

Union Calendar No. 99

114TH CONGRESS
1ST SESSION

H. R. 2685

[Report No. 114-139]

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

IN THE HOUSE OF REPRESENTATIVES

JUNE 5, 2015

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

A BILL

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

1 tion travel (including all expenses thereof for organiza-
2 tional movements), and expenses of temporary duty travel
3 between permanent duty stations, for members of the
4 Navy on active duty (except members of the Reserve pro-
5 vided for elsewhere), midshipmen, and aviation cadets; for
6 members of the Reserve Officers' Training Corps; and for
7 payments pursuant to section 156 of Public Law 97-377,
8 as amended (42 U.S.C. 402 note), and to the Department
9 of Defense Military Retirement Fund, \$26,711,323,000.

10 MILITARY PERSONNEL, MARINE CORPS

11 For pay, allowances, individual clothing, subsistence,
12 interest on deposits, gratuities, permanent change of sta-
13 tion travel (including all expenses thereof for organiza-
14 tional movements), and expenses of temporary duty travel
15 between permanent duty stations, for members of the Ma-
16 rine Corps on active duty (except members of the Reserve
17 provided for elsewhere); and for payments pursuant to sec-
18 tion 156 of Public Law 97-377, as amended (42 U.S.C.
19 402 note), and to the Department of Defense Military Re-
20 tirement Fund, \$12,586,679,000.

21 MILITARY PERSONNEL, AIR FORCE

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

1 between permanent duty stations, for members of the Air
2 Force on active duty (except members of reserve compo-
3 nents provided for elsewhere), cadets, and aviation cadets;
4 for members of the Reserve Officers' Training Corps; and
5 for payments pursuant to section 156 of Public Law 97-
6 377, as amended (42 U.S.C. 402 note), and to the Depart-
7 ment of Defense Military Retirement Fund,
8 \$26,226,952,000.

9 RESERVE PERSONNEL, ARMY

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

22 RESERVE PERSONNEL, NAVY

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

1 United States Code, or while serving on active duty under
2 section 12301(d) of title 10, United States Code, in con-
3 nection with performing duty specified in section 12310(a)
4 of title 10, United States Code, or while undergoing re-
5 serve training, or while performing drills or equivalent
6 duty, and expenses authorized by section 16131 of title
7 10, United States Code; and for payments to the Depart-
8 ment of Defense Military Retirement Fund,
9 \$1,866,891,000.

10 RESERVE PERSONNEL, MARINE CORPS

11 For pay, allowances, clothing, subsistence, gratuities,
12 travel, and related expenses for personnel of the Marine
13 Corps Reserve on active duty under section 10211 of title
14 10, United States Code, or while serving on active duty
15 under section 12301(d) of title 10, United States Code,
16 in connection with performing duty specified in section
17 12310(a) of title 10, United States Code, or while under-
18 going reserve training, or while performing drills or equiv-
19 alent duty, and for members of the Marine Corps platoon
20 leaders class, and expenses authorized by section 16131
21 of title 10, United States Code; and for payments to the
22 Department of Defense Military Retirement Fund,
23 \$705,271,000.

1 RESERVE PERSONNEL, AIR FORCE

2 For pay, allowances, clothing, subsistence, gratuities,
3 travel, and related expenses for personnel of the Air Force
4 Reserve on active duty under sections 10211, 10305, and
5 8038 of title 10, United States Code, or while serving on
6 active duty under section 12301(d) of title 10, United
7 States Code, in connection with performing duty specified
8 in section 12310(a) of title 10, United States Code, or
9 while undergoing reserve training, or while performing
10 drills or equivalent duty or other duty, and expenses au-
11 thorized by section 16131 of title 10, United States Code;
12 and for payments to the Department of Defense Military
13 Retirement Fund, \$1,689,333,000.

14 NATIONAL GUARD PERSONNEL, ARMY

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

1 ments to the Department of Defense Military Retirement
2 Fund, \$7,980,413,000.

3 NATIONAL GUARD PERSONNEL, AIR FORCE

4 For pay, allowances, clothing, subsistence, gratuities,
5 travel, and related expenses for personnel of the Air Na-
6 tional Guard on duty under sections 10211, 10305, or
7 12402 of title 10 or section 708 of title 32, United States
8 Code, or while serving on duty under section 12301(d) of
9 title 10 or section 502(f) of title 32, United States Code,
10 in connection with performing duty specified in section
11 12310(a) of title 10, United States Code, or while under-
12 going training, or while performing drills or equivalent
13 duty or other duty, and expenses authorized by section
14 16131 of title 10, United States Code; and for payments
15 to the Department of Defense Military Retirement Fund,
16 \$3,202,010,000.

17 TITLE II

18 OPERATION AND MAINTENANCE

19 OPERATION AND MAINTENANCE, ARMY

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

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

3 OPERATION AND MAINTENANCE, NAVY

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

12 OPERATION AND MAINTENANCE, MARINE CORPS

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

16 OPERATION AND MAINTENANCE, AIR FORCE

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

1 into a legislative affairs or legislative liaison office: *Pro-*
2 *vided further*, That \$9,031,000, to remain available until
3 expended, is available only for expenses relating to certain
4 classified activities, and may be transferred as necessary
5 by the Secretary of Defense to operation and maintenance
6 appropriations or research, development, test and evalua-
7 tion appropriations, to be merged with and to be available
8 for the same time period as the appropriations to which
9 transferred: *Provided further*, That any ceiling on the in-
10 vestment item unit cost of items that may be purchased
11 with operation and maintenance funds shall not apply to
12 the funds described in the preceding proviso: *Provided fur-*
13 *ther*, That the transfer authority provided under this head-
14 ing is in addition to any other transfer authority provided
15 elsewhere in this Act.

16 OPERATION AND MAINTENANCE, ARMY RESERVE

17 For expenses, not otherwise provided for, necessary
18 for the operation and maintenance, including training, or-
19 ganization, and administration, of the Army Reserve; re-
20 pair of facilities and equipment; hire of passenger motor
21 vehicles; travel and transportation; care of the dead; re-
22 cruiting; procurement of services, supplies, and equip-
23 ment; and communications, \$2,644,274,000.

1 OPERATION AND MAINTENANCE, NAVY RESERVE

2 For expenses, not otherwise provided for, necessary
3 for the operation and maintenance, including training, or-
4 ganization, and administration, of the Navy Reserve; re-
5 pair of facilities and equipment; hire of passenger motor
6 vehicles; travel and transportation; care of the dead; re-
7 cruiting; procurement of services, supplies, and equip-
8 ment; and communications, \$999,621,000.

9 OPERATION AND MAINTENANCE, MARINE CORPS

10 RESERVE

11 For expenses, not otherwise provided for, necessary
12 for the operation and maintenance, including training, or-
13 ganization, and administration, of the Marine Corps Re-
14 serve; repair of facilities and equipment; hire of passenger
15 motor vehicles; travel and transportation; care of the dead;
16 recruiting; procurement of services, supplies, and equip-
17 ment; and communications, \$276,761,000.

18 OPERATION AND MAINTENANCE, AIR FORCE RESERVE

19 For expenses, not otherwise provided for, necessary
20 for the operation and maintenance, including training, or-
21 ganization, and administration, of the Air Force Reserve;
22 repair of facilities and equipment; hire of passenger motor
23 vehicles; travel and transportation; care of the dead; re-
24 cruiting; procurement of services, supplies, and equip-
25 ment; and communications, \$2,815,862,000.

1 modification, maintenance, and issue of supplies and
2 equipment, including those furnished from stocks under
3 the control of agencies of the Department of Defense;
4 travel expenses (other than mileage) on the same basis as
5 authorized by law for Air National Guard personnel on
6 active Federal duty, for Air National Guard commanders
7 while inspecting units in compliance with National Guard
8 Bureau regulations when specifically authorized by the
9 Chief, National Guard Bureau, \$6,605,400,000.

10 UNITED STATES COURT OF APPEALS FOR THE ARMED
11 FORCES

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

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

18 For the Department of the Army, \$234,829,000, to
19 remain available until transferred: *Provided*, That the Sec-
20 retary of the Army shall, upon determining that such
21 funds are required for environmental restoration, reduc-
22 tion and recycling of hazardous waste, removal of unsafe
23 buildings and debris of the Department of the Army, or
24 for similar purposes, transfer the funds made available by
25 this appropriation to other appropriations made available

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

11 ENVIRONMENTAL RESTORATION, NAVY

12 (INCLUDING TRANSFER OF FUNDS)

13 For the Department of the Navy, \$300,000,000, to
14 remain available until transferred: *Provided*, That the Sec-
15 retary of the Navy shall, upon determining that such
16 funds are required for environmental restoration, reduc-
17 tion and recycling of hazardous waste, removal of unsafe
18 buildings and debris of the Department of the Navy, or
19 for similar purposes, transfer the funds made available by
20 this appropriation to other appropriations made available
21 to the Department of the Navy, to be merged with and
22 to be available for the same purposes and for the same
23 time period as the appropriations to which transferred:
24 *Provided further*, That upon a determination that all or
25 part of the funds transferred from this appropriation are

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

6 ENVIRONMENTAL RESTORATION, AIR FORCE

7 (INCLUDING TRANSFER OF FUNDS)

8 For the Department of the Air Force, \$368,131,000,
9 to remain available until transferred: *Provided*, That the
10 Secretary of the Air Force shall, upon determining that
11 such funds are required for environmental restoration, re-
12 duction and recycling of hazardous waste, removal of un-
13 safe buildings and debris of the Department of the Air
14 Force, or for similar purposes, transfer the funds made
15 available by this appropriation to other appropriations
16 made available to the Department of the Air Force, to be
17 merged with and to be available for the same purposes
18 and for the same time period as the appropriations to
19 which transferred: *Provided further*, That upon a deter-
20 mination that all or part of the funds transferred from
21 this appropriation are not necessary for the purposes pro-
22 vided herein, such amounts may be transferred back to
23 this appropriation: *Provided further*, That the transfer au-
24 thority provided under this heading is in addition to any
25 other transfer authority provided elsewhere in this Act.

1 ENVIRONMENTAL RESTORATION, DEFENSE-WIDE
2 (INCLUDING TRANSFER OF FUNDS)

3 For the Department of Defense, \$8,232,000, to re-
4 main available until transferred: *Provided*, That the Sec-
5 retary of Defense shall, upon determining that such funds
6 are required for environmental restoration, reduction and
7 recycling of hazardous waste, removal of unsafe buildings
8 and debris of the Department of Defense, or for similar
9 purposes, transfer the funds made available by this appro-
10 priation to other appropriations made available to the De-
11 partment of Defense, to be merged with and to be avail-
12 able for the same purposes and for the same time period
13 as the appropriations to which transferred: *Provided fur-*
14 *ther*, That upon a determination that all or part of the
15 funds transferred from this appropriation are not nec-
16 essary for the purposes provided herein, such amounts
17 may be transferred back to this appropriation: *Provided*
18 *further*, That the transfer authority provided under this
19 heading is in addition to any other transfer authority pro-
20 vided elsewhere in this Act.

21 ENVIRONMENTAL RESTORATION, FORMERLY USED
22 DEFENSE SITES
23 (INCLUDING TRANSFER OF FUNDS)

24 For the Department of the Army, \$228,717,000, to
25 remain available until transferred: *Provided*, That the Sec-

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

17 OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AID

18 For expenses relating to the Overseas Humanitarian,
19 Disaster, and Civic Aid programs of the Department of
20 Defense (consisting of the programs provided under sec-
21 tions 401, 402, 404, 407, 2557, and 2561 of title 10,
22 United States Code), \$103,266,000, to remain available
23 until September 30, 2017.

1 COOPERATIVE THREAT REDUCTION ACCOUNT

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

17 DEPARTMENT OF DEFENSE ACQUISITION WORKFORCE

18 DEVELOPMENT FUND

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

21 TITLE III

22 PROCUREMENT

23 AIRCRAFT PROCUREMENT, ARMY

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

1 ordnance, ground handling equipment, spare parts, and
2 accessories therefor; specialized equipment and training
3 devices; expansion of public and private plants, including
4 the land necessary therefor, for the foregoing purposes,
5 and such lands and interests therein, may be acquired,
6 and construction prosecuted thereon prior to approval of
7 title; and procurement and installation of equipment, ap-
8 pliances, and machine tools in public and private plants;
9 reserve plant and Government and contractor-owned
10 equipment layaway; and other expenses necessary for the
11 foregoing purposes, \$5,336,971,000, to remain available
12 for obligation until September 30, 2018.

13 MISSILE PROCUREMENT, ARMY

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

1 foregoing purposes, \$1,160,482,000, to remain available
2 for obligation until September 30, 2018.

3 PROCUREMENT OF WEAPONS AND TRACKED COMBAT
4 VEHICLES, ARMY

5 For construction, procurement, production, and
6 modification of weapons and tracked combat vehicles,
7 equipment, including ordnance, spare parts, and acces-
8 sories therefor; specialized equipment and training devices;
9 expansion of public and private plants, including the land
10 necessary therefor, for the foregoing purposes, and such
11 lands and interests therein, may be acquired, and con-
12 struction prosecuted thereon prior to approval of title; and
13 procurement and installation of equipment, appliances,
14 and machine tools in public and private plants; reserve
15 plant and Government and contractor-owned equipment
16 layaway; and other expenses necessary for the foregoing
17 purposes, \$1,805,773,000, to remain available for obliga-
18 tion until September 30, 2018.

19 PROCUREMENT OF AMMUNITION, ARMY

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

1 poses, and such lands and interests therein, may be ac-
2 quired, and construction prosecuted thereon prior to ap-
3 proval of title; and procurement and installation of equip-
4 ment, appliances, and machine tools in public and private
5 plants; reserve plant and Government and contractor-
6 owned equipment layaway; and other expenses necessary
7 for the foregoing purposes, \$1,007,778,000, to remain
8 available for obligation until September 30, 2018.

9 OTHER PROCUREMENT, ARMY

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

1 \$5,230,677,000, to remain available for obligation until
2 September 30, 2018.

3 AIRCRAFT PROCUREMENT, NAVY

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

16 WEAPONS PROCUREMENT, NAVY

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

1 plant and Government and contractor-owned equipment
2 layaway, \$2,998,541,000, to remain available for obliga-
3 tion until September 30, 2018.

4 PROCUREMENT OF AMMUNITION, NAVY AND MARINE
5 CORPS

6 For construction, procurement, production, and
7 modification of ammunition, and accessories therefor; spe-
8 cialized equipment and training devices; expansion of pub-
9 lic and private plants, including ammunition facilities, au-
10 thorized by section 2854 of title 10, United States Code,
11 and the land necessary therefor, for the foregoing pur-
12 poses, and such lands and interests therein, may be ac-
13 quired, and construction prosecuted thereon prior to ap-
14 proval of title; and procurement and installation of equip-
15 ment, appliances, and machine tools in public and private
16 plants; reserve plant and Government and contractor-
17 owned equipment layaway; and other expenses necessary
18 for the foregoing purposes, \$559,141,000, to remain avail-
19 able for obligation until September 30, 2018.

20 SHIPBUILDING AND CONVERSION, NAVY
21 (INCLUDING TRANSFER OF FUNDS)

22 For expenses necessary for the construction, acquisi-
23 tion, or conversion of vessels as authorized by law, includ-
24 ing armor and armament thereof, plant equipment, appli-
25 ances, and machine tools and installation thereof in public

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

9 Carrier Replacement Program, \$1,559,977,000;
10 Carrier Replacement Program (AP-CY),
11 \$874,658,000;
12 Virginia Class Submarine, \$3,346,370,000;
13 Virginia Class Submarine (AP),
14 \$1,971,840,000;
15 CVN Refueling Overhaul, \$637,588,000;
16 CVN Refueling Overhauls (AP), \$14,951,000;
17 DDG-1000 Program, \$433,404,000;
18 DDG-51 Destroyer, \$3,012,904,000;
19 Littoral Combat Ship, \$1,347,411,000;
20 LPD-17, \$550,000,000;
21 Afloat Forward Staging Base, \$635,000,000;
22 LHA Replacement (AP-CY), \$277,543,000;
23 TAO Fleet Oiler, \$674,190,000;
24 Moored Training Ship (AP), \$138,200,000;
25 Ship to Shore Connector, \$255,630,000;

1 Service Craft, \$30,014,000;
2 YP Craft Maintenance ROH/SLEP,
3 \$21,838,000;
4 LCAC Service Life Extension Program,
5 \$80,738,000; and
6 For outfitting, post delivery, conversions, and
7 first destination transportation, \$601,008,000.
8 Completion of Prior Year Shipbuilding Programs,
9 \$389,305,000.

10 In all: \$16,852,569,000, to remain available for obli-
11 gation until September 30, 2020, of which \$389,305,000
12 shall remain available until September 30, 2016, to fund
13 completion of prior year shipbuilding programs: *Provided*,
14 That amounts made available for prior year shipbuilding
15 programs may be transferred to and merged with appro-
16 priations made available for such purposes in prior Acts:
17 *Provided further*, That additional obligations may be in-
18 curred after September 30, 2020, for engineering services,
19 tests, evaluations, and other such budgeted work that
20 must be performed in the final stage of ship construction:
21 *Provided further*, That none of the funds provided under
22 this heading for the construction or conversion of any
23 naval vessel to be constructed in shipyards in the United
24 States shall be expended in foreign facilities for the con-
25 struction of major components of such vessel: *Provided*

1 *further*, That none of the funds provided under this head-
2 ing shall be used for the construction of any naval vessel
3 in foreign shipyards.

4 OTHER PROCUREMENT, NAVY

5 For procurement, production, and modernization of
6 support equipment and materials not otherwise provided
7 for, Navy ordnance (except ordnance for new aircraft, new
8 ships, and ships authorized for conversion); the purchase
9 of passenger motor vehicles for replacement only; expan-
10 sion of public and private plants, including the land nec-
11 essary therefor, and such lands and interests therein, may
12 be acquired, and construction prosecuted thereon prior to
13 approval of title; and procurement and installation of
14 equipment, appliances, and machine tools in public and
15 private plants; reserve plant and Government and con-
16 tractor-owned equipment layaway, \$6,696,715,000, to re-
17 main available for obligation until September 30, 2018.

18 PROCUREMENT, MARINE CORPS

19 For expenses necessary for the procurement, manu-
20 facture, and modification of missiles, armament, military
21 equipment, spare parts, and accessories therefor; plant
22 equipment, appliances, and machine tools, and installation
23 thereof in public and private plants; reserve plant and
24 Government and contractor-owned equipment layaway; ve-
25 hicles for the Marine Corps, including the purchase of pas-

1 senger motor vehicles for replacement only; and expansion
2 of public and private plants, including land necessary
3 therefor, and such lands and interests therein, may be ac-
4 quired, and construction prosecuted thereon prior to ap-
5 proval of title, \$973,084,000, to remain available for obli-
6 gation until September 30, 2018.

7 AIRCRAFT PROCUREMENT, AIR FORCE

8 For construction, procurement, and modification of
9 aircraft and equipment, including armor and armament,
10 specialized ground handling equipment, and training de-
11 vices, spare parts, and accessories therefor; specialized
12 equipment; expansion of public and private plants, Gov-
13 ernment-owned equipment and installation thereof in such
14 plants, erection of structures, and acquisition of land, for
15 the foregoing purposes, and such lands and interests
16 therein, may be acquired, and construction prosecuted
17 thereon prior to approval of title; reserve plant and Gov-
18 ernment and contractor-owned equipment layaway; and
19 other expenses necessary for the foregoing purposes in-
20 cluding rents and transportation of things,
21 \$14,224,475,000, to remain available for obligation until
22 September 30, 2018: *Provided*, That of the funds provided
23 under this heading for F-35A Joint Strike Fighter air-
24 frames and contractor furnished equipment, no more than
25 the amount necessary to fully fund procurement of 36 air-

1 frames and associated contractor furnished equipment
2 may be obligated until the Secretary of Defense certifies
3 to the congressional defense committees that the Depart-
4 ment of Defense has accepted Autonomic Logistics Infor-
5 mation System equipment that meets requirements to sup-
6 port a declaration of Air Force initial operating capability
7 for the Joint Strike Fighter.

8 MISSILE PROCUREMENT, AIR FORCE

9 For construction, procurement, and modification of
10 missiles, rockets, and related equipment, including spare
11 parts and accessories therefor; ground handling equip-
12 ment, and training devices; expansion of public and pri-
13 vate plants, Government-owned equipment and installa-
14 tion thereof in such plants, erection of structures, and ac-
15 quisition of land, for the foregoing purposes, and such
16 lands and interests therein, may be acquired, and con-
17 struction prosecuted thereon prior to approval of title; re-
18 serve plant and Government and contractor-owned equip-
19 ment layaway; and other expenses necessary for the fore-
20 going purposes including rents and transportation of
21 things, \$2,334,165,000, to remain available for obligation
22 until September 30, 2018.

23 SPACE PROCUREMENT, AIR FORCE

24 For construction, procurement, production, and
25 modification of spacecraft, rockets, and related equipment,

1 including spare parts and accessories therefor; ground
2 handling equipment, and training devices; expansion of
3 public and private plants, Government-owned equipment
4 and installation thereof in such plants, erection of struc-
5 tures, and acquisition of land, for the foregoing purposes,
6 and such lands and interests therein, may be acquired,
7 and construction prosecuted thereon prior to approval of
8 title; reserve plant and Government and contractor-owned
9 equipment layaway; and other expenses necessary for the
10 foregoing purposes including rents and transportation of
11 things, \$1,935,034,000, to remain available for obligation
12 until September 30, 2018.

13 PROCUREMENT OF AMMUNITION, AIR FORCE

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

1 for the foregoing purposes, \$253,496,000, to remain avail-
2 able for obligation until September 30, 2018.

3 OTHER PROCUREMENT, AIR FORCE

4 For procurement and modification of equipment (in-
5 cluding ground guidance and electronic control equipment,
6 and ground electronic and communication equipment),
7 and supplies, materials, and spare parts therefor, not oth-
8 erwise provided for; the purchase of passenger motor vehi-
9 cles for replacement only; lease of passenger motor vehi-
10 cles; and expansion of public and private plants, Govern-
11 ment-owned equipment and installation thereof in such
12 plants, erection of structures, and acquisition of land, for
13 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 \$15,098,950,000, to remain available for obligation until
18 September 30, 2018.

19 PROCUREMENT, DEFENSE-WIDE

20 For expenses of activities and agencies of the Depart-
21 ment of Defense (other than the military departments)
22 necessary for procurement, production, and modification
23 of equipment, supplies, materials, and spare parts there-
24 for, not otherwise provided for; the purchase of passenger
25 motor vehicles for replacement only; expansion of public

1 and private plants, equipment, and installation thereof in
2 such plants, erection of structures, and acquisition of land
3 for the foregoing purposes, and such lands and interests
4 therein, may be acquired, and construction prosecuted
5 thereon prior to approval of title; reserve plant and Gov-
6 ernment and contractor-owned equipment layaway,
7 \$5,143,095,000, to remain available for obligation until
8 September 30, 2018.

9 DEFENSE PRODUCTION ACT PURCHASES

10 For activities by the Department of Defense pursuant
11 to sections 108, 301, 302, and 303 of the Defense Produc-
12 tion Act of 1950 (50 U.S.C. App. 2078, 2091, 2092, and
13 2093), \$76,680,000, to remain available until expended.

14 TITLE IV

15 RESEARCH, DEVELOPMENT, TEST AND

16 EVALUATION

17 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,

18 ARMY

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

1 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,
2 NAVY

3 For expenses necessary for basic and applied sci-
4 entific research, development, test and evaluation, includ-
5 ing maintenance, rehabilitation, lease, and operation of fa-
6 cilities and equipment, \$17,237,724,000, to remain avail-
7 able for obligation until September 30, 2017: *Provided*,
8 That funds appropriated in this paragraph which are
9 available for the V-22 may be used to meet unique oper-
10 ational requirements of the Special Operations Forces.

11 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,
12 AIR FORCE

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

18 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,
19 DEFENSE-WIDE
20 (INCLUDING TRANSFER OF FUNDS)

21 For expenses of activities and agencies of the Depart-
22 ment of Defense (other than the military departments),
23 necessary for basic and applied scientific research, devel-
24 opment, test and evaluation; advanced research projects
25 as may be designated and determined by the Secretary

1 of Defense, pursuant to law; maintenance, rehabilitation,
2 lease, and operation of facilities and equipment,
3 \$18,207,171,000, to remain available for obligation until
4 September 30, 2017: *Provided*, That of the funds made
5 available in this paragraph, \$250,000,000 for the Defense
6 Rapid Innovation Program shall only be available for ex-
7 penses, not otherwise provided for, to include program
8 management and oversight, to conduct research, develop-
9 ment, test and evaluation to include proof of concept dem-
10 onstration; engineering, testing, and validation; and tran-
11 sition to full-scale production: *Provided further*, That the
12 Secretary of Defense may transfer funds provided herein
13 for the Defense Rapid Innovation Program to appropria-
14 tions for research, development, test and evaluation to ac-
15 complish the purpose provided herein: *Provided further*,
16 That this transfer authority is in addition to any other
17 transfer authority available to the Department of Defense:
18 *Provided further*, That the Secretary of Defense shall, not
19 fewer than 30 days prior to making transfers from this
20 appropriation, notify the congressional defense committees
21 in writing of the details of any such transfer.

22 OPERATIONAL TEST AND EVALUATION, DEFENSE

23 For expenses, not otherwise provided for, necessary
24 for the independent activities of the Director, Operational
25 Test and Evaluation, in the direction and supervision of

1 operational test and evaluation, including initial oper-
2 ational test and evaluation which is conducted prior to,
3 and in support of, production decisions; joint operational
4 testing and evaluation; and administrative expenses in
5 connection therewith, \$170,558,000, to remain available
6 for obligation until September 30, 2017.

7 TITLE V

8 REVOLVING AND MANAGEMENT FUNDS

9 DEFENSE WORKING CAPITAL FUNDS

10 For the Defense Working Capital Funds,
11 \$1,634,568,000.

12 NATIONAL DEFENSE SEALIFT FUND

13 For National Defense Sealift Fund programs,
14 projects, and activities, and for expenses of the National
15 Defense Reserve Fleet, as established by section 11 of the
16 Merchant Ship Sales Act of 1946 (50 U.S.C. App. 1744),
17 and for the necessary expenses to maintain and preserve
18 a U.S.-flag merchant fleet to serve the national security
19 needs of the United States, \$474,164,000, to remain avail-
20 able until expended: *Provided*, That none of the funds pro-
21 vided in this paragraph shall be used to award a new con-
22 tract that provides for the acquisition of any of the fol-
23 lowing major components unless such components are
24 manufactured in the United States: auxiliary equipment,
25 including pumps, for all shipboard services; propulsion

1 system components (engines, reduction gears, and propel-
2 lers); shipboard cranes; and spreaders for shipboard
3 cranes: *Provided further*, That the exercise of an option
4 in a contract awarded through the obligation of previously
5 appropriated funds shall not be considered to be the award
6 of a new contract: *Provided further*, That none of the
7 funds provided in this paragraph shall be used to award
8 a new contract for the construction, acquisition, or conver-
9 sion of vessels, including procurement of critical, long lead
10 time components and designs for vessels to be constructed
11 or converted in the future: *Provided further*, That the Sec-
12 retary of the military department responsible for such pro-
13 curement may waive the restrictions in the first proviso
14 on a case-by-case basis by certifying in writing to the
15 Committees on Appropriations of the House of Represent-
16 atives and the Senate that adequate domestic supplies are
17 not available to meet Department of Defense requirements
18 on a timely basis and that such an acquisition must be
19 made in order to acquire capability for national security
20 purposes.

21 TITLE VI

22 OTHER DEPARTMENT OF DEFENSE PROGRAMS

23 DEFENSE HEALTH PROGRAM

24 For expenses, not otherwise provided for, for medical
25 and health care programs of the Department of Defense

1 as authorized by law, \$31,440,009,000; of which
2 \$29,489,521,000 shall be for operation and maintenance,
3 of which not to exceed one percent shall remain available
4 for obligation until September 30, 2017, and of which up
5 to \$13,972,542,000 may be available for contracts entered
6 into under the TRICARE program; of which
7 \$373,287,000, to remain available for obligation until Sep-
8 tember 30, 2018, shall be for procurement; and of which
9 \$1,577,201,000, to remain available for obligation until
10 September 30, 2017, shall be for research, development,
11 test and evaluation: *Provided*, That, notwithstanding any
12 other provision of law, of the amount made available under
13 this heading for research, development, test and evalua-
14 tion, not less than \$8,000,000 shall be available for HIV
15 prevention educational activities undertaken in connection
16 with United States military training, exercises, and hu-
17 manitarian assistance activities conducted primarily in Af-
18 rican nations: *Provided further*, That of the funds provided
19 under this heading for research, development, test and
20 evaluation, not less than \$597,100,000 shall be made
21 available to the U.S. Army Medical Research and Materiel
22 Command to carry out the congressionally directed med-
23 ical research programs.

1 CHEMICAL AGENTS AND MUNITIONS DESTRUCTION,
2 DEFENSE

3 For expenses, not otherwise provided for, necessary
4 for the destruction of the United States stockpile of lethal
5 chemical agents and munitions in accordance with the pro-
6 visions of section 1412 of the Department of Defense Au-
7 thorization Act, 1986 (50 U.S.C. 1521), and for the de-
8 struction of other chemical warfare materials that are not
9 in the chemical weapon stockpile, \$720,721,000, of which
10 \$139,098,000 shall be for operation and maintenance, of
11 which no less than \$50,743,000 shall be for the Chemical
12 Stockpile Emergency Preparedness Program, consisting of
13 \$21,289,000 for activities on military installations and
14 \$29,454,000, to remain available until September 30,
15 2017, to assist State and local governments; \$2,281,000
16 shall be for procurement, to remain available until Sep-
17 tember 30, 2018, of which \$2,281,000 shall be for the
18 Chemical Stockpile Emergency Preparedness Program to
19 assist State and local governments; and \$579,342,000, to
20 remain available until September 30, 2017, shall be for
21 research, development, test and evaluation, of which
22 \$569,339,000 shall only be for the Assembled Chemical
23 Weapons Alternatives program.

1 DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES,
2 DEFENSE
3 (INCLUDING TRANSFER OF FUNDS)

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

1 OFFICE OF THE INSPECTOR GENERAL

2 For expenses and activities of the Office of the In-
3 spector General in carrying out the provisions of the In-
4 spector General Act of 1978, as amended, \$316,159,000,
5 of which \$314,059,000, shall be for operation and mainte-
6 nance, of which not to exceed \$700,000 is available for
7 emergencies and extraordinary expenses to be expended on
8 the approval or authority of the Inspector General, and
9 payments may be made on the Inspector General's certifi-
10 cate of necessity for confidential military purposes; and
11 of which \$2,100,000, to remain available until September
12 30, 2017, shall be for research, development, test and eval-
13 uation.

14 TITLE VII
15 RELATED AGENCIES16 CENTRAL INTELLIGENCE AGENCY RETIREMENT AND
17 DISABILITY SYSTEM FUND

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

23 INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT

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

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TITLE VIII

GENERAL PROVISIONS

SEC. 8001. No part of any appropriation contained in this Act shall be used for publicity or propaganda purposes not authorized by the Congress.

SEC. 8002. During the current fiscal year, provisions of law prohibiting the payment of compensation to, or employment of, any person not a citizen of the United States shall not apply to personnel of the Department of Defense:

Provided, That salary increases granted to direct and indirect hire foreign national employees of the Department of Defense funded by this Act shall not be at a rate in excess of the percentage increase authorized by law for civilian employees of the Department of Defense whose pay is computed under the provisions of section 5332 of title 5, United States Code, or at a rate in excess of the percentage increase provided by the appropriate host nation to its own employees, whichever is higher: *Provided further*, That this section shall not apply to Department of Defense foreign service national employees serving at United States diplomatic missions whose pay is set by the Department of State under the Foreign Service Act of 1980: *Provided further*, That the limitations of this provision shall not apply to foreign national employees of the Department of Defense in the Republic of Turkey.

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

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

11 (TRANSFER OF FUNDS)

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

1 and in no case where the item for which funds are re-
2 quested has been denied by the Congress: *Provided further*,
3 That the Secretary of Defense shall notify the Congress
4 promptly of all transfers made pursuant to this authority
5 or any other authority in this Act: *Provided further*, That
6 no part of the funds in this Act shall be available to pre-
7 pare or present a request to the Committees on Appropria-
8 tions for reprogramming of funds, unless for higher pri-
9 ority items, based on unforeseen military requirements,
10 than those for which originally appropriated and in no
11 case where the item for which reprogramming is requested
12 has been denied by the Congress: *Provided further*, That
13 a request for multiple reprogrammings of funds using au-
14 thority provided in this section shall be made prior to June
15 30, 2016: *Provided further*, That transfers among military
16 personnel appropriations shall not be taken into account
17 for purposes of the limitation on the amount of funds that
18 may be transferred under this section.

19 SEC. 8006. (a) With regard to the list of specific pro-
20 grams, projects, and activities (and the dollar amounts
21 and adjustments to budget activities corresponding to
22 such programs, projects, and activities) contained in the
23 tables titled “Explanation of Project Level Adjustments”
24 in the explanatory statement regarding this Act, the obli-
25 gation and expenditure of amounts appropriated or other-

1 wise made available in this Act for those programs,
2 projects, and activities for which the amounts appro-
3 priated exceed the amounts requested are hereby required
4 by law to be carried out in the manner provided by such
5 tables to the same extent as if the tables were included
6 in the text of this Act.

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

13 SEC. 8007. (a) Not later than 60 days after enact-
14 ment of this Act, the Department of Defense shall submit
15 a report to the congressional defense committees to estab-
16 lish the baseline for application of reprogramming and
17 transfer authorities for fiscal year 2016: *Provided*, That
18 the report shall include—

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

24 (2) a delineation in the table for each appro-
25 priation both by budget activity and program,

1 project, and activity as detailed in the Budget Ap-
2 pendix; and

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

5 (b) Notwithstanding section 8005 of this Act, none
6 of the funds provided in this Act shall be available for
7 reprogramming or transfer until the report identified in
8 subsection (a) is submitted to the congressional defense
9 committees, unless the Secretary of Defense certifies in
10 writing to the congressional defense committees that such
11 reprogramming or transfer is necessary as an emergency
12 requirement.

13 (TRANSFER OF FUNDS)

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

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

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

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

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

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

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

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

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

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

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

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

15 SEC. 8012. (a) During fiscal year 2016, the civilian
16 personnel of the Department of Defense may not be man-
17 aged on the basis of any end-strength, and the manage-
18 ment of such personnel during that fiscal year shall not
19 be subject to any constraint or limitation (known as an
20 end-strength) on the number of such personnel who may
21 be employed on the last day of such fiscal year.

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

1 and submitted to the Congress as if subsections (a) and
2 (b) of this provision were effective with regard to fiscal
3 year 2017.

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

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

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

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

1 *vided*, That this section shall not apply to those members
2 who have reenlisted with this option prior to October 1,
3 1987: *Provided further*, That this section applies only to
4 active components of the Army.

5 (TRANSFER OF FUNDS)

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

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

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

16 SEC. 8017. None of the funds available to the De-
17 partment of Defense in the current fiscal year or any fiscal
18 year hereafter may be used to demilitarize or dispose of
19 M-1 Carbines, M-1 Garand rifles, M-14 rifles, .22 caliber
20 rifles, .30 caliber rifles, or M-1911 pistols, or to demili-
21 tarize or destroy small arms ammunition or ammunition
22 components that are not otherwise prohibited from com-
23 mercial sale under Federal law, unless the small arms am-
24 munition or ammunition components are certified by the

1 Secretary of the Army or designee as unserviceable or un-
2 safe for further use.

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

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

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

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

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

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

4 (1) \$27,400,000 shall be available from “Oper-
5 ation and Maintenance, Air Force” to support Civil
6 Air Patrol Corporation operation and maintenance,
7 readiness, counter-drug activities, and drug demand
8 reduction activities involving youth programs;

9 (2) \$10,400,000 shall be available from “Air-
10 craft Procurement, Air Force”; and

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

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

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

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

13 (c) Notwithstanding any other provision of law, none
14 of the funds available to the department from any source
15 during fiscal year 2016 may be used by a defense FFRDC,
16 through a fee or other payment mechanism, for construc-
17 tion of new buildings, for payment of cost sharing for
18 projects funded by Government grants, for absorption of
19 contract overruns, or for certain charitable contributions,
20 not to include employee participation in community service
21 and/or development.

22 (d) Notwithstanding any other provision of law, of
23 the funds available to the department during fiscal year
24 2016, not more than 5,750 staff years of technical effort
25 (staff years) may be funded for defense FFRDCs: *Pro-*

1 *vided*, That of the specific amount referred to previously
2 in this subsection, not more than 1,125 staff years may
3 be funded for the defense studies and analysis FFRDCs:
4 *Provided further*, That this subsection shall not apply to
5 staff years funded in the National Intelligence Program
6 (NIP) and the Military Intelligence Program (MIP).

7 (e) The Secretary of Defense shall, with the submis-
8 sion of the department's fiscal year 2017 budget request,
9 submit a report presenting the specific amounts of staff
10 years of technical effort to be allocated for each defense
11 FFRDC during that fiscal year and the associated budget
12 estimates.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

19 SEC. 8032. (a) During the current fiscal year, none
20 of the appropriations or funds available to the Department
21 of Defense Working Capital Funds shall be used for the
22 purchase of an investment item for the purpose of acquir-
23 ing a new inventory item for sale or anticipated sale dur-
24 ing the current fiscal year or a subsequent fiscal year to
25 customers of the Department of Defense Working Capital

1 Funds if such an item would not have been chargeable
2 to the Department of Defense Business Operations Fund
3 during fiscal year 1994 and if the purchase of such an
4 investment item would be chargeable during the current
5 fiscal year to appropriations made to the Department of
6 Defense for procurement.

7 (b) The fiscal year 2017 budget request for the De-
8 partment of Defense as well as all justification material
9 and other documentation supporting the fiscal year 2017
10 Department of Defense budget shall be prepared and sub-
11 mitted to the Congress on the basis that any equipment
12 which was classified as an end item and funded in a pro-
13 curement appropriation contained in this Act shall be
14 budgeted for in a proposed fiscal year 2017 procurement
15 appropriation and not in the supply management business
16 area or any other area or category of the Department of
17 Defense Working Capital Funds.

18 SEC. 8033. None of the funds appropriated by this
19 Act for programs of the Central Intelligence Agency shall
20 remain available for obligation beyond the current fiscal
21 year, except for funds appropriated for the Reserve for
22 Contingencies, which shall remain available until Sep-
23 tember 30, 2017: *Provided*, That funds appropriated,
24 transferred, or otherwise credited to the Central Intel-
25 ligence Agency Central Services Working Capital Fund

1 during this or any prior or subsequent fiscal year shall
2 remain available until expended: *Provided further*, That
3 any funds appropriated or transferred to the Central Intel-
4 ligence Agency for advanced research and development ac-
5 quisition, for agent operations, and for covert action pro-
6 grams authorized by the President under section 503 of
7 the National Security Act of 1947 (50 U.S.C. 3093) shall
8 remain available until September 30, 2017.

9 SEC. 8034. Notwithstanding any other provision of
10 law, funds made available in this Act for the Defense In-
11 telligence Agency may be used for the design, develop-
12 ment, and deployment of General Defense Intelligence
13 Program intelligence communications and intelligence in-
14 formation systems for the Services, the Unified and Speci-
15 fied Commands, and the component commands.

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

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

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

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

23 SEC. 8037. None of the funds appropriated by this
24 Act shall be available for a contract for studies, analysis,
25 or consulting services entered into without competition on

1 the basis of an unsolicited proposal unless the head of the
2 activity responsible for the procurement determines—

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

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

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

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

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

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

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

14 (c) This section does not apply to—

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

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

21 (3) an Army field operating agency established
22 to improve the effectiveness and efficiencies of bio-
23 metric activities and to integrate common biometric
24 technologies throughout the Department of Defense;
25 or

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

5 SEC. 8039. (a) None of the funds appropriated by
6 this Act shall be available to convert to contractor per-
7 formance an activity or function of the Department of De-
8 fense that, on or after the date of the enactment of this
9 Act, is performed by Department of Defense civilian em-
10 ployees unless—

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

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

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

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

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

5 (A) not making an employer-sponsored
6 health insurance plan available to the workers
7 who are to be employed in the performance of
8 that activity or function under the contract; or

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

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

24 (A) is included on the procurement list es-
25 tablished pursuant to section 2 of the Javits-

1 Wagner-O'Day Act (section 8503 of title 41,
2 United States Code);

3 (B) is planned to be converted to perform-
4 ance by a qualified nonprofit agency for the
5 blind or by a qualified nonprofit agency for
6 other severely handicapped individuals in ac-
7 cordance with that Act; or

8 (C) is planned to be converted to perform-
9 ance by a qualified firm under at least 51 per-
10 cent ownership by an Indian tribe, as defined in
11 section 4(e) of the Indian Self-Determination
12 and Education Assistance Act (25 U.S.C.
13 450b(e)), or a Native Hawaiian Organization,
14 as defined in section 8(a)(15) of the Small
15 Business Act (15 U.S.C. 637(a)(15)).

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

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

1 with, subsection (h) of section 2304 of title 10, United
2 States Code, for the competition or outsourcing of com-
3 mercial activities.

4 (RESCISSIONS)

5 SEC. 8040. Of the funds appropriated in Department
6 of Defense Appropriations Acts, the following funds are
7 hereby rescinded from the following accounts and pro-
8 grams in the specified amounts: *Provided*, That no
9 amounts may be rescinded from amounts that were des-
10 ignated by the Congress for Overseas Contingency Oper-
11 ations/Global War on Terrorism or as an emergency re-
12 quirement pursuant to the Concurrent Resolution on the
13 Budget or the Balanced Budget and Emergency Deficit
14 Control Act of 1985, as amended:

15 (1) “Other Procurement, Army”, 2014/2016,
16 \$40,000,000;

17 (2) “Aircraft Procurement, Navy”, 2014/2016,
18 \$91,571,000;

19 (3) “Weapons Procurement, Navy”, 2014/2016,
20 \$888,000;

21 (4) “Aircraft Procurement, Air Force”, 2014/
22 2016, \$2,300,000;

23 (5) “Missile Procurement, Air Force”, 2014/
24 2016, \$1,000,000;

1 (6) “Procurement of Ammunition, Air Force”,
2 2014/2016, \$12,600,000;

3 (7) “Other Procurement, Air Force”, 2014/
4 2016, \$14,000,000;

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

7 (9) “Other Procurement, Army”, 2015/2017,
8 \$30,000,000;

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

11 (11) “Weapons Procurement, Navy”, 2015/
12 2017, \$15,422,000;

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

15 (13) “Procurement, Marine Corps”, 2015/2017,
16 \$88,996,000;

17 (14) “Aircraft Procurement, Air Force”, 2015/
18 2017, \$108,870,000;

19 (15) “Missile Procurement, Air Force”, 2015/
20 2017, \$75,000,000;

21 (16) “Other Procurement, Air Force”, 2015/
22 2017, \$8,000,000;

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

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

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

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

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

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

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

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

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

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

6 SEC. 8046. In addition to the amounts appropriated
7 or otherwise made available elsewhere in this Act,
8 \$44,000,000 is hereby appropriated to the Department of
9 Defense: *Provided*, That upon the determination of the
10 Secretary of Defense that it shall serve the national inter-
11 est, the Secretary shall make grants in the amounts speci-
12 fied as follows: \$20,000,000 to the United Service Organi-
13 zations and \$24,000,000 to the Red Cross.

14 SEC. 8047. None of the funds in this Act may be
15 used to purchase any supercomputer which is not manu-
16 factured in the United States, unless the Secretary of De-
17 fense certifies to the congressional defense committees
18 that such an acquisition must be made in order to acquire
19 capability for national security purposes that is not avail-
20 able from United States manufacturers.

21 SEC. 8048. Notwithstanding any other provision in
22 this Act, the Small Business Innovation Research program
23 and the Small Business Technology Transfer program set-
24 asides may be taken from programs, projects, or activities
25 to the extent they contribute to the extramural budget.

1 SEC. 8049. None of the funds available to the De-
2 partment of Defense under this Act shall be obligated or
3 expended to pay a contractor under a contract with the
4 Department of Defense for costs of any amount paid by
5 the contractor to an employee when—

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

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

11 (INCLUDING TRANSFER OF FUNDS)

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

23 SEC. 8051. During the current fiscal year, in the case
24 of an appropriation account of the Department of Defense
25 for which the period of availability for obligation has ex-

1 pired or which has closed under the provisions of section
2 1552 of title 31, United States Code, and which has a
3 negative unliquidated or unexpended balance, an obliga-
4 tion or an adjustment of an obligation may be charged
5 to any current appropriation account for the same purpose
6 as the expired or closed account if—

7 (1) the obligation would have been properly
8 chargeable (except as to amount) to the expired or
9 closed account before the end of the period of avail-
10 ability or closing of that account;

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

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

1 count: *Provided further*, That the total amount
2 charged to a current appropriation under this sec-
3 tion may not exceed an amount equal to 1 percent
4 of the total appropriation for that account.

5 SEC. 8052. (a) Notwithstanding any other provision
6 of law, the Chief of the National Guard Bureau may per-
7 mit the use of equipment of the National Guard Distance
8 Learning Project by any person or entity on a space-avail-
9 able, reimbursable basis. The Chief of the National Guard
10 Bureau shall establish the amount of reimbursement for
11 such use on a case-by-case basis.

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

18 SEC. 8053. Using funds made available by this Act
19 or any other Act, the Secretary of the Air Force, pursuant
20 to a determination under section 2690 of title 10, United
21 States Code, may implement cost-effective agreements for
22 required heating facility modernization in the
23 Kaiserslautern Military Community in the Federal Repub-
24 lic of Germany: *Provided*, That in the City of
25 Kaiserslautern and at the Rhine Ordnance Barracks area,

1 such agreements will include the use of United States an-
2 thracite as the base load energy for municipal district heat
3 to the United States Defense installations: *Provided fur-*
4 *ther*, That at Landstuhl Army Regional Medical Center
5 and Ramstein Air Base, furnished heat may be obtained
6 from private, regional or municipal services, if provisions
7 are included for the consideration of United States coal
8 as an energy source.

9 (INCLUDING TRANSFER OF FUNDS)

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

24 SEC. 8055. None of the funds appropriated in title
25 IV of this Act may be used to procure end-items for deliv-

1 ery to military forces for operational training, operational
2 use or inventory requirements: *Provided*, That this restric-
3 tion does not apply to end-items used in development,
4 prototyping, and test activities preceding and leading to
5 acceptance for operational use: *Provided further*, That this
6 restriction does not apply to programs funded within the
7 National Intelligence Program: *Provided further*, That the
8 Secretary of Defense may waive this restriction on a case-
9 by-case basis by certifying in writing to the Committees
10 on Appropriations of the House of Representatives and the
11 Senate that it is in the national security interest to do
12 so.

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

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

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

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

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

18 SEC. 8057. (a) IN GENERAL.—

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

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

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

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

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

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

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

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

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

24 SEC. 8059. Notwithstanding any other provision of
25 law, funds appropriated in this Act under the heading

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

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

18 SEC. 8061. Notwithstanding section 12310(b) of title
19 10, United States Code, a Reserve who is a member of
20 the National Guard serving on full-time National Guard
21 duty under section 502(f) of title 32, United States Code,
22 may perform duties in support of the ground-based ele-
23 ments of the National Ballistic Missile Defense System.

24 SEC. 8062. None of the funds provided in this Act
25 may be used to transfer to any nongovernmental entity

1 ammunition held by the Department of Defense that has
2 a center-fire cartridge and a United States military no-
3 menclature designation of “armor penetrator”, “armor
4 piercing (AP)”, “armor piercing incendiary (API)”, or
5 “armor-piercing incendiary tracer (API-T)”, except to an
6 entity performing demilitarization services for the Depart-
7 ment of Defense under a contract that requires the entity
8 to demonstrate to the satisfaction of the Department of
9 Defense that armor piercing projectiles are either: (1) ren-
10 dered incapable of reuse by the demilitarization process;
11 or (2) used to manufacture ammunition pursuant to a con-
12 tract with the Department of Defense or the manufacture
13 of ammunition for export pursuant to a License for Per-
14 manent Export of Unclassified Military Articles issued by
15 the Department of State.

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

1 Chief of the National Guard Bureau, or his designee, on
2 a case-by-case basis.

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

23 (INCLUDING TRANSFER OF FUNDS)

24 SEC. 8065. Of the amounts appropriated in this Act
25 under the heading "Operation and Maintenance, Army",

1 \$76,611,750 shall remain available until expended: *Pro-*
2 *vided*, That notwithstanding any other provision of law,
3 the Secretary of Defense is authorized to transfer such
4 funds to other activities of the Federal Government: *Pro-*
5 *vided further*, That the Secretary of Defense is authorized
6 to enter into and carry out contracts for the acquisition
7 of real property, construction, personal services, and oper-
8 ations related to projects carrying out the purposes of this
9 section: *Provided further*, That contracts entered into
10 under the authority of this section may provide for such
11 indemnification as the Secretary determines to be nec-
12 essary: *Provided further*, That projects authorized by this
13 section shall comply with applicable Federal, State, and
14 local law to the maximum extent consistent with the na-
15 tional security, as determined by the Secretary of Defense.

16 SEC. 8066. (a) None of the funds appropriated in this
17 or any other Act may be used to take any action to mod-
18 ify—

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

23 (2) how the National Intelligence Program
24 budget request is presented in the unclassified P-1,

1 R-1, and O-1 documents supporting the Depart-
2 ment of Defense budget request;

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

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

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

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

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

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

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

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

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

15 SEC. 8067. In addition to amounts provided else-
16 where in this Act, \$5,000,000 is hereby appropriated to
17 the Department of Defense, to remain available for obliga-
18 tion until expended: *Provided*, That notwithstanding any
19 other provision of law, that upon the determination of the
20 Secretary of Defense that it shall serve the national inter-
21 est, these funds shall be available only for a grant to the
22 Fisher House Foundation, Inc., only for the construction
23 and furnishing of additional Fisher Houses to meet the
24 needs of military family members when confronted with

1 the illness or hospitalization of an eligible military bene-
2 ficiary.

3 (INCLUDING TRANSFER OF FUNDS)

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

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

8 (INCLUDING TRANSFER OF FUNDS)

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

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

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

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

4 (4) Under the heading “Shipbuilding and Con-
5 version, Navy”, 2012/2016: DDG–51 Destroyer
6 \$75,014,000;

7 (5) Under the heading “Shipbuilding and Con-
8 version, Navy”, 2012/2016: Littoral Combat Ship
9 \$82,674,000;

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

13 (7) Under the heading “Shipbuilding and Con-
14 version, Navy”, 2012/2016: Joint High Speed Vessel
15 \$22,597,000; and

16 (8) Under the heading “Shipbuilding and Con-
17 version, Navy”, 2013/2016: Joint High Speed Vessel
18 \$3,638,000.

19 SEC. 8070. Funds appropriated by this Act, or made
20 available by the transfer of funds in this Act, for intel-
21 ligence activities are deemed to be specifically authorized
22 by the Congress for purposes of section 504 of the Na-
23 tional Security Act of 1947 (50 U.S.C. 3094) during fiscal
24 year 2016 until the enactment of the Intelligence Author-
25 ization Act for Fiscal Year 2016.

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

8 SEC. 8072. The budget of the President for fiscal
9 year 2017 submitted to the Congress pursuant to section
10 1105 of title 31, United States Code, shall include sepa-
11 rate budget justification documents for costs of United
12 States Armed Forces' participation in contingency oper-
13 ations for the Military Personnel accounts, the Operation
14 and Maintenance accounts, the Procurement accounts,
15 and the Research, Development, Test and Evaluation ac-
16 counts: *Provided*, That these documents shall include a de-
17 scription of the funding requested for each contingency op-
18 eration, for each military service, to include all Active and
19 Reserve components, and for each appropriations account:
20 *Provided further*, That these documents shall include esti-
21 mated costs for each element of expense or object class,
22 a reconciliation of increases and decreases for each contin-
23 gency operation, and programmatic data including, but
24 not limited to, troop strength for each Active and Reserve
25 component, and estimates of the major weapons systems

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

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

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

15 SEC. 8075. None of the funds appropriated or made
16 available in this Act shall be used to reduce or disestablish
17 the operation of the 53rd Weather Reconnaissance Squad-
18 ron of the Air Force Reserve, if such action would reduce
19 the WC-130 Weather Reconnaissance mission below the
20 levels funded in this Act: *Provided*, That the Air Force
21 shall allow the 53rd Weather Reconnaissance Squadron to
22 perform other missions in support of national defense re-
23 quirements during the non-hurricane season.

24 SEC. 8076. None of the funds provided in this Act
25 shall be available for integration of foreign intelligence in-

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

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

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

18 SEC. 8078. (a) None of the funds appropriated by
19 this Act may be used to transfer research and develop-
20 ment, acquisition, or other program authority relating to
21 current tactical unmanned aerial vehicles (TUAVs) from
22 the Army.

23 (b) The Army shall retain responsibility for and oper-
24 ational control of the MQ-1C Gray Eagle Unmanned Aer-
25 ial Vehicle (UAV) in order to support the Secretary of De-

1 fense in matters relating to the employment of unmanned
2 aerial vehicles.

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

18 SEC. 8080. None of the funds appropriated by this
19 Act for programs of the Office of the Director of National
20 Intelligence shall remain available for obligation beyond
21 the current fiscal year, except for funds appropriated for
22 research and technology, which shall remain available until
23 September 30, 2017.

24 SEC. 8081. For purposes of section 1553(b) of title
25 31, United States Code, any subdivision of appropriations

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

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

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

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

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

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

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

5 SEC. 8083. None of the funds made available by this
6 Act may be used to eliminate, restructure, or realign Army
7 Contracting Command–New Jersey or make dispropor-
8 tionate personnel reductions at any Army Contracting
9 Command–New Jersey sites without 30-day prior notifica-
10 tion to the congressional defense committees.

11 SEC. 8084. None of the funds made available by this
12 Act for excess defense articles, assistance under section
13 1206 of the National Defense Authorization Act for Fiscal
14 Year 2006 (Public Law 109–163; 119 Stat. 3456), or
15 peacekeeping operations for the countries designated an-
16 nually to be in violation of the standards of the Child Sol-
17 diers Prevention Act of 2008 (Public Law 110–457; 22
18 U.S.C. 2370e-1) may be used to support any military
19 training or operation that includes child soldiers, as de-
20 fined by the Child Soldiers Prevention Act of 2008, unless
21 such assistance is otherwise permitted under section 404
22 of the Child Soldiers Prevention Act of 2008.

23 (INCLUDING TRANSFER OF FUNDS)

24 SEC. 8085. Of the funds appropriated in the Intel-
25 ligence Community Management Account for the Program

1 Manager for the Information Sharing Environment,
2 \$20,000,000 is available for transfer by the Director of
3 National Intelligence to other departments and agencies
4 for purposes of Government-wide information sharing ac-
5 tivities: *Provided*, That funds transferred under this provi-
6 sion are to be merged with and available for the same pur-
7 poses and time period as the appropriation to which trans-
8 ferred: *Provided further*, That the Office of Management
9 and Budget must approve any transfers made under this
10 provision.

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

17 (1) creates a new start effort;

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

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

22 (4) transfers funding between appropriations, unless
23 the congressional intelligence committees are notified 30
24 days in advance of such reprogramming of funds; this no-

1 tification period may be reduced for urgent national secu-
2 rity requirements.

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

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

24 SEC. 8088. For the purposes of this Act, the term
25 "congressional intelligence committees" means the Perma-

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

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

19 (INCLUDING TRANSFER OF FUNDS)

20 SEC. 8090. During the current fiscal year, not to ex-
21 ceed \$11,000,000 from each of the appropriations made
22 in title II of this Act for “Operation and Maintenance,
23 Army”, “Operation and Maintenance, Navy”, and “Oper-
24 ation and Maintenance, Air Force” may be transferred by
25 the military department concerned to its central fund es-

1 tablished for Fisher Houses and Suites pursuant to sec-
2 tion 2493(d) of title 10, United States Code.

3 (INCLUDING TRANSFER OF FUNDS)

4 SEC. 8091. Funds appropriated by this Act may be
5 available for the purpose of making remittances and trans-
6 fers to the Defense Acquisition Workforce Development
7 Fund in accordance with section 1705 of title 10, United
8 States Code.

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

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

16 (1) the public posting of the report com-
17 promises national security; or

18 (2) the report contains proprietary information.

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

23 SEC. 8093. (a) None of the funds appropriated or
24 otherwise made available by this Act may be expended for

1 any Federal contract for an amount in excess of
2 \$1,000,000, unless the contractor agrees not to—

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

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

23 (b) None of the funds appropriated or otherwise
24 made available by this Act may be expended for any Fed-
25 eral contract unless the contractor certifies that it requires

1 each covered subcontractor to agree not to enter into, and
2 not to take any action to enforce any provision of, any
3 agreement as described in paragraphs (1) and (2) of sub-
4 section (a), with respect to any employee or independent
5 contractor performing work related to such subcontract.
6 For purposes of this subsection, a “covered subcon-
7 tractor” is an entity that has a subcontract in excess of
8 \$1,000,000 on a contract subject to subsection (a).

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

13 (d) The Secretary of Defense may waive the applica-
14 tion of subsection (a) or (b) to a particular contractor or
15 subcontractor for the purposes of a particular contract or
16 subcontract if the Secretary or the Deputy Secretary per-
17 sonally determines that the waiver is necessary to avoid
18 harm to national security interests of the United States,
19 and that the term of the contract or subcontract is not
20 longer than necessary to avoid such harm. The determina-
21 tion shall set forth with specificity the grounds for the
22 waiver and for the contract or subcontract term selected,
23 and shall state any alternatives considered in lieu of a
24 waiver and the reasons each such alternative would not
25 avoid harm to national security interests of the United

1 States. The Secretary of Defense shall transmit to Con-
2 gress, and simultaneously make public, any determination
3 under this subsection not less than 15 business days be-
4 fore the contract or subcontract addressed in the deter-
5 mination may be awarded.

6 (INCLUDING TRANSFER OF FUNDS)

7 SEC. 8094. From within the funds appropriated for
8 operation and maintenance for the Defense Health Pro-
9 gram in this Act, up to \$121,000,000, shall be available
10 for transfer to the Joint Department of Defense-Depart-
11 ment of Veterans Affairs Medical Facility Demonstration
12 Fund in accordance with the provisions of section 1704
13 of the National Defense Authorization Act for Fiscal Year
14 2010, Public Law 111–84: *Provided*, That for purposes
15 of section 1704(b), the facility operations funded are oper-
16 ations of the integrated Captain James A. Lovell Federal
17 Health Care Center, consisting of the North Chicago Vet-
18 erans Affairs Medical Center, the Navy Ambulatory Care
19 Center, and supporting facilities designated as a combined
20 Federal medical facility as described by section 706 of
21 Public Law 110–417: *Provided further*, That additional
22 funds may be transferred from funds appropriated for op-
23 eration and maintenance for the Defense Health Program
24 to the Joint Department of Defense-Department of Vet-
25 erans Affairs Medical Facility Demonstration Fund upon

1 written notification by the Secretary of Defense to the
2 Committees on Appropriations of the House of Represent-
3 atives and the Senate.

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

7 SEC. 8096. Appropriations available to the Depart-
8 ment of Defense may be used for the purchase of heavy
9 and light armored vehicles for the physical security of per-
10 sonnel or for force protection purposes up to a limit of
11 \$450,000 per vehicle, notwithstanding price or other limi-
12 tations applicable to the purchase of passenger carrying
13 vehicles.

14 SEC. 8097. None of the funds appropriated or other-
15 wise made available by this Act or any other Act may be
16 used by the Department of Defense or a component there-
17 of in contravention of sections 1661, 1662, or 1663 of the
18 National Defense Authorization Act for Fiscal Year 2016.

19 SEC. 8098. The Secretary of Defense shall report
20 quarterly the numbers of civilian personnel end strength
21 by appropriation account for each and every appropriation
22 account used to finance Federal civilian personnel salaries
23 to the congressional defense committees within 15 days
24 after the end of each fiscal quarter.

1 (INCLUDING TRANSFER OF FUNDS)

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

16 SEC. 8100. None of the funds appropriated or other-
17 wise made available in this or any other Act may be used
18 to transfer, release, or assist in the transfer or release to
19 or within the United States, its territories, or possessions
20 Khalid Sheikh Mohammed or any other detainee who—

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

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

1 SEC. 8101. (a) None of the funds appropriated or
2 otherwise made available in this or any other Act may be
3 used to construct, acquire, or modify any facility in the
4 United States, its territories, or possessions to house any
5 individual described in subsection (c) for the purposes of
6 detention or imprisonment in the custody or under the ef-
7 fective control of the Department of Defense.

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

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

14 (1) is not a citizen of the United States or a
15 member of the Armed Forces of the United States;
16 and

17 (2) is—

18 (A) in the custody or under the effective
19 control of the Department of Defense; or

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

22 SEC. 8102. None of the funds appropriated or other-
23 wise made available in this Act may be used to transfer
24 any individual detained at United States Naval Station
25 Guantanamo Bay, Cuba, to the custody or control of the

1 individual's country of origin, any other foreign country,
2 or any other foreign entity except in accordance with sec-
3 tion 1035 of the National Defense Authorization Act for
4 Fiscal Year 2014.

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

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

14 SEC. 8105. (a) None of the funds appropriated or
15 otherwise made available by this or any other Act may
16 be used by the Secretary of Defense, or any other official
17 or officer of the Department of Defense, to enter into a
18 contract, memorandum of understanding, or cooperative
19 agreement with, or make a grant to, or provide a loan
20 or loan guarantee to Rosoboronexport or any subsidiary
21 of Rosoboronexport.

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

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

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

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

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

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

1 a report containing the results of the review conducted
2 with respect to such waiver.

3 SEC. 8106. None of the funds made available in this
4 Act may be used for the purchase or manufacture of a
5 flag of the United States unless such flags are treated as
6 covered items under section 2533a(b) of title 10, United
7 States Code.

8 SEC. 8107. None of the funds appropriated in this
9 or any other Act may be obligated or expended by the
10 United States Government for the direct personal benefit
11 of the President of Afghanistan.

12 SEC. 8108. (a) Of the funds appropriated in this Act
13 for the Department of Defense, amounts may be made
14 available, under such regulations as the Secretary of De-
15 fense may prescribe, to local military commanders ap-
16 pointed by the Secretary, or by an officer or employee des-
17 igned by the Secretary, to provide at their discretion ex
18 gratia payments in amounts consistent with subsection (d)
19 of this section for damage, personal injury, or death that
20 is incident to combat operations of the Armed Forces in
21 a foreign country.

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

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

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

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

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

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

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

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

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

18 (h) LIMITATION.—Nothing in this section shall be
19 deemed to provide any new authority to the Secretary of
20 Defense.

21 SEC. 8109. None of the funds available in this Act
22 to the Department of Defense, other than appropriations
23 made for necessary or routine refurbishments, upgrades
24 or maintenance activities, shall be used to reduce or to
25 prepare to reduce the number of deployed and non-de-

1 ployed strategic delivery vehicles and launchers below the
2 levels set forth in the report submitted to Congress in ac-
3 cordance with section 1042 of the National Defense Au-
4 thorization Act for Fiscal Year 2012.

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

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

15 SEC. 8112. None of the funds made available by this
16 Act may be used to fund the performance of a flight dem-
17 onstration team at a location outside of the United States:
18 *Provided*, That this prohibition applies only if a perform-
19 ance of a flight demonstration team at a location within
20 the United States was canceled during the current fiscal
21 year due to insufficient funding.

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

24 (1) conduct an acquisition pursuant to section
25 702 of the Foreign Intelligence Surveillance Act of

1 1978 for the purpose of targeting a United States
2 person; or

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

10 (INCLUDING TRANSFER OF FUNDS)

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

20 SEC. 8115. None of the funds made available by this
21 Act may be obligated or expended to implement the Arms
22 Trade Treaty until the Senate approves a resolution of
23 ratification for the Treaty.

24 SEC. 8116. None of the funds made available by this
25 Act may be used to transfer or divest AH-64 Apache heli-

1 copters from the Army National Guard to the active Army
2 in fiscal year 2016: *Provided*, That the Secretary of the
3 Army shall ensure the continuing readiness of the AH-
4 64 Apache aircraft and ensure the training of the crews
5 of such aircraft during fiscal year 2016, including the allo-
6 cation of funds for operation and maintenance and per-
7 sonnel connected with such aircraft: *Provided further*,
8 That this section shall continue in effect through the date
9 of enactment of the National Defense Authorization Act
10 for Fiscal Year 2016.

11 SEC. 8117. None of the funds made available in this
12 Act may be obligated for activities authorized under sec-
13 tion 1208 of the Ronald W. Reagan National Defense Au-
14 thorization Act for Fiscal Year 2005 (Public Law 112-
15 81; 125 Stat. 1621) to initiate support for, or expand sup-
16 port to, foreign forces, irregular forces, groups, or individ-
17 uals unless the congressional defense committees are noti-
18 fied in accordance with the direction contained in the clas-
19 sified annex accompanying this Act, not less than 15 days
20 before initiating such support: *Provided*, That none of the
21 funds made available in this Act may be used under such
22 section 1208 for any activity that is not in support of an
23 ongoing military operation being conducted by United
24 States Special Operations Forces to combat terrorism:
25 *Provided further*, That the Secretary of Defense may waive

1 the prohibitions in this section if the Secretary determines
2 that such waiver is required by extraordinary cir-
3 cumstances and, by not later than 72 hours after making
4 such waiver, notifies the congressional defense committees
5 of such waiver.

6 SEC. 8118. (a) Within 90 days of enactment of this
7 Act, the Secretary of Defense shall submit a report to the
8 congressional defense committees to assess whether the
9 justification and approval requirements under section 811
10 of the National Defense Authorization Act for Fiscal Year
11 2010 (Public Law 111–84; 123 Stat. 2405) have, incon-
12 sistent with the intent of Congress—

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

16 (2) discouraged agencies from awarding con-
17 tracts greater than \$20,000,000 to covered entities;
18 and

19 (3) been misconstrued and/or inconsistently im-
20 plemented.

21 (b) The Comptroller General shall analyze and report
22 to the congressional defense committees on the sufficiency
23 of the Department’s report in addressing the require-
24 ments; review the extent to which section 811 has nega-
25 tively impacted the ability of covered entities to be award-

1 ed sole-source contracts with the Department, discouraged
2 agencies from awarding contracts, or been misconstrued
3 and/or inconsistently implemented.

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

15 SEC. 8120. None of the funds made available by this
16 Act may be used to divest, retire, transfer, or place in stor-
17 age or on backup aircraft inventory status, or prepare to
18 divest, retire, transfer, or place in storage or on backup
19 aircraft inventory status, any A-10 aircraft, or to dises-
20 tablish any units of the active or reserve component associ-
21 ated with such aircraft.

22 SEC. 8121. Of the funds provided for “Research, De-
23 velopment, Test and Evaluation, Defense-Wide” in this
24 Act, not less than \$2,800,000 shall be used to support
25 the Department’s activities related to the implementation

1 of the Digital Accountability and Transparency Act (Pub-
2 lic Law 113–101; 31 U.S.C. 6101 note) and to support
3 the implementation of a uniform procurement instrument
4 identifier as described in subpart 4.16 of Title 48, Code
5 of Federal Regulations, to include changes in business
6 processes, workforce, or information technology.

7 SEC. 8122. None of the funds provided in this or any
8 other Act may be transferred to the National Sea Based
9 Deterrent Fund established by section 2218a of title 10,
10 United States Code.

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

19 (INCLUDING TRANSFER OF FUNDS)

20 SEC. 8124. In addition to amounts provided else-
21 where in this Act for military personnel pay, including ac-
22 tive duty, reserve and National Guard personnel,
23 \$700,000,000 is hereby appropriated to the Department
24 of Defense and made available for transfer only to military
25 personnel accounts: *Provided*, That the transfer authority

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

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

7 (1) From “Operation and Maintenance, Army”,
8 \$138,000,000;

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

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

15 SEC. 8127. None of the funds made available by this
16 Act may be used to reduce the end strength levels for the
17 Army National Guard of the United States below the lev-
18 els specified for the Army National Guard of the United
19 States in subtitle B of title IV of the National Defense
20 Authorization Act for Fiscal Year 2015 (Public Law 113-
21 291): *Provided*, That this section shall continue in effect
22 through the date of enactment of the National Defense
23 Authorization Act for fiscal year 2016.

24 SEC. 8128. None of the funds made available by this
25 Act may be used to enforce section 526 of the Energy

1 Independence and Security Act of 2007 (Public Law 110-
2 140; 42 U.S.C. 17142).

3 TITLE IX

4 GLOBAL WAR ON TERRORISM

5 MILITARY PERSONNEL

6 MILITARY PERSONNEL, ARMY

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

13 MILITARY PERSONNEL, NAVY

14 For an additional amount for “Military Personnel,
15 Navy”, \$1,643,136,000: *Provided*, That such amount is
16 designated by the Congress for Overseas Contingency Op-
17 erations/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 MILITARY PERSONNEL, MARINE CORPS

21 For an additional amount for “Military Personnel,
22 Marine Corps”, \$555,998,000: *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 MILITARY PERSONNEL, AIR FORCE

4 For an additional amount for “Military Personnel,
5 Air Force”, \$2,376,095,000: *Provided*, That such amount
6 is designated by the Congress for Overseas Contingency
7 Operations/Global War on Terrorism pursuant to section
8 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
9 Deficit Control Act of 1985.

10 RESERVE PERSONNEL, ARMY

11 For an additional amount for “Reserve Personnel,
12 Army”, \$24,462,000: *Provided*, That such amount is des-
13 ignated by the Congress for Overseas Contingency Oper-
14 ations/Global War on Terrorism pursuant to section
15 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
16 Deficit Control Act of 1985.

17 RESERVE PERSONNEL, NAVY

18 For an additional amount for “Reserve Personnel,
19 Navy”, \$12,693,000: *Provided*, That such amount is des-
20 ignated by the Congress for Overseas Contingency Oper-
21 ations/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 RESERVE PERSONNEL, MARINE CORPS

2 For an additional amount for “Reserve Personnel,
3 Marine Corps”, \$3,393,000: *Provided*, That such amount
4 is designated by the Congress for Overseas Contingency
5 Operations/Global War on Terrorism pursuant to section
6 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
7 Deficit Control Act of 1985.

8 RESERVE PERSONNEL, AIR FORCE

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

15 NATIONAL GUARD PERSONNEL, ARMY

16 For an additional amount for “National Guard Per-
17 sonnel, Army”, \$166,015,000: *Provided*, That such
18 amount is designated by the Congress for Overseas Con-
19 tingency Operations/Global War on Terrorism pursuant to
20 section 251(b)(2)(A)(ii) of the Balanced Budget and
21 Emergency Deficit Control Act of 1985.

22 NATIONAL GUARD PERSONNEL, AIR FORCE

23 For an additional amount for “National Guard Per-
24 sonnel, Air Force”, \$2,828,000: *Provided*, That such
25 amount is 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 OPERATION AND MAINTENANCE

5 OPERATION AND MAINTENANCE, ARMY

6 For an additional amount for “Operation and Main-
7 tenance, Army”, \$18,910,604,000: *Provided*, That such
8 amount is designated by the Congress for Overseas Con-
9 tingency Operations/Global War on Terrorism pursuant to
10 section 251(b)(2)(A)(ii) of the Balanced Budget and
11 Emergency Deficit Control Act of 1985.

12 OPERATION AND MAINTENANCE, NAVY

13 (INCLUDING TRANSFER OF FUNDS)

14 For an additional amount for “Operation and Main-
15 tenance, Navy”, \$6,747,313,000: of which up to
16 \$160,002,000 may be transferred to the Coast Guard
17 “Operating Expenses” account, notwithstanding the pro-
18 visions of section 2215 of title 10, United States Code:
19 *Provided*, That such amount is designated by the Congress
20 for Overseas Contingency Operations/Global War on Ter-
21 rorism pursuant to section 251(b)(2)(A)(ii) of the Bal-
22 anced Budget and Emergency Deficit Control Act of 1985.

23 OPERATION AND MAINTENANCE, MARINE CORPS

24 For an additional amount for “Operation and Main-
25 tenance, Marine Corps”, \$1,871,834,000: *Provided*, That

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

5 OPERATION AND MAINTENANCE, AIR FORCE

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

12 OPERATION AND MAINTENANCE, DEFENSE-WIDE

13 For an additional amount for “Operation and Main-
14 tenance, Defense-Wide”, \$7,559,131,000: *Provided*, That
15 of the funds provided under this heading, not to exceed
16 \$1,260,000,000, to remain available until September 30,
17 2017, shall be for payments to reimburse key cooperating
18 nations for logistical, military, and other support, includ-
19 ing access, provided to United States military and stability
20 operations in Afghanistan and to counter the Islamic
21 State of Iraq and the Levant: *Provided further*, That such
22 reimbursement payments may be made in such amounts
23 as the Secretary of Defense, with the concurrence of the
24 Secretary of State, and in consultation with the Director
25 of the Office of Management and Budget, may determine,

1 based on documentation determined by the Secretary of
2 Defense to adequately account for the support provided,
3 and such determination is final and conclusive upon the
4 accounting officers of the United States, and 15 days fol-
5 lowing notification to the appropriate congressional com-
6 mittees: *Provided further*, That these funds may be used
7 for the purpose of providing specialized training and pro-
8 curing supplies and specialized equipment and providing
9 such supplies and loaning such equipment on a non-reim-
10 bursable basis to coalition forces supporting United States
11 military and stability operations in Afghanistan and to
12 counter the Islamic State of Iraq and the Levant, and 15
13 days following notification to the appropriate congres-
14 sional committees: *Provided further*, That these funds may
15 be used to support the Government of Jordan, in such
16 amounts as the Secretary of Defense may determine, to
17 maintain the ability of the Jordanian armed forces to
18 maintain security along the border between Jordan and
19 Syria, upon 15 days prior written notification to the con-
20 gressional defense committees outlining the amounts reim-
21 bursed and the nature of the expenses to be reimbursed:
22 *Provided further*, That not to exceed \$15,000,000 can be
23 used for emergencies and extraordinary expenses, to be ex-
24 pended on the approval or authority of the Secretary of
25 Defense, and payments may be made on his certificate of

1 necessity for confidential military purposes: *Provided fur-*
2 *ther*, That the authority in the preceding proviso may only
3 be used for emergency and extraordinary expenses associ-
4 ated with activities to counter the Islamic State of Iraq
5 and the Levant: *Provided further*, That of the funds pro-
6 vided under this heading, up to \$30,000,000 shall be for
7 Operation Observant Compass: *Provided further*, That the
8 Secretary of Defense shall provide quarterly reports to the
9 congressional defense committees on the use of funds pro-
10 vided in this paragraph: *Provided further*, That such
11 amount is designated by the Congress for Overseas Con-
12 tingency Operations/Global War on Terrorism pursuant to
13 section 251(b)(2)(A)(ii) of the Balanced Budget and
14 Emergency Deficit Control Act of 1985.

15 OPERATION AND MAINTENANCE, ARMY RESERVE

16 For an additional amount for “Operation and Main-
17 tenance, Army Reserve”, \$124,559,000: *Provided*, That
18 such amount is designated by the Congress for Overseas
19 Contingency Operations/Global War on Terrorism pursu-
20 ant to section 251(b)(2)(A)(ii) of the Balanced Budget
21 and Emergency Deficit Control Act of 1985.

22 OPERATION AND MAINTENANCE, NAVY RESERVE

23 For an additional amount for “Operation and Main-
24 tenance, Navy Reserve”, \$34,187,000: *Provided*, That
25 such amount is designated by the Congress for Overseas

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

4 OPERATION AND MAINTENANCE, MARINE CORPS
5 RESERVE

6 For an additional amount for “Operation and Main-
7 tenance, Marine Corps Reserve”, \$3,455,000: *Provided*,
8 That such amount is designated by the Congress for Over-
9 seas Contingency Operations/Global War on Terrorism
10 pursuant to section 251(b)(2)(A)(ii) of the Balanced
11 Budget and Emergency Deficit Control Act of 1985.

12 OPERATION AND MAINTENANCE, AIR FORCE RESERVE

13 For an additional amount for “Operation and Main-
14 tenance, Air Force Reserve”, \$209,606,000: *Provided*,
15 That such amount is designated by the Congress for Over-
16 seas Contingency Operations/Global War on Terrorism
17 pursuant to section 251(b)(2)(A)(ii) of the Balanced
18 Budget and Emergency Deficit Control Act of 1985.

19 OPERATION AND MAINTENANCE, ARMY NATIONAL
20 GUARD

21 For an additional amount for “Operation and Main-
22 tenance, Army National Guard”, \$160,845,000: *Provided*,
23 That such amount is designated by the Congress for Over-
24 seas Contingency Operations/Global War on Terrorism

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

3 OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

4 For an additional amount for “Operation and Main-
5 tenance, Air National Guard”, \$225,350,000: *Provided*,
6 That such amount is designated by the Congress for Over-
7 seas Contingency Operations/Global War on Terrorism
8 pursuant to section 251(b)(2)(A)(ii) of the Balanced
9 Budget and Emergency Deficit Control Act of 1985.

10 COUNTERTERRORISM PARTNERSHIPS FUND

11 (INCLUDING TRANSFER OF FUNDS)

12 For the “Counterterrorism Partnerships Fund”,
13 \$2,060,000,000, to remain available until September 30,
14 2017: *Provided*, That such funds shall be available to pro-
15 vide support and assistance to foreign security forces or
16 other groups or individuals to conduct, support, or facili-
17 tate counterterrorism and crisis response activities pursu-
18 ant to section 1534 of the Carl Levin and Howard P.
19 “Buck” McKeon National Defense Authorization Act for
20 Fiscal Year 2015: *Provided further*, That the Secretary of
21 Defense shall transfer the funds provided herein to other
22 appropriations provided for in this Act to be merged with
23 and to be available for the same purposes and subject to
24 the same authorities and for the same time period as the
25 appropriation to which transferred: *Provided further*, That

1 the transfer authority under this heading is in addition
2 to any other transfer authority provided elsewhere in this
3 Act: *Provided further*, That the funds available under this
4 heading are available for transfer only to the extent that
5 the Secretary of Defense submits a prior approval re-
6 programming request to the congressional defense com-
7 mittees: *Provided further*, That the Secretary of Defense
8 shall comply with the appropriate vetting standards and
9 procedures established elsewhere in this Act for any recipi-
10 ent of training, equipment, or other assistance: *Provided*
11 *further*, That the amount provided under this heading is
12 designated by the Congress for Overseas Contingency Op-
13 erations/Global War on Terrorism pursuant to section
14 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
15 Deficit Control Act of 1985.

16 AFGHANISTAN SECURITY FORCES FUND

17 For the “Afghanistan Security Forces Fund”,
18 \$3,762,257,000, to remain available until September 30,
19 2017: *Provided*, That such funds shall be available to the
20 Secretary of Defense, notwithstanding any other provision
21 of law, for the purpose of allowing the Commander, Com-
22 bined Security Transition Command—Afghanistan, or the
23 Secretary’s designee, to provide assistance, with the con-
24 currence of the Secretary of State, to the security forces
25 of Afghanistan, including the provision of equipment, sup-

1 plies, services, training, facility and infrastructure repair,
2 renovation, construction, and funding: *Provided further*,
3 That the Secretary of Defense may obligate and expend
4 funds made available to the Department of Defense in this
5 title for additional costs associated with existing projects
6 previously funded with amounts provided under the head-
7 ing “Afghanistan Infrastructure Fund” in prior Acts: *Pro-*
8 *vided further*, That such costs shall be limited to contract
9 changes resulting from inflation, market fluctuation, rate
10 adjustments, and other necessary contract actions to com-
11 plete existing projects, and associated supervision and ad-
12 ministration costs and costs for design during construc-
13 tion: *Provided further*, That the Secretary may not use
14 more than \$50,000,000 under the authority provided in
15 this section: *Provided further*, That the Secretary shall no-
16 tify in advance such contract changes and adjustments in
17 annual reports to the congressional defense committees:
18 *Provided further*, That the authority to provide assistance
19 under this heading is in addition to any other authority
20 to provide assistance to foreign nations: *Provided further*,
21 That contributions of funds for the purposes provided
22 herein from any person, foreign government, or inter-
23 national organization may be credited to this Fund, to re-
24 main available until expended, and used for such purposes:
25 *Provided further*, That the Secretary of Defense shall no-

1 tify the congressional defense committees in writing upon
2 the receipt and upon the obligation of any contribution,
3 delineating the sources and amounts of the funds received
4 and the specific use of such contributions: *Provided fur-*
5 *ther*, That the Secretary of Defense shall, not fewer than
6 15 days prior to obligating from this appropriation ac-
7 count, notify the congressional defense committees in writ-
8 ing of the details of any such obligation: *Provided further*,
9 That the Secretary of Defense shall notify the congres-
10 sional defense committees of any proposed new projects
11 or transfer of funds between budget sub-activity groups
12 in excess of \$20,000,000: *Provided further*, That the
13 United States may accept equipment procured using funds
14 provided under this heading in this or prior Acts that was
15 transferred to the security forces of Afghanistan and re-
16 turned by such forces to the United States: *Provided fur-*
17 *ther*, That equipment procured using funds provided under
18 this heading in this or prior Acts, and not yet transferred
19 to the security forces of Afghanistan or transferred to the
20 security forces of Afghanistan and returned by such forces
21 to the United States, may be treated as stocks of the De-
22 partment of Defense upon written notification to the con-
23 gressional defense committees: *Provided further*, That of
24 the funds provided under this heading, not less than
25 \$10,000,000 shall be for recruitment and retention of

1 women in the Afghanistan National Security Forces, and
2 the recruitment and training of female security personnel:
3 *Provided further*, That such amount is designated by the
4 Congress for Overseas Contingency Operations/Global
5 War on Terrorism pursuant to section 251(b)(2)(A)(ii) of
6 the Balanced Budget and Emergency Deficit Control Act
7 of 1985.

8 IRAQ TRAIN AND EQUIP FUND

9 For the “Iraq Train and Equip Fund”,
10 \$715,000,000, to remain available until September 30,
11 2017: *Provided*, That such funds shall be available to the
12 Secretary of Defense, in coordination with the Secretary
13 of State, pursuant to section 1236 of the Carl Levin and
14 Howard P. “Buck” McKeon National Defense Authoriza-
15 tion Act for Fiscal Year 2015 (Public Law 113-291; 128
16 Stat. 3558), to provide assistance, including training,
17 equipment, logistics support, supplies, and services, sti-
18 pends, infrastructure repair, renovation, and sustainment
19 to military and other security forces of or associated with
20 the Government of Iraq, including Kurdish and tribal se-
21 curity forces or other local security forces, with a national
22 security mission, to counter the Islamic State of Iraq and
23 the Levant: *Provided further*, That the Secretary of De-
24 fense shall ensure that prior to providing assistance to ele-
25 ments of any forces such elements are appropriately vet-

1 ted, including at a minimum, assessing such elements for
2 associations with terrorist groups or groups associated
3 with the Government of Iran; and receiving commitments
4 from such elements to promote respect for human rights
5 and the rule of law: *Provided further*, That the Secretary
6 of Defense may accept and retain contributions, including
7 assistance in-kind, from foreign governments, including
8 the Government of Iraq, and other entities, to carry out
9 assistance authorized under this heading: *Provided fur-*
10 *ther*, That contributions of funds for the purposes provided
11 herein from any foreign government or other entities, may
12 be credited to this Fund, to remain available until ex-
13 pended, and used for such purposes: *Provided further*,
14 That not more than 25 percent of the funds appropriated
15 under this heading may be obligated or expended until not
16 fewer than 15 days after (1) the Secretary of Defense sub-
17 mits a report to the appropriate congressional committees,
18 describing the plan for the provision of such training and
19 assistance and the forces designated to receive such assist-
20 ance, and (2) the President submits a report to the appro-
21 priate congressional committees on how assistance pro-
22 vided under this heading supports a larger regional strat-
23 egy: *Provided further*, That of the amount provided under
24 this heading, not more than 60 percent may be obligated
25 or expended until not less than 15 days after the date on

1 which the Secretary of Defense certifies to the appropriate
2 congressional committees that an amount equal to not less
3 than 40 percent of the amount provided under this head-
4 ing has been contributed by other countries and entities
5 for the purposes for which funds are provided under this
6 heading, of which at least 50 percent shall have been con-
7 tributed or provided by the Government of Iraq: *Provided*
8 *further*, That the limitation in the preceding proviso shall
9 not apply if the Secretary of Defense determines, in writ-
10 ing, that the national security objectives of the United
11 States will be compromised by the application of the limi-
12 tation to such assistance, and notifies the appropriate con-
13 gressional committees not less than 15 days in advance
14 of the exemption taking effect, including a justification for
15 the Secretary's determination and a description of the as-
16 sistance to be exempted from the application of such limi-
17 tation: *Provided further*, That the Secretary of Defense
18 may waive a provision of law relating to the acquisition
19 of items and support services or sections 40 and 40A of
20 the Arms Export Control Act (22 U.S.C. 2780 and 2785)
21 if the Secretary determines such provisions of law would
22 prohibit, restrict, delay or otherwise limit the provision of
23 such assistance and a notice of and justification for such
24 waiver is submitted to the appropriate congressional com-
25 mittees: *Provided further*, That the term "appropriate con-

1 gressional committees” under this heading means the con-
2 gressional defense committees, the Committees on Appro-
3 priations and Foreign Relations of the Senate and the
4 Committees on Appropriations and Foreign Affairs of the
5 House of Representatives: *Provided further*, That amounts
6 made available under this heading are designated by the
7 Congress for Overseas Contingency Operations/Global
8 War on Terrorism pursuant to section 251(b)(2)(A)(ii) of
9 the Balanced Budget and Emergency Deficit Control Act
10 of 1985.

11 SYRIA TRAIN AND EQUIP FUND

12 For the “Syria Train and Equip Fund”,
13 \$600,000,000, to remain available until September 30,
14 2017: *Provided*, That such funds shall be available to the
15 Secretary of Defense, in coordination with the Secretary
16 of State, to provide assistance, including training, equip-
17 ment, supplies, stipends, construction of training and as-
18 sociated facilities, and sustainment, to appropriately vet-
19 ted elements of the Syrian opposition and other appro-
20 priately vetted Syrian groups and individuals for the fol-
21 lowing purposes: defending the Syrian people from attacks
22 by the Islamic State of Iraq and the Levant, and securing
23 territory controlled by the Syrian opposition; protecting
24 the United States, its friends and allies, and the Syrian
25 people from the threats posed by terrorists in Syria; and

1 promoting the conditions for a negotiated settlement to
2 end the conflict in Syria: *Provided further*, That the Sec-
3 retary may accept and retain contributions, including as-
4 sistance in-kind, from foreign governments and other enti-
5 ties to carry out activities authorized under this heading:
6 *Provided further*, That contributions of funds for the pur-
7 poses provided herein from any foreign government or
8 other entities may be credited to this Fund, to remain
9 available until expended and used for such purposes: *Pro-*
10 *vided further*, That the Secretary may provide assistance
11 to third countries for purposes of the provision of assist-
12 ance authorized under this heading: *Provided further*,
13 That the term “appropriately vetted” shall be construed
14 to mean, at a minimum, assessments of possible recipients
15 for associations with terrorist groups including the Islamic
16 State of Iraq and the Levant (ISIL), Jabhat al Nusrah,
17 Ahrar al Sham, other al-Qaeda related groups, Hezbollah,
18 or Shia militias supporting the Governments of Syria or
19 Iran; and for commitment to the rule of law and a peaceful
20 and democratic Syria: *Provided further*, That none of the
21 funds used pursuant to this authority shall be used for
22 the procurement or transfer of man-portable air-defense
23 systems: *Provided further*, That nothing in this section
24 shall be construed to constitute a specific statutory au-
25 thorization for the introduction of the United States

1 Armed Forces into hostilities or into situations wherein
2 hostilities are clearly indicated by the circumstances, in
3 accordance with section 8(a)(1) of the War Powers Reso-
4 lution: *Provided further*, That such amount is designated
5 by the Congress for Overseas Contingency Operations/
6 Global War on Terrorism pursuant to section
7 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
8 Deficit Control Act of 1985.

9 PROCUREMENT

10 AIRCRAFT PROCUREMENT, ARMY

11 For an additional amount for “Aircraft Procurement,
12 Army”, \$759,073,000, to remain available until Sep-
13 tember 30, 2018: *Provided*, That such amount is des-
14 ignated by the Congress for Overseas Contingency Oper-
15 ations/Global War on Terrorism pursuant to section
16 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
17 Deficit Control Act of 1985.

18 MISSILE PROCUREMENT, ARMY

19 For an additional amount for “Missile Procurement,
20 Army”, \$572,735,000, to remain available until Sep-
21 tember 30, 2018: *Provided*, That such amount is des-
22 ignated by the Congress for Overseas Contingency Oper-
23 ations/Global War on Terrorism pursuant to section
24 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
25 Deficit Control Act of 1985.

1 PROCUREMENT OF WEAPONS AND TRACKED COMBAT
2 VEHICLES, ARMY

3 For an additional amount for “Procurement of Weap-
4 ons and Tracked Combat Vehicles, Army”, \$647,630,000,
5 to remain available until September 30, 2018: *Provided*,
6 That such amount is designated by the Congress for Over-
7 seas Contingency Operations/Global War on Terrorism
8 pursuant to section 251(b)(2)(A)(ii) of the Balanced
9 Budget and Emergency Deficit Control Act of 1985.

10 PROCUREMENT OF AMMUNITION, ARMY

11 For an additional amount for “Procurement of Am-
12 munition, Army”, \$431,640,000, to remain available until
13 September 30, 2018: *Provided*, That such amount is des-
14 ignated by the Congress for Overseas Contingency Oper-
15 ations/Global War on Terrorism pursuant to section
16 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
17 Deficit Control Act of 1985.

18 OTHER PROCUREMENT, ARMY

19 For an additional amount for “Other Procurement,
20 Army”, \$1,648,312,000, to remain available until Sep-
21 tember 30, 2018: *Provided*, That such amount is des-
22 ignated by the Congress for Overseas Contingency Oper-
23 ations/Global War on Terrorism pursuant to section
24 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
25 Deficit Control Act of 1985.

1 AIRCRAFT PROCUREMENT, NAVY

2 For an additional amount for “Aircraft Procurement,
3 Navy”, \$722,274,000, to remain available until September
4 30, 2018: *Provided*, That such amount is designated 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.

9 PROCUREMENT OF AMMUNITION, NAVY AND MARINE
10 CORPS

11 For an additional amount for “Procurement of Am-
12 munition, Navy and Marine Corps”, \$105,459,000, to re-
13 main available until September 30, 2018: *Provided*, That
14 such amount is designated by the Congress for Overseas
15 Contingency Operations/Global War on Terrorism pursu-
16 ant to section 251(b)(2)(A)(ii) of the Balanced Budget
17 and Emergency Deficit Control Act of 1985.

18 OTHER PROCUREMENT, NAVY

19 For an additional amount for “Other Procurement,
20 Navy”, \$12,186,000, to remain available until September
21 30, 2018: *Provided*, That such amount is designated by
22 the Congress for Overseas Contingency Operations/Global
23 War on Terrorism pursuant to section 251(b)(2)(A)(ii) of
24 the Balanced Budget and Emergency Deficit Control Act
25 of 1985.

1 PROCUREMENT, MARINE CORPS

2 For an additional amount for “Procurement, Marine
3 Corps”, \$234,741,000, to remain available until Sep-
4 tember 30, 2018: *Provided*, That such amount is des-
5 ignated by the Congress for Overseas Contingency Oper-
6 ations/Global War on Terrorism pursuant to section
7 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
8 Deficit Control Act of 1985.

9 AIRCRAFT PROCUREMENT, AIR FORCE

10 For an additional amount for “Aircraft Procurement,
11 Air Force”, \$1,297,726,000, to remain available until
12 September 30, 2018: *Provided*, That such amount is des-
13 ignated by the Congress for Overseas Contingency Oper-
14 ations/Global War on Terrorism pursuant to section
15 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
16 Deficit Control Act of 1985.

17 MISSILE PROCUREMENT, AIR FORCE

18 For an additional amount for “Missile Procurement,
19 Air Force”, \$773,638,000, to remain available until Sep-
20 tember 30, 2018: *Provided*, That such amount is des-
21 ignated by the Congress for Overseas Contingency Oper-
22 ations/Global War on Terrorism pursuant to section
23 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
24 Deficit Control Act of 1985.

1 SPACE PROCUREMENT, AIR FORCE

2 For an additional amount for “Space Procurement,
3 Air Force”, \$452,676,000, to remain available until Sep-
4 tember 30, 2018: *Provided*, That such amount is des-
5 ignated by the Congress for Overseas Contingency Oper-
6 ations/Global War on Terrorism pursuant to section
7 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
8 Deficit Control Act of 1985.

9 PROCUREMENT OF AMMUNITION, AIR FORCE

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

18 For an additional amount for “Other Procurement,
19 Air Force”, \$7,045,550,000, to remain available until
20 September 30, 2018: *Provided*, That such amount is des-
21 ignated by the Congress for Overseas Contingency Oper-
22 ations/Global War on Terrorism pursuant to section
23 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
24 Deficit Control Act of 1985.

1 PROCUREMENT, DEFENSE-WIDE

2 For an additional amount for “Procurement, De-
3 fense-Wide”, \$217,701,000, to remain available until Sep-
4 tember 30, 2018: *Provided*, That such amount is des-
5 ignated by the Congress for Overseas Contingency Oper-
6 ations/Global War on Terrorism pursuant to section
7 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
8 Deficit Control Act of 1985.

9 NATIONAL GUARD AND RESERVE EQUIPMENT ACCOUNT

10 For procurement of covered items for the reserve
11 components of the Armed Forces, \$1,500,000,000, to re-
12 main available for obligation until September 30, 2017:
13 *Provided*, That the Chiefs of National Guard and Reserve
14 components shall, not later than 30 days after enactment
15 of this Act, individually submit to the congressional de-
16 fense committees the modernization priority assessment
17 for their respective National Guard or Reserve component:
18 *Provided*, That for the purposes of this paragraph, the
19 term “covered items” means items that— (1) are not
20 major weapon systems, aircraft, or other items central to
21 the mission of an organization; and (2) are useful for both
22 missions performed under title 10, United States Code,
23 and missions performed under title 32, United States
24 Code, when applicable, including radios, generators, com-
25 puters, trucks, and other dual-use items: *Provided further*,

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

5 RESEARCH, DEVELOPMENT, TEST, AND
6 EVALUATION

7 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,
8 ARMY

9 For an additional amount for “Research, Develop-
10 ment, Test and Evaluation, Army”, \$1,500,000, to remain
11 available until September 30, 2017: *Provided*, That such
12 amount is designated by the Congress for Overseas Con-
13 tingency Operations/Global War on Terrorism pursuant to
14 section 251(b)(2)(A)(ii) of the Balanced Budget and
15 Emergency Deficit Control Act of 1985.

16 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,
17 NAVY

18 For an additional amount for “Research, Develop-
19 ment, Test and Evaluation, Navy”, \$217,647,000, to re-
20 main available until September 30, 2017: *Provided*, That
21 such amount is designated by the Congress for Overseas
22 Contingency Operations/Global War on Terrorism pursu-
23 ant to section 251(b)(2)(A)(ii) of the Balanced Budget
24 and Emergency Deficit Control Act of 1985.

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

3 For an additional amount for “Research, Develop-
4 ment, Test and Evaluation, Air Force”, \$1,366,242,000,
5 to remain available until September 30, 2017: *Provided*,
6 That such amount is designated by the Congress for Over-
7 seas Contingency Operations/Global War on Terrorism
8 pursuant to section 251(b)(2)(A)(ii) of the Balanced
9 Budget and Emergency Deficit Control Act of 1985.

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

12 For an additional amount for “Research, Develop-
13 ment, Test and Evaluation, Defense-Wide”,
14 \$199,264,000, to remain available until September 30,
15 2017: *Provided*, That such amount is designated by the
16 Congress for Overseas Contingency Operations/Global
17 War on Terrorism pursuant to section 251(b)(2)(A)(ii) of
18 the Balanced Budget and Emergency Deficit Control Act
19 of 1985.

20 REVOLVING AND MANAGEMENT FUNDS

21 DEFENSE WORKING CAPITAL FUNDS

22 For an additional amount for “Defense Working
23 Capital Funds”, \$88,850,000: *Provided*, That such
24 amount is designated by the Congress for Overseas Con-
25 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 OTHER DEPARTMENT OF DEFENSE PROGRAMS

4 DEFENSE HEALTH PROGRAM

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

13 DEFENSE

14 For an additional amount for “Drug Interdiction and
15 Counter-Drug Activities, Defense”, \$275,300,000: *Pro-*
16 *vided*, 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 JOINT IMPROVISED EXPLOSIVE DEVICE DEFEAT FUND

21 (INCLUDING TRANSFER OF FUNDS)

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

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

22 OFFICE OF THE INSPECTOR GENERAL

23 For an additional amount for the “Office of the In-
24 spector General”, \$10,262,000: *Provided*, That such
25 amount is 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 GENERAL PROVISIONS—THIS TITLE

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

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

16 (INCLUDING TRANSFER OF FUNDS)

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

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

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

15 SEC. 9005. From funds made available in this title,
16 the Secretary of Defense may purchase for use by military
17 and civilian employees of the Department of Defense in
18 the U.S. Central Command area of responsibility: (a) pas-
19 senger motor vehicles up to a limit of \$75,000 per vehicle;
20 and (b) heavy and light armored vehicles for the physical
21 security of personnel or for force protection purposes up
22 to a limit of \$450,000 per vehicle, notwithstanding price
23 or other limitations applicable to the purchase of pas-
24 senger carrying vehicles.

1 SEC. 9006. Not to exceed \$10,000,000 of the
2 amounts appropriated in this title under the heading “Op-
3 eration and Maintenance, Army” may be used, notwith-
4 standing any other provision of law, to fund the Com-
5 mander’s Emergency Response Program (CERP), for the
6 purpose of enabling military commanders in Afghanistan
7 to respond to urgent, small-scale, humanitarian relief and
8 reconstruction requirements within their areas of responsi-
9 bility: *Provided*, That each project (including any ancillary
10 or related elements in connection with such project) exe-
11 cuted under this authority shall not exceed \$2,000,000:
12 *Provided further*, That not later than 45 days after the
13 end of each fiscal year quarter, the Secretary of Defense
14 shall submit to the congressional defense committees a re-
15 port regarding the source of funds and the allocation and
16 use of funds during that quarter that were made available
17 pursuant to the authority provided in this section or under
18 any other provision of law for the purposes described here-
19 in: *Provided further*, That, not later than 30 days after
20 the end of each month, the Army shall submit to the con-
21 gressional defense committees monthly commitment, obli-
22 gation, and expenditure data for the Commander’s Emer-
23 gency Response Program in Afghanistan: *Provided fur-*
24 *ther*, That not less than 15 days before making funds
25 available pursuant to the authority provided in this section

1 or under any other provision of law for the purposes de-
2 scribed herein for a project with a total anticipated cost
3 for completion of \$500,000 or more, the Secretary shall
4 submit to the congressional defense committees a written
5 notice containing each of the following:

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

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

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

22 SEC. 9007. Funds available to the Department of De-
23 fense for operation and maintenance may be used, not-
24 withstanding any other provision of law, to provide sup-
25 plies, services, transportation, including airlift and sealift,

1 and other logistical support to coalition forces supporting
2 military and stability operations in Afghanistan and to
3 counter the Islamic State of Iraq and the Levant: *Pro-*
4 *vided*, That the Secretary of Defense shall provide quar-
5 terly reports to the congressional defense committees re-
6 garding support provided under this section.

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

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

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

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

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

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

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

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

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

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

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

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

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

1 ducted during fiscal year 2016: *Provided further*, That
2 amounts made available by this section are designated by
3 the Congress for Overseas Contingency Operations/Global
4 War on Terrorism pursuant to section 251(b)(2)(A)(ii) of
5 the Balanced Budget and Emergency Deficit Control Act
6 of 1985.

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

1 olution, 2015 (Public Law 113–164): *Provided further*,
2 That nothing in this section shall be construed to con-
3 stitute a specific statutory authorization for the introduc-
4 tion of the United States Armed Forces into hostilities or
5 into situations wherein hostilities are clearly indicated by
6 the circumstances, in accordance with section 8(a)(1) of
7 the War Powers Resolution: *Provided further*, That
8 amounts made available by this section are designated by
9 the Congress for Overseas Contingency Operations/Global
10 War on Terrorism pursuant to section 251(b)(2)(A)(ii) of
11 the Balanced Budget and Emergency Deficit Control Act
12 of 1985: *Provided further*, That the authority to provide
13 assistance under this section shall terminate on September
14 30, 2016.

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

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

1 prior Acts, and not yet transferred to the military or Na-
2 tional Security Forces of Ukraine or returned by such
3 forces to the United States, may be treated as stocks of
4 the Department of Defense upon written notification to
5 the congressional defense committees: *Provided further*,
6 That amounts made available by this section are 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: *Provided further*, That the
11 authority to provide assistance under this section shall ter-
12minate on September 30, 2016.

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

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

1 steps to end support for such groups and prevent
2 them from basing and operating in Pakistan and
3 carrying out cross border attacks into neighboring
4 countries;

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

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

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

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

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

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

23 (b) The Secretary of Defense, in coordination with
24 the Secretary of State, may waive the restriction in sub-
25 section (a) on a case-by-case basis by certifying in writing

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

10 (INCLUDING TRANSFER OF FUNDS)

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

1 or activity specifically limited or denied by this Act: *Pro-*
2 *vided further*, That amounts made available by this section
3 are designated by the Congress for Overseas Contingency
4 Operations/Global War on Terrorism pursuant to section
5 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
6 Deficit Control Act of 1985: *Provided further*, That the
7 authority to provide assistance under this section shall ter-
8minate on September 30, 2016.

9 (INCLUDING TRANSFER OF FUNDS)

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

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

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

6 TITLE X—ADDITIONAL GENERAL PROVISIONS

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

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

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

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

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

19 SPENDING REDUCTION ACCOUNT

20 SEC. 10002. The amount by which the applicable al-
21 location of new budget authority made by the Committee
22 on Appropriations of the House of Representatives under
23 section 302(b) of the Congressional Budget Act of 1974
24 exceeds the amount of proposed new budget authority is
25 \$0.

- 1 This Act may be cited as the “Department of Defense
- 2 Appropriations Act, 2016”.

Union Calendar No. 99

114TH CONGRESS
1ST Session

H. R. 2685

[Report No. 114-139]

A BILL

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

JUNE 5, 2015

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