER OF FUNDS)

13 SEC. 8094. From within the funds appropriated for
14 operation and maintenance for the Defense Health Pro-
15 gram in this Act, up to \$121,000,000, shall be available
16 for transfer to the Joint Department of Defense-Depart-
17 ment of Veterans Affairs Medical Facility Demonstration
18 Fund in accordance with the provisions of section 1704
19 of the National Defense Authorization Act for Fiscal Year
20 2010, Public Law 111–84: *Provided*, That for purposes
21 of section 1704(b), the facility operations funded are oper-
22 ations of the integrated Captain James A. Lovell Federal
23 Health Care Center, consisting of the North Chicago Vet-
24 erans Affairs Medical Center, the Navy Ambulatory Care
25 Center, and supporting facilities designated as a combined

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

10 SEC. 8095. The Office of the Director of National
11 Intelligence shall not employ more senior executive em-
12 ployees than are specified in the classified annex.

13 SEC. 8096. Appropriations available to the Depart-
14 ment of Defense may be used for the purchase of heavy
15 and light armored vehicles for the physical security of per-
16 sonnel or for force protection purposes up to a limit of
17 \$450,000 per vehicle, notwithstanding price or other limi-
18 tations applicable to the purchase of passenger carrying
19 vehicles.

20 SEC. 8097. None of the funds appropriated or other-
21 wise made available by this Act or any other Act may be
22 used by the Department of Defense or a component there-
23 of in contravention of section 1661, 1662, or 1663 of the
24 National Defense Authorization Act for Fiscal Year 2016.

1 SEC. 8098. The Secretary of Defense shall report
2 quarterly the numbers of civilian personnel end strength
3 by appropriation account for each and every appropriation
4 account used to finance Federal civilian personnel salaries
5 to the congressional defense committees within 15 days
6 after the end of each fiscal quarter.

7 (INCLUDING TRANSFER OF FUNDS)

8 SEC. 8099. Upon a determination by the Director of
9 National Intelligence that such action is necessary and in
10 the national interest, the Director may, with the approval
11 of the Office of Management and Budget, transfer not to
12 exceed \$1,000,000,000 of the funds made available in this
13 Act for the National Intelligence Program: *Provided*, That
14 such authority to transfer may not be used unless for
15 higher priority items, based on unforeseen intelligence re-
16 quirements, than those for which originally appropriated
17 and in no case where the item for which funds are re-
18 quested has been denied by the Congress: *Provided further*,
19 That a request for multiple reprogrammings of funds
20 using authority provided in this section shall be made
21 prior to June 30, 2016.

22 SEC. 8100. None of the funds appropriated or other-
23 wise made available in this or any other Act may be used
24 to transfer, release, or assist in the transfer or release to

1 or within the United States, its territories, or possessions
2 Khalid Sheikh Mohammed or any other detainee who—

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

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

8 SEC. 8101. (a) None of the funds appropriated or
9 otherwise made available in this or any other Act may be
10 used to construct, acquire, or modify any facility in the
11 United States, its territories, or possessions to house any
12 individual described in subsection (c) for the purposes of
13 detention or imprisonment in the custody or under the ef-
14 fective control of the Department of Defense.

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

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

21 (1) is not a citizen of the United States or a
22 member of the Armed Forces of the United States;
23 and

24 (2) is—

1 (A) in the custody or under the effective
2 control of the Department of Defense; or

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

5 SEC. 8102. None of the funds appropriated or other-
6 wise made available in this Act may be used to transfer
7 any individual detained at United States Naval Station
8 Guantanamo Bay, Cuba, to the custody or control of the
9 individual's country of origin, any other foreign country,
10 or any other foreign entity except in accordance with sec-
11 tion 1035 of the National Defense Authorization Act for
12 Fiscal Year 2014.

13 SEC. 8103. None of the funds made available by this
14 Act may be used in contravention of the War Powers Res-
15 olution (50 U.S.C. 1541 et seq.).

16 SEC. 8104. None of the funds made available by this
17 Act may be used by the Department of Defense or any
18 other Federal agency to lease or purchase new light duty
19 vehicles, for any executive fleet, or for any agency's fleet
20 inventory, except in accordance with Presidential Memo-
21 randum-Federal Fleet Performance, dated May 24, 2011.

22 SEC. 8105. (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. 8106. 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. 8107. None of the funds appropriated in this
16 or any other Act may be obligated or expended by the
17 United States Government for the direct personal benefit
18 of the President of Afghanistan.

19 SEC. 8108. (a) Of the funds appropriated in this Act
20 for the Department of Defense, amounts may be made
21 available, under such regulations as the Secretary of De-
22 fense may prescribe, to local military commanders ap-
23 pointed by the Secretary, or by an officer or employee des-
24 ignated by the Secretary, to provide at their discretion ex
25 gratia payments in amounts consistent with subsection (d)

1 of this section for damage, personal injury, or death that
2 is incident to combat operations of the Armed Forces in
3 a foreign country.

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

6 (1) the prospective foreign civilian recipient is
7 determined by the local military commander to be
8 friendly to the United States;

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

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

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

20 (d) AMOUNT OF PAYMENTS.—If the Secretary of De-
21 fense determines a program under subsection (a) to be ap-
22 propriate in a particular setting, the amounts of pay-
23 ments, if any, to be provided to civilians determined to
24 have suffered harm incident to combat operations of the
25 Armed Forces under the program should be determined

1 pursuant to regulations prescribed by the Secretary and
2 based on an assessment, which should include such factors
3 as cultural appropriateness and prevailing economic condi-
4 tions.

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

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

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

22 (h) LIMITATION.—Nothing in this section shall be
23 deemed to provide any new authority to the Secretary of
24 Defense.

1 SEC. 8109. None of the funds available in this Act
2 to the Department of Defense, other than appropriations
3 made for necessary or routine refurbishments, upgrades
4 or maintenance activities, shall be used to reduce or to
5 prepare to reduce the number of deployed and non-de-
6 ployed strategic delivery vehicles and launchers below the
7 levels set forth in the report submitted to Congress in ac-
8 cordance with section 1042 of the National Defense Au-
9 thorization Act for Fiscal Year 2012.

10 SEC. 8110. The Secretary of Defense shall post grant
11 awards on a public Web site in a searchable format.

12 SEC. 8111. None of the funds made available by this
13 Act may be used to realign forces at Lajes Air Force Base,
14 Azores, Portugal, until the Secretary of Defense certifies
15 to the congressional defense committees that the Secretary
16 of Defense has determined, based on an analysis of oper-
17 ational requirements, that Lajes Air Force Base is not an
18 optimal location for the Joint Intelligence Analysis Com-
19 plex.

20 SEC. 8112. None of the funds made available by this
21 Act may be used to fund the performance of a flight dem-
22 onstration team at a location outside of the United States:
23 *Provided*, That this prohibition applies only if a perform-
24 ance of a flight demonstration team at a location within

1 the United States was canceled during the current fiscal
2 year due to insufficient funding.

3 SEC. 8113. None of the funds made available by this
4 Act may be used by the National Security Agency to—

5 (1) conduct an acquisition pursuant to section
6 702 of the Foreign Intelligence Surveillance Act of
7 1978 for the purpose of targeting a United States
8 person; or

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

16 (INCLUDING TRANSFER OF FUNDS)

17 SEC. 8114. In addition to amounts provided else-
18 where in this Act for basic allowance for housing for mili-
19 tary personnel, including active duty, reserve and National
20 Guard personnel, \$400,000,000 is hereby appropriated to
21 the Department of Defense and made available for trans-
22 fer only to military personnel accounts: *Provided*, That the
23 transfer authority provided under this heading is in addi-
24 tion to any other transfer authority provided elsewhere in
25 this Act.

1 SEC. 8115. 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. 8116. None of the funds made available by this
6 Act may be used to transfer or divest AH-64 Apache heli-
7 copters from the Army National Guard to the active Army
8 in fiscal year 2016: *Provided*, That the Secretary of the
9 Army shall ensure the continuing readiness of the AH-
10 64 Apache aircraft and ensure the training of the crews
11 of such aircraft during fiscal year 2016, including the allo-
12 cation of funds for operation and maintenance and per-
13 sonnel connected with such aircraft: *Provided further*,
14 That this section shall continue in effect through the date
15 of enactment of the National Defense Authorization Act
16 for Fiscal Year 2016.

17 SEC. 8117. 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 such
3 section 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. 8118. (a) Within 90 days of enactment of this
13 Act, the Secretary of Defense shall submit a report to the
14 congressional defense committees to assess whether the
15 justification and approval requirements under section 811
16 of the National Defense Authorization Act for Fiscal Year
17 2010 (Public Law 111–84; 123 Stat. 2405) have, incon-
18 sistent with the intent of Congress—

19 (1) negatively impacted the ability of covered
20 entities to be awarded sole-source contracts with the
21 Department of Defense greater than \$20,000,000;

22 (2) discouraged agencies from awarding con-
23 tracts greater than \$20,000,000 to covered entities;
24 and

1 (3) been misconstrued and/or inconsistently im-
2 plemented.

3 (b) The Comptroller General shall analyze and report
4 to the congressional defense committees on the sufficiency
5 of the Department's report in addressing the require-
6 ments; review the extent to which section 811 has nega-
7 tively impacted the ability of covered entities to be award-
8 ed sole-source contracts with the Department, discouraged
9 agencies from awarding contracts, or been misconstrued
10 and/or inconsistently implemented.

11 SEC. 8119. None of the funds made available by this
12 Act may be used with respect to Iraq in contravention of
13 the War Powers Resolution (50 U.S.C. 1541 et seq.), in-
14 cluding for the introduction of United States armed forces
15 into hostilities in Iraq, into situations in Iraq where immi-
16 nent involvement in hostilities is clearly indicated by the
17 circumstances, or into Iraqi territory, airspace, or waters
18 while equipped for combat, in contravention of the con-
19 gressional consultation and reporting requirements of sec-
20 tions 3 and 4 of such Resolution (50 U.S.C. 1542 and
21 1543).

22 SEC. 8120. None of the funds made available by this
23 Act may be used to divest, retire, transfer, or place in stor-
24 age or on backup aircraft inventory status, or prepare to
25 divest, retire, transfer, or place in storage or on backup

1 aircraft inventory status, any A-10 aircraft, or to dis-
2 tablish any units of the active or reserve component associ-
3 ated with such aircraft.

4 SEC. 8121. Of the funds provided for “Research, De-
5 velopment, Test and Evaluation, Defense-Wide” in this
6 Act, not less than \$2,800,000 shall be used to support
7 the Department’s activities related to the implementation
8 of the Digital Accountability and Transparency Act (Pub-
9 lic Law 113–101; 31 U.S.C. 6101 note) and to support
10 the implementation of a uniform procurement instrument
11 identifier as described in subpart 4.16 of Title 48, Code
12 of Federal Regulations, to include changes in business
13 processes, workforce, or information technology.

14 SEC. 8123. None of the funds provided in this Act
15 for the T-AO(X) program shall be used to award a new
16 contract that provides for the acquisition of the following
17 components unless those components are manufactured in
18 the United States: Auxiliary equipment (including pumps)
19 for shipboard services; propulsion equipment (including
20 engines, reduction gears, and propellers); shipboard
21 cranes; and spreaders for shipboard cranes.

22 (INCLUDING TRANSFER OF FUNDS)

23 SEC. 8124. In addition to amounts provided else-
24 where in this Act for military personnel pay, including ac-
25 tive duty, reserve and National Guard personnel,

1 \$700,000,000 is hereby appropriated to the Department
2 of Defense and made available for transfer only to military
3 personnel accounts: *Provided*, That the transfer authority
4 provided under this heading is in addition to any other
5 transfer authority provided elsewhere in this Act.

6 SEC. 8125. The amounts appropriated in title II of
7 this Act are hereby reduced by \$359,000,000 to reflect
8 excess cash balances in Department of Defense Working
9 Capital Funds, as follows:

10 (1) From “Operation and Maintenance, Army”,
11 \$138,000,000;

12 (2) From “Operation and Maintenance, De-
13 fense-Wide”, \$221,000,000.

14 SEC. 8126. Notwithstanding any other provision of
15 this Act, to reflect savings due to lower than anticipated
16 fuel prices, the total amount appropriated in this Act is
17 hereby reduced by \$814,000,000.

18 SEC. 8127. None of the funds made available by this
19 Act may be used to reduce the end strength levels for the
20 Army National Guard of the United States below the lev-
21 els specified for the Army National Guard of the United
22 States in subtitle B of title IV of the National Defense
23 Authorization Act for Fiscal Year 2015 (Public Law 113–
24 291): *Provided*, That this section shall continue in effect

1 through the date of enactment of the National Defense
2 Authorization Act for fiscal year 2016.

3 SEC. 8128. None of the funds made available by this
4 Act may be used to enforce section 526 of the Energy
5 Independence and Security Act of 2007 (Public Law 110–
6 140; 42 U.S.C. 17142).

7 TITLE IX

8 GLOBAL WAR ON TERRORISM

9 MILITARY PERSONNEL

10 MILITARY PERSONNEL, ARMY

11 For an additional amount for “Military Personnel,
12 Army”, \$5,664,570,000: *Provided*, That such amount is
13 designated by the Congress for Overseas Contingency Op-
14 erations/Global War on Terrorism pursuant to section
15 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
16 Deficit Control Act of 1985.

17 MILITARY PERSONNEL, NAVY

18 For an additional amount for “Military Personnel,
19 Navy”, \$1,643,136,000: *Provided*, That such amount is
20 designated by the Congress for Overseas Contingency Op-
21 erations/Global War on Terrorism pursuant to section
22 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
23 Deficit Control Act of 1985.

1 MILITARY PERSONNEL, MARINE CORPS

2 For an additional amount for “Military Personnel,
3 Marine Corps”, \$555,998,000: *Provided*, That such
4 amount is designated by the Congress for Overseas Con-
5 tingency Operations/Global War on Terrorism pursuant to
6 section 251(b)(2)(A)(ii) of the Balanced Budget and
7 Emergency Deficit Control Act of 1985.

8 MILITARY PERSONNEL, AIR FORCE

9 For an additional amount for “Military Personnel,
10 Air Force”, \$2,376,095,000: *Provided*, That such amount
11 is designated by the Congress for Overseas Contingency
12 Operations/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, ARMY

16 For an additional amount for “Reserve Personnel,
17 Army”, \$24,462,000: *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, NAVY

23 For an additional amount for “Reserve Personnel,
24 Navy”, \$12,693,000: *Provided*, That such amount is des-
25 ignated by the Congress for Overseas Contingency Oper-

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

4 RESERVE PERSONNEL, MARINE CORPS

5 For an additional amount for “Reserve Personnel,
6 Marine Corps”, \$3,393,000: *Provided*, That such amount
7 is designated by the Congress for Overseas Contingency
8 Operations/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 RESERVE PERSONNEL, AIR FORCE

12 For an additional amount for “Reserve Personnel,
13 Air Force”, \$18,710,000: *Provided*, That such amount is
14 designated by the Congress for Overseas Contingency Op-
15 erations/Global War on Terrorism pursuant to section
16 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
17 Deficit Control Act of 1985.

18 NATIONAL GUARD PERSONNEL, ARMY

19 For an additional amount for “National Guard Per-
20 sonnel, Army”, \$166,015,000: *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 NATIONAL GUARD PERSONNEL, AIR FORCE

2 For an additional amount for “National Guard Per-
3 sonnel, Air Force”, \$2,828,000: *Provided*, That such
4 amount is designated by the Congress for Overseas Con-
5 tingency Operations/Global War on Terrorism pursuant to
6 section 251(b)(2)(A)(ii) of the Balanced Budget and
7 Emergency Deficit Control Act of 1985.

8 OPERATION AND MAINTENANCE

9 OPERATION AND MAINTENANCE, ARMY

10 For an additional amount for “Operation and Main-
11 tenance, Army”, \$18,910,604,000 (reduced by
12 \$80,000,000) (increased by \$80,000,000): *Provided*, That
13 such amount is designated by the Congress for Overseas
14 Contingency Operations/Global War on Terrorism pursu-
15 ant to section 251(b)(2)(A)(ii) of the Balanced Budget
16 and Emergency Deficit Control Act of 1985.

17 OPERATION AND MAINTENANCE, NAVY

18 (INCLUDING TRANSFER OF FUNDS)

19 For an additional amount for “Operation and Main-
20 tenance, Navy”, \$6,747,313,000: of which up to
21 \$160,002,000 may be transferred to the Coast Guard
22 “Operating Expenses” account, notwithstanding the pro-
23 visions of section 2215 of title 10, United States Code:
24 *Provided*, That such amount is designated by the Congress
25 for Overseas Contingency Operations/Global War on Ter-

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

OPERATION AND MAINTENANCE, MARINE CORPS

For an additional amount for “Operation and Maintenance, Marine Corps”, \$1,871,834,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, AIR FORCE

For an additional amount for “Operation and Maintenance, Air Force”, \$10,799,220,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, DEFENSE-WIDE

For an additional amount for “Operation and Maintenance, Defense-Wide”, \$7,559,131,000: *Provided*, That of the funds provided under this heading, not to exceed \$1,260,000,000, to remain available until September 30, 2017, shall be for payments to reimburse key cooperating nations for logistical, military, and other support, including access, provided to United States military and stability operations in Afghanistan and to counter the Islamic

1 State of Iraq and the Levant: *Provided further*, That such
2 reimbursement payments may be made in such amounts
3 as the Secretary of Defense, with the concurrence of the
4 Secretary of State, and in consultation with the Director
5 of the Office of Management and Budget, may determine,
6 based on documentation determined by the Secretary of
7 Defense to adequately account for the support provided,
8 and such determination is final and conclusive upon the
9 accounting officers of the United States, and 15 days fol-
10 lowing notification to the appropriate congressional com-
11 mittees: *Provided further*, That these funds may be used
12 for the purpose of providing specialized training and pro-
13 curing supplies and specialized equipment and providing
14 such supplies and loaning such equipment on a non-reim-
15 bursable basis to coalition forces supporting United States
16 military and stability operations in Afghanistan and to
17 counter the Islamic State of Iraq and the Levant, and 15
18 days following notification to the appropriate congres-
19 sional committees: *Provided further*, That these funds may
20 be used to support the Government of Jordan, in such
21 amounts as the Secretary of Defense may determine, to
22 maintain the ability of the Jordanian armed forces to
23 maintain security along the border between Jordan and
24 Syria, upon 15 days prior written notification to the con-
25 gressional defense committees outlining the amounts reim-

1 bursed and the nature of the expenses to be reimbursed:
2 *Provided further*, That not to exceed \$15,000,000 can be
3 used for emergencies and extraordinary expenses, to be ex-
4 pended on the approval or authority of the Secretary of
5 Defense, and payments may be made on his certificate of
6 necessity for confidential military purposes: *Provided fur-*
7 *ther*, That the authority in the preceding proviso may only
8 be used for emergency and extraordinary expenses associ-
9 ated with activities to counter the Islamic State of Iraq
10 and the Levant: *Provided further*, That of the funds pro-
11 vided under this heading, up to \$30,000,000 shall be for
12 Operation Observant Compass: *Provided further*, That the
13 Secretary of Defense shall provide quarterly reports to the
14 congressional defense committees on the use of funds pro-
15 vided in this paragraph: *Provided further*, 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 OPERATION AND MAINTENANCE, ARMY RESERVE

21 For an additional amount for “Operation and Main-
22 tenance, Army Reserve”, \$124,559,000: *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 OPERATION AND MAINTENANCE, NAVY RESERVE

4 For an additional amount for “Operation and Main-
5 tenance, Navy Reserve”, \$34,187,000: *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, MARINE CORPS

11 RESERVE

12 For an additional amount for “Operation and Main-
13 tenance, Marine Corps Reserve”, \$3,455,000: *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 FORCE RESERVE

19 For an additional amount for “Operation and Main-
20 tenance, Air Force Reserve”, \$209,606,000: *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.

9 OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

16 COUNTERTERRORISM PARTNERSHIPS FUND

For the “Counterterrorism Partnerships Fund”, \$2,060,000,000, to remain available until September 30, 2017: *Provided*, That such funds shall be available to provide support and assistance to foreign security forces or other groups or individuals to conduct, support, or facilitate counterterrorism and crisis response activities pursuant to section 1534 of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for

1 Fiscal Year 2015: *Provided further*, That the Secretary of
2 Defense shall transfer the funds provided herein to other
3 appropriations provided for in this Act to be merged with
4 and to be available for the same purposes and subject to
5 the same authorities and for the same time period as the
6 appropriation to which transferred: *Provided further*, That
7 the transfer authority under this heading is in addition
8 to any other transfer authority provided elsewhere in this
9 Act: *Provided further*, That the funds available under this
10 heading are available for transfer only to the extent that
11 the Secretary of Defense submits a prior approval re-
12 programming request to the congressional defense com-
13 mittees: *Provided further*, That the Secretary of Defense
14 shall comply with the appropriate vetting standards and
15 procedures established elsewhere in this Act for any recipi-
16 ent of training, equipment, or other assistance: *Provided*
17 *further*, That the amount provided under this heading is
18 designated by the Congress for Overseas Contingency Op-
19 erations/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 AFGHANISTAN SECURITY FORCES FUND

23 For the “Afghanistan Security Forces Fund”,
24 \$3,762,257,000, to remain available until September 30,
25 2017: *Provided*, That such funds shall be available to the

1 Secretary of Defense, notwithstanding any other provision
2 of law, for the purpose of allowing the Commander, Com-
3 bined Security Transition Command—Afghanistan, or the
4 Secretary's designee, to provide assistance, with the con-
5 currence of the Secretary of State, to the security forces
6 of Afghanistan, including the provision of equipment, sup-
7 plies, services, training, facility and infrastructure repair,
8 renovation, construction, and funding: *Provided further*,
9 That the authority to provide assistance under this head-
10 ing is in addition to any other authority to provide assist-
11 ance to foreign nations: *Provided further*, That contribu-
12 tions of funds for the purposes provided herein from any
13 person, foreign government, or international organization
14 may be credited to this Fund, to remain available until
15 expended, and used for such purposes: *Provided further*,
16 That the Secretary of Defense shall notify the congres-
17 sional defense committees in writing upon the receipt and
18 upon the obligation of any contribution, delineating the
19 sources and amounts of the funds received and the specific
20 use of such contributions: *Provided further*, That the Sec-
21 retary of Defense shall, not fewer than 15 days prior to
22 obligating from this appropriation account, notify the con-
23 gressional defense committees in writing of the details of
24 any such obligation: *Provided further*, That the Secretary
25 of Defense shall notify the congressional defense commit-

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

IRAQ TRAIN AND EQUIP FUND

For the “Iraq Train and Equip Fund”, \$715,000,000, to remain available until September 30, 2017: *Provided*, That such funds shall be available to the Secretary of Defense, in coordination with the Secretary of State, pursuant to section 1236 of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3558), to provide assistance, including training, equipment, logistics support, supplies, and services, stipends, infrastructure repair, renovation, and sustainment to military and other security forces of or associated with the Government of Iraq, including Kurdish and tribal security forces or other local security forces, with a national security mission, to counter the Islamic State of Iraq and the Levant: *Provided further*, That the Secretary of Defense shall ensure that prior to providing assistance to elements of any forces such elements are appropriately vetted, including at a minimum, assessing such elements for associations with terrorist groups or groups associated with the Government of Iran; and receiving commitments from such elements to promote respect for human rights and the rule of law: *Provided further*, That the Secretary of Defense may accept and retain contributions, including assistance in-kind, from foreign governments, including

1 the Government of Iraq, and other entities, to carry out
2 assistance authorized under this heading: *Provided fur-*
3 *ther*, That contributions of funds for the purposes provided
4 herein from any foreign government or other entities, may
5 be credited to this Fund, to remain available until ex-
6 pended, and used for such purposes: *Provided further*,
7 That not more than 25 percent of the funds appropriated
8 under this heading may be obligated or expended until not
9 fewer than 15 days after: (1) the Secretary of Defense
10 submits a report to the appropriate congressional commit-
11 tees, describing the plan for the provision of such training
12 and assistance and the forces designated to receive such
13 assistance; and (2) the President submits a report to the
14 appropriate congressional committees on how assistance
15 provided under this heading supports a larger regional
16 strategy: *Provided further*, That of the amount provided
17 under this heading, not more than 60 percent may be obli-
18 gated or expended until not less than 15 days after the
19 date on which the Secretary of Defense certifies to the
20 appropriate congressional committees that an amount
21 equal to not less than 40 percent of the amount provided
22 under this heading has been contributed by other coun-
23 tries and entities for the purposes for which funds are pro-
24 vided under this heading, of which at least 50 percent
25 shall have been contributed or provided by the Govern-

1 ment of Iraq: *Provided further*, That the limitation in the
2 preceding proviso shall not apply if the Secretary of De-
3 fense determines, in writing, that the national security ob-
4 jectives of the United States will be compromised by the
5 application of the limitation to such assistance, and noti-
6 fies the appropriate congressional committees not less
7 than 15 days in advance of the exemption taking effect,
8 including a justification for the Secretary's determination
9 and a description of the assistance to be exempted from
10 the application of such limitation: *Provided further*, That
11 the Secretary of Defense may waive a provision of law re-
12 lating to the acquisition of items and support services or
13 sections 40 and 40A of the Arms Export Control Act (22
14 U.S.C. 2780 and 2785) if the Secretary determines such
15 provisions of law would prohibit, restrict, delay or other-
16 wise limit the provision of such assistance and a notice
17 of and justification for such waiver is submitted to the
18 appropriate congressional committees: *Provided further*,
19 That the term "appropriate congressional committees"
20 under this heading means the congressional defense com-
21 mittees, the Committees on Appropriations and Foreign
22 Relations of the Senate and the Committees on Appropria-
23 tions and Foreign Affairs of the House of Representatives:
24 *Provided further*, That amounts made available under this
25 heading are designated by the Congress for Overseas Con-

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

4 SYRIA TRAIN AND EQUIP FUND

5 For the “Syria Train and Equip Fund”,
6 \$600,000,000, to remain available until September 30,
7 2017: *Provided*, That such funds shall be available to the
8 Secretary of Defense, in coordination with the Secretary
9 of State, to provide assistance, including training, equip-
10 ment, supplies, stipends, construction of training and as-
11 sociated facilities, and sustainment, to appropriately vet-
12 ted elements of the Syrian opposition and other appro-
13 priately vetted Syrian groups and individuals for the fol-
14 lowing purposes: defending the Syrian people from attacks
15 by the Islamic State of Iraq and the Levant, and securing
16 territory controlled by the Syrian opposition; protecting
17 the United States, its friends and allies, and the Syrian
18 people from the threats posed by terrorists in Syria; and
19 promoting the conditions for a negotiated settlement to
20 end the conflict in Syria: *Provided further*, That the Sec-
21 retary may accept and retain contributions, including as-
22 sistance in-kind, from foreign governments and other enti-
23 ties to carry out activities authorized under this heading:
24 *Provided further*, That contributions of funds for the pur-
25 poses provided herein from any foreign government or

1 other entities may be credited to this Fund, to remain
2 available until expended and used for such purposes: *Pro-*
3 *vided further*, That the Secretary may provide assistance
4 to third countries for purposes of the provision of assist-
5 ance authorized under this heading: *Provided further*,
6 That the term “appropriately vetted” shall be construed
7 to mean, at a minimum, assessments of possible recipients
8 for associations with terrorist groups including the Islamic
9 State of Iraq and the Levant (ISIL), Jabhat al Nusrah,
10 Ahrar al Sham, other al-Qaeda related groups, Hezbollah,
11 or Shia militias supporting the Governments of Syria or
12 Iran; and for commitment to the rule of law and a peaceful
13 and democratic Syria: *Provided further*, That none of the
14 funds used pursuant to this authority shall be used for
15 the procurement or transfer of man-portable air-defense
16 systems: *Provided further*, That nothing in this section
17 shall be construed to constitute a specific statutory au-
18 thorization for the introduction of the United States
19 Armed Forces into hostilities or into situations wherein
20 hostilities are clearly indicated by the circumstances, in
21 accordance with section 8(a)(1) of the War Powers Reso-
22 lution: *Provided further*, That such amount is designated
23 by the Congress for Overseas Contingency Operations/
24 Global War on Terrorism pursuant to section

4 AIRCRAFT PROCUREMENT, ARMY

12 MISSILE PROCUREMENT, ARMY

20 PROCUREMENT OF WEAPONS AND TRACKED COMBAT

For an additional amount for “Procurement of Weapons and Tracked Combat Vehicles, Army”, \$647,630,000, to remain available until September 30, 2018: *Provided*, That such amount is designated by the Congress for Over-

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

4 PROCUREMENT OF AMMUNITION, ARMY

5 For an additional amount for “Procurement of Am-
6 munition, Army”, \$431,640,000, to remain available until
7 September 30, 2018: *Provided*, That such amount is des-
8 ignated by the Congress for Overseas Contingency Oper-
9 ations/Global War on Terrorism pursuant to section
10 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
11 Deficit Control Act of 1985.

12 OTHER PROCUREMENT, ARMY

13 For an additional amount for “Other Procurement,
14 Army”, \$1,648,312,000, to remain available until Sep-
15 tember 30, 2018: *Provided*, That such amount is des-
16 ignated by the Congress for Overseas Contingency Oper-
17 ations/Global War on Terrorism pursuant to section
18 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
19 Deficit Control Act of 1985.

20 AIRCRAFT PROCUREMENT, NAVY

21 For an additional amount for “Aircraft Procurement,
22 Navy”, \$722,274,000, to remain available until September
23 30, 2018: *Provided*, That such amount is designated by
24 the Congress for Overseas Contingency Operations/Global
25 War on Terrorism pursuant to section 251(b)(2)(A)(ii) of

5 For an additional amount for “Procurement of Am-
6 munition, Navy and Marine Corps”, \$105,459,000, to re-
7 main available until September 30, 2018: *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.

For an additional amount for “Other Procurement, Navy”, \$12,186,000, to remain available until September 30, 2018: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

For an additional amount for “Procurement, Marine Corps”, \$234,741,000, to remain available until September 30, 2018: *Provided*, That such amount is designated by the Congress for Overseas Contingency 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 AIRCRAFT PROCUREMENT, AIR FORCE

4 For an additional amount for “Aircraft Procurement,
5 Air Force”, \$1,297,726,000, to remain available until
6 September 30, 2018: *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 MISSILE PROCUREMENT, AIR FORCE

12 For an additional amount for “Missile Procurement,
13 Air Force”, \$773,638,000, to remain available until Sep-
14 tember 30, 2018: *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 SPACE PROCUREMENT, AIR FORCE

20 For an additional amount for “Space Procurement,
21 Air Force”, \$452,676,000, to remain available until Sep-
22 tember 30, 2018: *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 PROCUREMENT OF AMMUNITION, AIR FORCE

4 For an additional amount for “Procurement of Am-
5 munition, Air Force”, \$1,673,358,000, to remain available
6 until September 30, 2018: *Provided*, That such amount
7 is designated by the Congress for Overseas Contingency
8 Operations/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 OTHER PROCUREMENT, AIR FORCE

12 For an additional amount for “Other Procurement,
13 Air Force”, \$7,045,550,000, to remain available until
14 September 30, 2018: *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, DEFENSE-WIDE

20 For an additional amount for “Procurement, De-
21 fense-Wide”, \$217,701,000, to remain available until Sep-
22 tember 30, 2018: *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 NATIONAL GUARD AND RESERVE EQUIPMENT ACCOUNT

4 For procurement of covered items for the reserve
5 components of the Armed Forces, \$1,500,000,000, to re-
6 main available for obligation until September 30, 2017:
7 *Provided*, That the Chiefs of National Guard and Reserve
8 components shall, not later than 30 days after enactment
9 of this Act, individually submit to the congressional de-
10 fense committees the modernization priority assessment
11 for their respective National Guard or Reserve component:
12 *Provided*, That for the purposes of this paragraph, the
13 term “covered items” means items that: (1) are not major
14 weapon systems, aircraft, or other items central to the
15 mission of an organization; and (2) are useful for both
16 missions performed under title 10, United States Code,
17 and missions performed under title 32, United States
18 Code, when applicable, including radios, generators, com-
19 puters, trucks, and other dual-use items: *Provided further*,
20 That such amount is designated by the Congress for Over-
21 seas Contingency Operations/Global War on Terrorism
22 pursuant to section 251(b)(2)(A)(ii) of the Balanced
23 Budget and Emergency Deficit Control Act of 1985.

3 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,
4 ARMY

12 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,
13 NAVY

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

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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 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,
6 DEFENSE-WIDE

7 For an additional amount for “Research, Develop-
8 ment, Test and Evaluation, Defense-Wide”,
9 \$199,264,000, to remain available until September 30,
10 2017: *Provided*, That such amount is designated by the
11 Congress for Overseas Contingency Operations/Global
12 War on Terrorism pursuant to section 251(b)(2)(A)(ii) of
13 the Balanced Budget and Emergency Deficit Control Act
14 of 1985.

15 REVOLVING AND MANAGEMENT FUNDS

16 DEFENSE WORKING CAPITAL FUNDS

17 For an additional amount for “Defense Working
18 Capital Funds”, \$88,850,000: *Provided*, That such
19 amount is designated by the Congress for Overseas Con-
20 tingency Operations/Global War on Terrorism pursuant to
21 section 251(b)(2)(A)(ii) of the Balanced Budget and
22 Emergency Deficit Control Act of 1985.

1 OTHER DEPARTMENT OF DEFENSE PROGRAMS

2 DEFENSE HEALTH PROGRAM

3 For an additional amount for “Defense Health Pro-
4 gram”, \$272,704,000, which shall be for operation and
5 maintenance: *Provided*, That such amount is designated
6 by the Congress for Overseas Contingency Operations/
7 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 DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES,
11 DEFENSE

12 For an additional amount for “Drug Interdiction and
13 Counter-Drug Activities, Defense”, \$275,300,000: *Pro-*
14 *vided*, That such amount is designated by the Congress
15 for Overseas Contingency Operations/Global War on Ter-
16 rorism pursuant to section 251(b)(2)(A)(ii) of the Bal-
17 anced Budget and Emergency Deficit Control Act of 1985.

18 JOINT IMPROVISED EXPLOSIVE DEVICE DEFEAT FUND

19 (INCLUDING TRANSFER OF FUNDS)

20 For the “Joint Improvised Explosive Device Defeat
21 Fund”, \$443,271,000, to remain available until Sep-
22 tember 30, 2018: *Provided*, That such funds shall be avail-
23 able to the Secretary of Defense, notwithstanding any
24 other provision of law, for the purpose of allowing the Di-
25 rector of the Joint Improvised Explosive Device Defeat

1 Organization to investigate, develop and provide equip-
2 ment, supplies, services, training, facilities, personnel and
3 funds to assist United States forces in the defeat of impro-
4 vised explosive devices: *Provided further*, That the Sec-
5 retary of Defense may transfer funds provided herein to
6 appropriations for military personnel; operation and main-
7 tenance; procurement; research, development, test and
8 evaluation; and defense working capital funds to accom-
9 plish the purpose provided herein: *Provided further*, That
10 this transfer authority is in addition to any other transfer
11 authority available to the Department of Defense: *Pro-*
12 *vided further*, That the Secretary of Defense shall, not
13 fewer than 15 days prior to making transfers from this
14 appropriation, notify the congressional defense committees
15 in writing of the details of any such transfer: *Provided*
16 *further*, That such amount is designated by the Congress
17 for Overseas Contingency Operations/Global War on Ter-
18 rorism pursuant to section 251(b)(2)(A)(ii) of the Bal-
19 anced Budget and Emergency Deficit Control Act of 1985.

20 OFFICE OF THE INSPECTOR GENERAL

21 For an additional amount for the “Office of the In-
22 spector General”, \$10,262,000: *Provided*, That such
23 amount is designated by the Congress for Overseas Con-
24 tingency Operations/Global War on Terrorism pursuant to

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

3 GENERAL PROVISIONS—THIS TITLE

4 SEC. 9001. Each amount designated in this Act by
5 the Congress for Overseas Contingency Operations/Global
6 War on Terrorism pursuant to section 251(b)(2)(A)(ii) of
7 the Balanced Budget and Emergency Deficit Control Act
8 of 1985 shall be available only if the President subse-
9 quently so designates all such amounts and transmits such
10 designations to the Congress.

11 SEC. 9002. Notwithstanding any other provision of
12 law, funds made available in this title are in addition to
13 amounts appropriated or otherwise made available for the
14 Department of Defense for fiscal year 2016.

15 (INCLUDING TRANSFER OF FUNDS)

16 SEC. 9003. Upon the determination of the Secretary
17 of Defense that such action is necessary in the national
18 interest, the Secretary may, with the approval of the Of-
19 fice of Management and Budget, transfer up to
20 \$3,500,000,000 between the appropriations or funds made
21 available to the Department of Defense in this title: *Pro-*
22 *vided*, That the Secretary shall notify the Congress
23 promptly of each transfer made pursuant to the authority
24 in this section: *Provided further*, That the authority pro-
25 vided in this section is in addition to any other transfer

1 authority available to the Department of Defense and is
2 subject to the same terms and conditions as the authority
3 provided in section 8005 of this Act.

4 SEC. 9004. Supervision and administration costs and
5 costs for design during construction associated with a con-
6 struction project funded with appropriations available for
7 operation and maintenance or the “Afghanistan Security
8 Forces Fund” provided in this Act and executed in direct
9 support of overseas contingency operations in Afghani-
10 stan, may be obligated at the time a construction contract
11 is awarded: *Provided*, That for the purpose of this section,
12 supervision and administration costs and costs for design
13 during construction include all in-house Government costs.

14 SEC. 9005. From funds made available in this title,
15 the Secretary of Defense may purchase for use by military
16 and civilian employees of the Department of Defense in
17 the United States Central Command area of responsi-
18 bility: (1) passenger motor vehicles up to a limit of
19 \$75,000 per vehicle; and (2) heavy and light armored vehi-
20 cles for the physical security of personnel or for force pro-
21 tection purposes up to a limit of \$450,000 per vehicle, not-
22 withstanding price or other limitations applicable to the
23 purchase of passenger carrying vehicles.

24 SEC. 9006. Not to exceed \$10,000,000 of the
25 amounts appropriated in this title under the heading “Op-

1 eration and Maintenance, Army'' may be used, notwith-
2 standing any other provision of law, to fund the Com-
3 mander's Emergency Response Program (CERP), for the
4 purpose of enabling military commanders in Afghanistan
5 to respond to urgent, small-scale, humanitarian relief and
6 reconstruction requirements within their areas of responsi-
7 bility: *Provided*, That each project (including any ancillary
8 or related elements in connection with such project) exe-
9 cuted under this authority shall not exceed \$2,000,000:
10 *Provided further*, That not later than 45 days after the
11 end of each fiscal year quarter, the Secretary of Defense
12 shall submit to the congressional defense committees a re-
13 port regarding the source of funds and the allocation and
14 use of funds during that quarter that were made available
15 pursuant to the authority provided in this section or under
16 any other provision of law for the purposes described here-
17 in: *Provided further*, That, not later than 30 days after
18 the end of each month, the Army shall submit to the con-
19 gressional defense committees monthly commitment, obli-
20 gation, and expenditure data for the Commander's Emer-
21 gency Response Program in Afghanistan: *Provided fur-*
22 *ther*, That not less than 15 days before making funds
23 available pursuant to the authority provided in this section
24 or under any other provision of law for the purposes de-
25 scribed herein for a project with a total anticipated cost

1 for completion of \$500,000 or more, the Secretary shall
2 submit to the congressional defense committees a written
3 notice containing each of the following:

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

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

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

20 SEC. 9007. Funds available to the Department of De-
21 fense for operation and maintenance may be used, not-
22 withstanding any other provision of law, to provide sup-
23 plies, services, transportation, including airlift and sealift,
24 and other logistical support to coalition forces supporting
25 military and stability operations in Afghanistan and to

1 counter the Islamic State of Iraq and the Levant: *Pro-*
2 *vided*, That the Secretary of Defense shall provide quar-
3 terly reports to the congressional defense committees re-
4 garding support provided under this section.

5 SEC. 9008. None of the funds appropriated or other-
6 wise made available by this or any other Act shall be obli-
7 gated or expended by the United States Government for
8 a purpose as follows:

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

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

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

18 SEC. 9009. None of the funds made available in this
19 Act may be used in contravention of the following laws
20 enacted or regulations promulgated to implement the
21 United Nations Convention Against Torture and Other
22 Cruel, Inhuman or Degrading Treatment or Punishment
23 (done at New York on December 10, 1984):

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

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

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

13 SEC. 9010. None of the funds provided for the “Af-
14 ghanistan Security Forces Fund” (ASFF) may be obli-
15 gated prior to the approval of a financial and activity plan
16 by the Afghanistan Resources Oversight Council (AROC)
17 of the Department of Defense: *Provided*, That the AROC
18 must approve the requirement and acquisition plan for any
19 service requirements in excess of \$50,000,000 annually
20 and any non-standard equipment requirements in excess
21 of \$100,000,000 using ASFF: *Provided further*, That the
22 Department of Defense must certify to the congressional
23 defense committees that the AROC has convened and ap-
24 proved a process for ensuring compliance with the require-

1 ments in the preceding proviso and accompanying report
2 language for the ASFF.

3 SEC. 9011. Funds made available in this title to the
4 Department of Defense for operation and maintenance
5 may be used to purchase items having an investment unit
6 cost of not more than \$250,000: *Provided*, That, upon de-
7 termination by the Secretary of Defense that such action
8 is necessary to meet the operational requirements of a
9 Commander of a Combatant Command engaged in contin-
10 gency operations overseas, such funds may be used to pur-
11 chase items having an investment item unit cost of not
12 more than \$500,000.

13 SEC. 9012. From funds made available to the De-
14 partment of Defense in this title under the heading “Oper-
15 ation and Maintenance, Air Force”, up to \$140,000,000
16 may be used by the Secretary of Defense, notwithstanding
17 any other provision of law, to support United States Gov-
18 ernment transition activities in Iraq by funding the oper-
19 ations and activities of the Office of Security Cooperation
20 in Iraq and security assistance teams, including life sup-
21 port, transportation and personal security, and facilities
22 renovation and construction, and site closeout activities
23 prior to returning sites to the Government of Iraq: *Pro-*
24 *vided*, That to the extent authorized under the National
25 Defense Authorization Act for Fiscal Year 2016, the oper-

1 ations and activities that may be carried out by the Office
2 of Security Cooperation in Iraq may, with the concurrence
3 of the Secretary of State, include non-operational training
4 activities in support of Iraqi Minister of Defense and
5 Counter Terrorism Service personnel in an institutional
6 environment to address capability gaps, integrate proc-
7 esses relating to intelligence, air sovereignty, combined
8 arms, logistics and maintenance, and to manage and inte-
9 grate defense-related institutions: *Provided further*, That
10 not later than 30 days following the enactment of this Act,
11 the Secretary of Defense and the Secretary of State shall
12 submit to the congressional defense committees a plan for
13 transitioning any such training activities that they deter-
14 mine are needed after the end of fiscal year 2016, to exist-
15 ing or new contracts for the sale of defense articles or
16 defense services consistent with the provisions of the Arms
17 Export Control Act (22 U.S.C. 2751 et seq.): *Provided*
18 *further*, That not less than 15 days before making funds
19 available pursuant to the authority provided in this sec-
20 tion, the Secretary of Defense shall submit to the congres-
21 sional defense committees a written notice containing a
22 detailed justification and timeline for the operations and
23 activities of the Office of Security Cooperation in Iraq at
24 each site where such operations and activities will be con-
25 ducted during fiscal year 2016: *Provided further*, That

1 amounts made available by this section are designated by
2 the 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 SEC. 9013. The Secretary of Defense is authorized,
7 in coordination with the Secretary of State, to provide as-
8 sistance, to the Government of Jordan for purposes of
9 supporting and enhancing efforts of the armed forces of
10 Jordan and to sustain security along the border of Jordan
11 with Syria and Iraq: *Provided*, That up to \$600,000,000
12 of funds appropriated by this Act for the Counterterrorism
13 Partnerships Fund may be used for activities authorized
14 by this section: *Provided further*, That the Secretary may
15 accept and retain contributions, including assistance in-
16 kind, from foreign governments to carry out activities as
17 authorized by this section and shall be credited to the ap-
18 propriate appropriations accounts, except that any funds
19 so accepted by the Secretary shall not be available for obli-
20 gation until a reprogramming action is submitted to the
21 congressional defense committees: *Provided further*, That
22 the President and the Secretary of Defense shall comply
23 with the reporting requirements in sections 149(b)(1),
24 (b)(2), (c), and (d) of the Continuing Appropriations Res-
25 olution, 2015 (Public Law 113–164): *Provided further*,

1 That nothing in this section shall be construed to con-
2 stitute a specific statutory authorization for the introduc-
3 tion of the United States Armed Forces into hostilities or
4 into situations wherein hostilities are clearly indicated by
5 the circumstances, in accordance with section 8(a)(1) of
6 the War Powers Resolution: *Provided further*, That
7 amounts made available by this section are designated by
8 the Congress for Overseas Contingency Operations/Global
9 War on Terrorism pursuant to section 251(b)(2)(A)(ii) of
10 the Balanced Budget and Emergency Deficit Control Act
11 of 1985: *Provided further*, That the authority to provide
12 assistance under this section shall terminate on September
13 30, 2016.

14 SEC. 9014. For “Assistance and Sustainment to the
15 Military and National Security Forces of Ukraine”,
16 \$200,000,000, to remain available until September 30,
17 2016: *Provided*, That such funds shall be available to the
18 Secretary of Defense, or the Secretary’s designee, with the
19 concurrence of the Secretary of State, notwithstanding
20 any other provision of law, for the purpose of providing
21 assistance, including training, equipment, lethal weapons
22 of a defensive nature, logistics support, supplies and serv-
23 ices, and sustainment to the military and national security
24 forces of Ukraine, for the purposes of securing the sov-
25 ereign territory of Ukraine against foreign aggressors,

1 protecting and defending the Ukrainian people from at-
2 tacks posed by Russian-backed separatists, and promoting
3 the conditions for a negotiated settlement to end the con-
4 flict: *Provided further*, That the authority to provide as-
5 sistance under this heading is in addition to any other au-
6 thority to provide assistance to Ukraine: *Provided further*,
7 That contributions of funds for the purposes provided
8 herein from any person, foreign government, or inter-
9 national organization may be credited to this account, to
10 remain available until expended: *Provided further*, That
11 the Secretary of Defense shall notify the congressional de-
12 fense committees in writing upon the receipt and upon the
13 obligation of any contribution, delineating the sources and
14 amounts of the funds received and the specific use of such
15 contributions: *Provided further*, That the Secretary of De-
16 fense shall, not less than 15 days prior to obligating funds
17 provided under this heading, notify the congressional de-
18 fense committees in writing of the details of any such obli-
19 gation: *Provided further*, That the United States may ac-
20 cept equipment procured using funds provided under this
21 heading in this or prior Acts that was transferred to the
22 security forces of Ukraine and returned by such forces to
23 the United States: *Provided further*, That equipment pro-
24 cured using funds provided under this heading in this or
25 prior Acts, and not yet transferred to the military or Na-

1 tional Security Forces of Ukraine or returned by such
2 forces to the United States, may be treated as stocks of
3 the Department of Defense upon written notification to
4 the congressional defense committees: *Provided further*,
5 That amounts made available by this section are des-
6 ignated by the Congress for Overseas Contingency Oper-
7 ations/Global War on Terrorism pursuant to section
8 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
9 Deficit Control Act of 1985: *Provided further*, That the
10 authority to provide assistance under this section shall ter-
11minate on September 30, 2016.

12 SEC. 9015. (a) None of the funds appropriated or
13 otherwise made available by this Act under the heading
14 “Operation and Maintenance, Defense-Wide” for pay-
15 ments under section 1233 of Public Law 110–181 for re-
16 imbursement to the Government of Pakistan may be made
17 available unless the Secretary of Defense, in coordination
18 with the Secretary of State, certifies to the congressional
19 defense committees that the Government of Pakistan is—

20 (1) cooperating with the United States in
21 counterterrorism efforts against the Haqqani Net-
22 work, the Quetta Shura Taliban, Lashkar e-Tayyiba,
23 Jaish-e-Mohammed, Al Qaeda, and other domestic
24 and foreign terrorist organizations, including taking
25 steps to end support for such groups and prevent

1 them from basing and operating in Pakistan and
2 carrying out cross border attacks into neighboring
3 countries;

4 (2) not supporting terrorist activities against
5 United States or coalition forces in Afghanistan, and
6 Pakistan's military and intelligence agencies are not
7 intervening extra-judicially into political and judicial
8 processes in Pakistan;

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

12 (4) preventing the proliferation of nuclear-re-
13 lated material and expertise;

14 (5) implementing policies to protect judicial
15 independence and due process of law;

16 (6) issuing visas in a timely manner for United
17 States visitors engaged in counterterrorism efforts
18 and assistance programs in Pakistan; and

19 (7) providing humanitarian organizations access
20 to detainees, internally displaced persons, and other
21 Pakistani civilians affected by the conflict.

22 (b) The Secretary of Defense, in coordination with
23 the Secretary of State, may waive the restriction in sub-
24 section (a) on a case-by-case basis by certifying in writing
25 to the congressional defense committees that it is in the

1 national security interest to do so: *Provided*, That if the
2 Secretary of Defense, in coordination with the Secretary
3 of State, exercises such waiver authority, the Secretaries
4 shall report to the congressional defense committees on
5 both the justification for the waiver and on the require-
6 ments of this section that the Government of Pakistan was
7 not able to meet: *Provided further*, That such report may
8 be submitted in classified form if necessary.

9 (INCLUDING TRANSFER OF FUNDS)

10 SEC. 9016. In addition to amounts otherwise made
11 available in this Act, \$500,000,000 is hereby appropriated
12 to the Department of Defense and made available for
13 transfer only to the operations and maintenance, military
14 personnel, and procurement accounts, to improve the intel-
15 ligence, surveillance, and reconnaissance capabilities of the
16 Department of Defense: *Provided*, That the transfer au-
17 thority provided in this section is in addition to any other
18 transfer authority provided elsewhere in this Act: *Provided*
19 *further*, That not later than 30 days prior to exercising
20 the transfer authority provided in this section, the Sec-
21 retary of Defense shall submit a report to the congres-
22 sional defense committees on the proposed uses of these
23 funds: *Provided further*, That the funds provided in this
24 section may not be transferred to any program, project,
25 or activity specifically limited or denied by this Act: *Pro-*

1 *vided further*, That amounts made available by this section
2 are designated by the Congress for Overseas Contingency
3 Operations/Global War on Terrorism pursuant to section
4 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
5 Deficit Control Act of 1985: *Provided further*, That the
6 authority to provide assistance under this section shall ter-
7minate on September 30, 2016.

8 (INCLUDING TRANSFER OF FUNDS)

9 SEC. 9017. In addition to amounts appropriated in
10 title II or otherwise made available in this Act,
11 \$2,500,000,000 is hereby appropriated to the Department
12 of Defense and made available for transfer to the oper-
13 ation and maintenance accounts of the Army, Navy, Ma-
14 rine Corps, and Air Force (including National Guard and
15 Reserve) for purposes of improving military readiness:
16 *Provided further*, That the transfer authority provided
17 under this provision is in addition to any other transfer
18 authority provided elsewhere in this Act.

19 SEC. 9018. None of the funds made available by this
20 Act may be used with respect to Syria in contravention
21 of the War Powers Resolution (50 U.S.C. 1541 et seq.),
22 including for the introduction of United States armed or
23 military forces into hostilities in Syria, into situations in
24 Syria where imminent involvement in hostilities is clearly
25 indicated by the circumstances, or into Syrian territory,

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

5 TITLE X—ADDITIONAL GENERAL PROVISIONS

6 SEC. 10001. (a) Congress finds that—

7 (1) the United States has been engaged in mili-
8 tary operations against the Islamic State of Iraq and
9 the Levant (ISIL) for more than 8 months;

10 (2) President Obama submitted an authoriza-
11 tion for the use of military force against ISIL in
12 February 2015; and

13 (3) under article 1, section 8 of the Constitu-
14 tion, Congress has the authority to “declare war”.

15 (b) Therefore, Congress has a constitutional duty to
16 debate and determine whether or not to authorize the use
17 of military force against ISIL.

18 SPENDING REDUCTION ACCOUNT

19 SEC. 10002. The amount by which the applicable al-
20 location of new budget authority made by the Committee
21 on Appropriations of the House of Representatives under
22 section 302(b) of the Congressional Budget Act of 1974
23 exceeds the amount of proposed new budget authority is
24 \$0.

1 SEC. 10003. None of the funds made available by this
2 Act may be used to divest or retire, or to prepare to divest
3 or retire, KC-10 aircraft.

4 SEC. 10004. None of the funds made available by this
5 Act may be used to promulgate Directive 293, issued De-
6 cember 16, 2010, by the Office of Federal Contract Com-
7 pliance Programs.

8 SEC. 10005. None of the funds made available by this
9 Act may be used to divest, retire, transfer, or place in stor-
10 age or on backup aircraft inventory status, or prepare to
11 divest, retire, transfer, or place in storage or on backup
12 aircraft inventory status, any EC-130H aircraft.

13 SEC. 10006. None of the funds made available by this
14 Act may be used in contravention of section 2483(b)(5)
15 of title 10, United States Code.

16 SEC. 10007. None of the funds made available by this
17 Act under the heading “Iraq Train and Equip Fund” may
18 be used to procure or transfer man-portable air defense
19 systems.

20 SEC. 10008. None of the funds made available by this
21 Act under section 9014 for “Assistance and Sustainment
22 to the Military and National Security Forces of Ukraine”
23 may be used to procure or transfer man-portable air de-
24 fense systems.

1 SEC. 10009. None of the funds made available by this
2 Act may be used to provide arms, training, or other assist-
3 ance to the Azov Battalion.

4 SEC. 10010. None of the funds made available by this
5 Act may be used to carry out a furlough (as defined in
6 section 7511(a)(5) of title 5, United States Code) that—

7 (1) includes in the notice of the furlough made
8 pursuant to section 752.404(b) of title 5, Code of
9 Federal Regulations, “sequestration” as the reason
10 for the furlough; and

11 (2) is of a civilian employee of the Department
12 of Defense who is paid from amounts in a Working
13 Capital Fund Account pursuant to section 2208 of
14 title 10, United States Code.

15 SEC. 10011. None of the funds made available by this
16 Act may be used to enter into a contract with any offeror
17 or any of its principals if the offeror certifies, pursuant
18 to the Federal Acquisition Regulation, that the offeror or
19 any of its principals—

20 (1) within a 3-year period preceding this offer
21 has been convicted of or had a civil judgment ren-
22 dered against it for commission of fraud or a crimi-
23 nal offense in connection with obtaining, attempting
24 to obtain, or performing a public (Federal, State, or
25 local) contract or subcontract; violation of Federal or

1 State antitrust statutes relating to the submission of
2 offers; or commission of embezzlement, theft, for-
3 gery, bribery, falsification or destruction of records,
4 making false statements, tax evasion, violating Fed-
5 eral criminal tax laws, or receiving stolen property;

6 (2) are presently indicted for, or otherwise
7 criminally or civilly charged by a governmental enti-
8 ty with, commission of any of the offenses enumer-
9 ated in paragraph (1); or

10 (3) within a 3-year period preceding this offer,
11 has been notified of any delinquent Federal taxes in
12 an amount that exceeds \$3,000 for which the liabil-
13 ity remains unsatisfied.

14 SEC. 10012. None of the funds made available by this
15 Act may be used for Government Travel Charge Card ex-
16 penses by military or civilian personnel of the Department
17 of Defense for gaming, or for entertainment that includes
18 topless or nude entertainers or participants, as prohibited
19 by Department of Defense FMR, Volume 9, Chapter 3
20 and Department of Defense Instruction 1015.10 (enclo-
21 sure 3, 14a and 14b).

22 SEC. 10013. None of the funds made available by this
23 Act may be used to carry out any of the following:

24 (1) Section 2(b), 2(d), 2(g), 3(c), 3(e), 3(f), or
25 3(g) of Executive Order No. 13423.

1 (2) Section 2(a), 2(b), 2(c), 2(f)(iii–iv), 2(h), 7,
2 9, 12, 13, or 16 of Executive Order No. 13514.

3 (3) Section (3)(b), 3(c), 3(d), 3(e), 3(g), 7, 8,
4 9, 11, 12, 13, 14, or 15 of Executive Order No.
5 13963.

6 (4) Subsection (c)(4), (c)(9), (c)(10), (c)(12),
7 or (e) of section 2911 of title 10, United States
8 Code.

9 (5) Section 400AA or 400FF of the Energy
10 Policy and Conservation Act (42 U.S.C. 6374,
11 6374e).

12 (6) Section 303 of the Energy Policy Act of
13 1992 (42 U.S.C. 13212).

14 (7) Section 203 of the Energy Policy Act of
15 2005 (42 U.S.C. 15852).

16 SEC. 10014. None of the funds made available by this
17 Act may be used in contravention of the authority of the
18 President pursuant to Article II, section 2 of the Constitu-
19 tion.

20 SEC. 10015. None of the funds made available by this
21 Act may be used to propose, plan for, or execute a new
22 or additional Base Realignment and Closure (BRAC)
23 round.

1 SEC. 10016. None of the funds made available by this
2 Act may be used to retire conventionally armed air
3 launched cruise missiles (AGM–86 C/D).

4 SEC. 10017. Notwithstanding sections 8005 and
5 9003, of the unobligated funds authorized to be appro-
6 priated in fiscal year 2016 and made available in this Act,
7 \$3,500,000,000 is available to transfer to the National
8 Sea-Based Deterrence Fund established by section 2218a
9 of title 10, United States Code, as authorized by sub-
10 section (b) of section 1022 of Public Law 113–291.

11 SEC. 10018. (a) Except as provided in subsection (b),
12 none of the funds made available by this Act may be used
13 by an officer or employee of the United States to query
14 a collection of foreign intelligence information acquired
15 under section 702 of the Foreign Intelligence Surveillance
16 Act of 1978 (50 U.S.C. 1881a) using a United States per-
17 son identifier.

18 (b) Subsection (a) shall not apply to queries for for-
19 eign intelligence information authorized under section
20 105, 304, 703, 704, or 705 of the Foreign Intelligence
21 Surveillance Act of 1978 (50 U.S.C. 1805, 1842, 1881b,
22 1881c, and 1881d), or title 18, United States Code, re-
23 gardless of under what Foreign Intelligence Surveillance
24 Act authority it was collected.

1 (c) Except as provided for in subsection (d), none of
2 the funds made available by this Act may be used by the
3 National Security Agency or the Central Intelligence
4 Agency to mandate or request that a person (as defined
5 in section 101(m) of the Foreign Intelligence Surveillance
6 Act of 1978 (50 U.S.C. 1801(m))) alter its product or
7 service to permit the electronic surveillance (as defined in
8 section 101(f) of such Act (50 U.S.C. 1801(f))) of any
9 user of such product or service for such agencies.

10 (d) Subsection (c) shall not apply with respect to
11 mandates or requests authorized under the Communica-
12 tions Assistance for Law Enforcement Act (47 U.S.C.
13 1001 et seq.).

14 This Act may be cited as the “Department of Defense
15 Appropriations Act, 2016”.

Passed the House of Representatives June 11, 2015.

Attest:

Clerk.

114TH CONGRESS
1ST SESSION

H. R. 2685

AN ACT

Making appropriations for the Department of Defense for the fiscal year ending September 30, 2016, and for other purposes.