

Calendar No. 500

115TH CONGRESS
2^D SESSION**H. R. 6157**

IN THE SENATE OF THE UNITED STATES

JUNE 28, 2018

Received; read twice and placed on the calendar

AN ACT

Making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the following sums are appropriated, out of any
4 money in the Treasury not otherwise appropriated, for the
5 fiscal year ending September 30, 2019, for military func-
6 tions administered by the Department of Defense and for
7 other purposes, namely:

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TITLE I

MILITARY PERSONNEL

MILITARY PERSONNEL, ARMY

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Army on active duty (except members of reserve components provided for elsewhere), cadets, and aviation cadets; for members of the Reserve Officers' Training Corps; and for payments pursuant to section 156 of Public Law 97-377, as amended (42 U.S.C. 402 note), and to the Department of Defense Military Retirement Fund, \$43,093,752,000.

MILITARY PERSONNEL, NAVY

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Navy on active duty (except members of the Reserve provided for elsewhere), midshipmen, and aviation cadets; for members of the Reserve Officers' Training Corps; and for payments pursuant to section 156 of Public Law 97-377,

1 as amended (42 U.S.C. 402 note), and to the Department
2 of Defense Military Retirement Fund, \$30,254,211,000
3 (reduced by \$2,000,000) (increased by \$2,000,000).

4 MILITARY PERSONNEL, MARINE CORPS

5 For pay, allowances, individual clothing, subsistence,
6 interest on deposits, gratuities, permanent change of sta-
7 tion travel (including all expenses thereof for organiza-
8 tional movements), and expenses of temporary duty travel
9 between permanent duty stations, for members of the Ma-
10 rine Corps on active duty (except members of the Reserve
11 provided for elsewhere); and for payments pursuant to sec-
12 tion 156 of Public Law 97-377, as amended (42 U.S.C.
13 402 note), and to the Department of Defense Military Re-
14 tirement Fund, \$13,770,968,000.

15 MILITARY PERSONNEL, AIR FORCE

16 For pay, allowances, individual clothing, subsistence,
17 interest on deposits, gratuities, permanent change of sta-
18 tion travel (including all expenses thereof for organiza-
19 tional movements), and expenses of temporary duty travel
20 between permanent duty stations, for members of the Air
21 Force on active duty (except members of reserve compo-
22 nents provided for elsewhere), cadets, and aviation cadets;
23 for members of the Reserve Officers' Training Corps; and
24 for payments pursuant to section 156 of Public Law 97-
25 377, as amended (42 U.S.C. 402 note), and to the Depart-

1 ment of Defense Military Retirement Fund,
2 \$30,357,311,000.

3 RESERVE PERSONNEL, ARMY

4 For pay, allowances, clothing, subsistence, gratuities,
5 travel, and related expenses for personnel of the Army Re-
6 serve on active duty under sections 10211, 10302, and
7 3038 of title 10, United States Code, or while serving on
8 active duty under section 12301(d) of title 10, United
9 States Code, in connection with performing duty specified
10 in section 12310(a) of title 10, United States Code, or
11 while undergoing reserve training, or while performing
12 drills or equivalent duty or other duty, and expenses au-
13 thorized by section 16131 of title 10, United States Code;
14 and for payments to the Department of Defense Military
15 Retirement Fund, \$4,848,947,000.

16 RESERVE PERSONNEL, NAVY

17 For pay, allowances, clothing, subsistence, gratuities,
18 travel, and related expenses for personnel of the Navy Re-
19 serve on active duty under section 10211 of title 10,
20 United States Code, or while serving on active duty under
21 section 12301(d) of title 10, United States Code, in con-
22 nection with performing duty specified in section 12310(a)
23 of title 10, United States Code, or while undergoing re-
24 serve training, or while performing drills or equivalent
25 duty, and expenses authorized by section 16131 of title

1 10, United States Code; and for payments to the Depart-
2 ment of Defense Military Retirement Fund,
3 \$2,055,221,000.

4 RESERVE PERSONNEL, MARINE CORPS

5 For pay, allowances, clothing, subsistence, gratuities,
6 travel, and related expenses for personnel of the Marine
7 Corps Reserve on active duty under section 10211 of title
8 10, United States Code, or while serving on active duty
9 under section 12301(d) of title 10, 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 reserve training, or while performing drills or equiv-
13 alent duty, and for members of the Marine Corps platoon
14 leaders class, and expenses authorized by section 16131
15 of title 10, United States Code; and for payments to the
16 Department of Defense Military Retirement Fund,
17 \$777,390,000.

18 RESERVE PERSONNEL, AIR FORCE

19 For pay, allowances, clothing, subsistence, gratuities,
20 travel, and related expenses for personnel of the Air Force
21 Reserve on active duty under sections 10211, 10305, and
22 8038 of title 10, United States Code, or while serving on
23 active duty under section 12301(d) of title 10, United
24 States Code, in connection with performing duty specified
25 in section 12310(a) of title 10, United States Code, or

1 while undergoing reserve training, or while performing
2 drills or equivalent duty or other duty, and expenses au-
3 thorized by section 16131 of title 10, United States Code;
4 and for payments to the Department of Defense Military
5 Retirement Fund, \$1,853,526,000.

6 NATIONAL GUARD PERSONNEL, ARMY

7 For pay, allowances, clothing, subsistence, gratuities,
8 travel, and related expenses for personnel of the Army Na-
9 tional Guard while on duty under sections 10211, 10302,
10 or 12402 of title 10 or section 708 of title 32, United
11 States Code, or while serving on duty under section
12 12301(d) of title 10 or section 502(f) of title 32, United
13 States Code, in connection with performing duty specified
14 in section 12310(a) of title 10, United States Code, or
15 while undergoing training, or while performing drills or
16 equivalent duty or other duty, and expenses authorized by
17 section 16131 of title 10, United States Code; and for pay-
18 ments to the Department of Defense Military Retirement
19 Fund, \$8,589,785,000.

20 NATIONAL GUARD PERSONNEL, AIR FORCE

21 For pay, allowances, clothing, subsistence, gratuities,
22 travel, and related expenses for personnel of the Air Na-
23 tional Guard on duty under sections 10211, 10305, or
24 12402 of title 10 or section 708 of title 32, United States
25 Code, or while serving on duty under section 12301(d) of

1 title 10 or section 502(f) of title 32, United States Code,
2 in connection with performing duty specified in section
3 12310(a) of title 10, United States Code, or while under-
4 going training, or while performing drills or equivalent
5 duty or other duty, and expenses authorized by section
6 16131 of title 10, United States Code; and for payments
7 to the Department of Defense Military Retirement Fund,
8 \$3,707,240,000.

9 TITLE II

10 OPERATION AND MAINTENANCE

11 OPERATION AND MAINTENANCE, ARMY

12 For expenses, not otherwise provided for, necessary
13 for the operation and maintenance of the Army, as author-
14 ized by law, \$41,334,782,000 (reduced by \$5,600,000):
15 *Provided*, That not to exceed \$12,478,000 can be used for
16 emergencies and extraordinary expenses, to be expended
17 on the approval or authority of the Secretary of the Army,
18 and payments may be made on his certificate of necessity
19 for confidential military purposes.

20 OPERATION AND MAINTENANCE, NAVY

21 For expenses, not otherwise provided for, necessary
22 for the operation and maintenance of the Navy and the
23 Marine Corps, as authorized by law, \$48,963,337,000:
24 *Provided*, That not to exceed \$15,055,000 can be used for
25 emergencies and extraordinary expenses, to be expended

1 on the approval or authority of the Secretary of the Navy,
2 and payments may be made on his certificate of necessity
3 for confidential military purposes.

4 OPERATION AND MAINTENANCE, MARINE CORPS

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

8 OPERATION AND MAINTENANCE, AIR FORCE

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

17 OPERATION AND MAINTENANCE, DEFENSE-WIDE

18 (INCLUDING TRANSFER OF FUNDS)

19 For expenses, not otherwise provided for, necessary
20 for the operation and maintenance of activities and agen-
21 cies of the Department of Defense (other than the military
22 departments), as authorized by law, \$35,676,402,000 (in-
23 creased by \$5,000,000) (increased by \$6,000,000) (re-
24 duced by \$6,000,000) (reduced by \$250,000) (increased
25 by \$250,000) (reduced by \$10,000,000) (increased by

1 \$10,000,000) (reduced by \$65,000,000) (reduced by
2 \$5,000,000) (reduced by \$30,000,000) (reduced by
3 \$1,000,000) (reduced by \$4,000,000) (increased by
4 \$4,000,000) (reduced by \$5,000,000) (increased by
5 \$5,000,000) (reduced by \$10,000,000) (increased by
6 \$10,000,000) (increased by \$1,000,000) (increased by
7 \$5,000,000) (reduced by \$1,300,000) (reduced by
8 \$6,000,000) (reduced by \$1,000,000) (reduced by
9 \$8,300,000) (reduced by \$3,200,000): *Provided*, That not
10 more than \$7,503,000 may be used for the Combatant
11 Commander Initiative Fund authorized under section
12 166a of title 10, United States Code: *Provided further*,
13 That not to exceed \$36,000,000 can be used for emer-
14 gencies and extraordinary expenses, to be expended on the
15 approval or authority of the Secretary of Defense, and
16 payments may be made on his certificate of necessity for
17 confidential military purposes: *Provided further*, That of
18 the funds provided under this heading, not less than
19 \$42,300,000 shall be made available for the Procurement
20 Technical Assistance Cooperative Agreement Program, of
21 which not less than \$4,500,000 shall be available for cen-
22 ters defined in 10 U.S.C. 2411(1)(D): *Provided further*,
23 That none of the funds appropriated or otherwise made
24 available by this Act may be used to plan or implement
25 the consolidation of a budget or appropriations liaison of-

1 fice of the Office of the Secretary of Defense, the office
2 of the Secretary of a military department, or the service
3 headquarters of one of the Armed Forces into a legislative
4 affairs or legislative liaison office: *Provided further*, That
5 \$19,160,000, to remain available until September 30,
6 2020, is available only for expenses relating to certain
7 classified activities, and may be transferred as necessary
8 by the Secretary of Defense to operation and maintenance
9 appropriations or research, development, test and evalua-
10 tion appropriations, to be merged with and to be available
11 for the same time period as the appropriations to which
12 transferred: *Provided further*, That any ceiling on the in-
13 vestment item unit cost of items that may be purchased
14 with operation and maintenance funds shall not apply to
15 the funds described in the preceding proviso: *Provided fur-*
16 *ther*, That of the funds provided under this heading,
17 \$496,264,000, of which \$124,066,000, to remain available
18 until September 30, 2020, shall be available to provide
19 support and assistance to foreign security forces or other
20 groups or individuals to conduct, support or facilitate
21 counterterrorism, crisis response, or other Department of
22 Defense security cooperation programs: *Provided further*,
23 That the transfer authority provided under this heading
24 is in addition to any other transfer authority provided else-
25 where in this Act.

1 OPERATION AND MAINTENANCE, ARMY RESERVE

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

9 OPERATION AND MAINTENANCE, NAVY RESERVE

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

17 OPERATION AND MAINTENANCE, MARINE CORPS

18 RESERVE

19 For expenses, not otherwise provided for, necessary
20 for the operation and maintenance, including training, or-
21 ganization, and administration, of the Marine Corps Re-
22 serve; repair of facilities and equipment; hire of passenger
23 motor vehicles; travel and transportation; care of the dead;
24 recruiting; procurement of services, supplies, and equip-
25 ment; and communications, \$281,570,000.

1 OPERATION AND MAINTENANCE, AIR FORCE RESERVE

2 For expenses, not otherwise provided for, necessary
3 for the operation and maintenance, including training, or-
4 ganization, and administration, of the Air Force Reserve;
5 repair of facilities and equipment; hire of passenger motor
6 vehicles; travel and transportation; care of the dead; re-
7 cruiting; procurement of services, supplies, and equip-
8 ment; and communications, \$3,212,234,000.

9 OPERATION AND MAINTENANCE, ARMY NATIONAL

10 GUARD

11 For expenses of training, organizing, and admin-
12 istering the Army National Guard, including medical and
13 hospital treatment and related expenses in non-Federal
14 hospitals; maintenance, operation, and repairs to struc-
15 tures and facilities; hire of passenger motor vehicles; per-
16 sonnel services in the National Guard Bureau; travel ex-
17 penses (other than mileage), as authorized by law for
18 Army personnel on active duty, for Army National Guard
19 division, regimental, and battalion commanders while in-
20 specting units in compliance with National Guard Bureau
21 regulations when specifically authorized by the Chief, Na-
22 tional Guard Bureau; supplying and equipping the Army
23 National Guard as authorized by law; and expenses of re-
24 pair, modification, maintenance, and issue of supplies and
25 equipment (including aircraft), \$7,329,771,000.

1 OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

2 For expenses of training, organizing, and admin-
3 istering the Air National Guard, including medical and
4 hospital treatment and related expenses in non-Federal
5 hospitals; maintenance, operation, and repairs to struc-
6 tures and facilities; transportation of things, hire of pas-
7 senger motor vehicles; supplying and equipping the Air
8 National Guard, as authorized by law; expenses for repair,
9 modification, maintenance, and issue of supplies and
10 equipment, including those furnished from stocks under
11 the control of agencies of the Department of Defense;
12 travel expenses (other than mileage) on the same basis as
13 authorized by law for Air National Guard personnel on
14 active Federal duty, for Air National Guard commanders
15 while inspecting units in compliance with National Guard
16 Bureau regulations when specifically authorized by the
17 Chief, National Guard Bureau, \$6,438,162,000.

18 UNITED STATES COURT OF APPEALS FOR THE ARMED

19 FORCES

20 For salaries and expenses necessary for the United
21 States Court of Appeals for the Armed Forces,
22 \$14,662,000, of which not to exceed \$5,000 may be used
23 for official representation purposes.

1 ENVIRONMENTAL RESTORATION, ARMY

2 (INCLUDING TRANSFER OF FUNDS)

3 For the Department of the Army, \$235,809,000, to
4 remain available until transferred: *Provided*, That the Sec-
5 retary of the Army shall, upon determining that such
6 funds are required for environmental restoration, reduc-
7 tion and recycling of hazardous waste, removal of unsafe
8 buildings and debris of the Department of the Army, or
9 for similar purposes, transfer the funds made available by
10 this appropriation to other appropriations made available
11 to the Department of the Army, to be merged with and
12 to be available for the same purposes and for the same
13 time period as the appropriations to which transferred:
14 *Provided further*, That upon a determination that all or
15 part of the funds transferred from this appropriation are
16 not necessary for the purposes provided herein, such
17 amounts may be transferred back to this appropriation:
18 *Provided further*, That the transfer authority provided
19 under this heading is in addition to any other transfer au-
20 thority provided elsewhere in this Act.

21 ENVIRONMENTAL RESTORATION, NAVY

22 (INCLUDING TRANSFER OF FUNDS)

23 For the Department of the Navy, \$365,883,000, to
24 remain available until transferred: *Provided*, That the Sec-
25 retary of the Navy shall, upon determining that such

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

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

18 For the Department of the Air Force, \$376,808,000,
19 to remain available until transferred: *Provided*, That the
20 Secretary of the Air Force shall, upon determining that
21 such funds are required for environmental restoration, re-
22 duction and recycling of hazardous waste, removal of un-
23 safe buildings and debris of the Department of the Air
24 Force, or for similar purposes, transfer the funds made
25 available by this appropriation to other appropriations

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

11 ENVIRONMENTAL RESTORATION, DEFENSE-WIDE
12 (INCLUDING TRANSFER OF FUNDS)

13 For the Department of Defense, \$19,002,000, to re-
14 main available until transferred: *Provided*, That the Sec-
15 retary of Defense shall, upon determining that such funds
16 are required for environmental restoration, reduction and
17 recycling of hazardous waste, removal of unsafe buildings
18 and debris of the Department of Defense, or for similar
19 purposes, transfer the funds made available by this appro-
20 priation to other appropriations made available to the De-
21 partment of Defense, to be merged with and to be avail-
22 able for the same purposes and for the same time period
23 as the appropriations to which transferred: *Provided fur-*
24 *ther*, That upon a determination that all or part of the
25 funds transferred from this appropriation are not nec-

1 essary for the purposes provided herein, such amounts
2 may be transferred back to this appropriation: *Provided*
3 *further*, That the transfer authority provided under this
4 heading is in addition to any other transfer authority pro-
5 vided elsewhere in this Act.

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

9 For the Department of the Army, \$248,673,000, to
10 remain available until transferred: *Provided*, That the Sec-
11 retary of the Army shall, upon determining that such
12 funds are required for environmental restoration, reduc-
13 tion and recycling of hazardous waste, removal of unsafe
14 buildings and debris at sites formerly used by the Depart-
15 ment of Defense, transfer the funds made available by this
16 appropriation to other appropriations made available to
17 the Department of the Army, to be merged with and to
18 be available for the same purposes and for the same time
19 period as the appropriations to which transferred: *Pro-*
20 *vided further*, That upon a determination that all or part
21 of the funds transferred from this appropriation are not
22 necessary for the purposes provided herein, such amounts
23 may be transferred back to this appropriation: *Provided*
24 *further*, That the transfer authority provided under this

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

3 OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AID

4 For expenses relating to the Overseas Humanitarian,
5 Disaster, and Civic Aid programs of the Department of
6 Defense (consisting of the programs provided under sec-
7 tions 401, 402, 404, 407, 2557, and 2561 of title 10,
8 United States Code), \$117,663,000, to remain available
9 until September 30, 2020.

10 COOPERATIVE THREAT REDUCTION ACCOUNT

11 For assistance, including assistance provided by con-
12 tract or by grants, under programs and activities of the
13 Department of Defense Cooperative Threat Reduction
14 Program authorized under the Department of Defense Co-
15 operative Threat Reduction Act, \$350,240,000, to remain
16 available until September 30, 2021.

17 DEPARTMENT OF DEFENSE ACQUISITION WORKFORCE

18 DEVELOPMENT FUND

19 For the Department of Defense Acquisition Work-
20 force Development Fund, \$400,000,000 (reduced by
21 \$2,100,000), to remain available for obligation until Sep-
22 tember 30, 2020: *Provided*, That no other amounts may
23 be otherwise credited or transferred to the Fund, or depos-
24 ited into the Fund, in fiscal year 2019 pursuant to section
25 1705(d) of title 10, United States Code.

1 TITLE III
2 PROCUREMENT
3 AIRCRAFT PROCUREMENT, ARMY
4 For construction, procurement, production, modifica-
5 tion, and modernization of aircraft, equipment, including
6 ordnance, ground handling equipment, spare parts, and
7 accessories therefor; specialized equipment and training
8 devices; expansion of public and private plants, including
9 the land necessary therefor, for the foregoing purposes,
10 and such lands and interests therein, may be acquired,
11 and construction prosecuted thereon prior to approval of
12 title; and procurement and installation of equipment, ap-
13 pliances, and machine tools in public and private plants;
14 reserve plant and Government and contractor-owned
15 equipment layaway; and other expenses necessary for the
16 foregoing purposes, \$4,103,942,000, to remain available
17 for obligation until September 30, 2021.

18 MISSILE PROCUREMENT, ARMY
19 For construction, procurement, production, modifica-
20 tion, and modernization of missiles, equipment, including
21 ordnance, ground handling equipment, spare parts, and
22 accessories therefor; specialized equipment and training
23 devices; expansion of public and private plants, including
24 the land necessary therefor, for the foregoing purposes,
25 and such lands and interests therein, may be acquired,

1 and construction prosecuted thereon prior to approval of
2 title; and procurement and installation of equipment, ap-
3 pliances, and machine tools in public and private plants;
4 reserve plant and Government and contractor-owned
5 equipment layaway; and other expenses necessary for the
6 foregoing purposes, \$3,074,502,000, to remain available
7 for obligation until September 30, 2021.

8 PROCUREMENT OF WEAPONS AND TRACKED COMBAT
9 VEHICLES, ARMY

10 For construction, procurement, production, and
11 modification of weapons and tracked combat vehicles,
12 equipment, including ordnance, spare parts, and acces-
13 sories therefor; specialized equipment and training devices;
14 expansion of public and private plants, including the land
15 necessary therefor, 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; and
18 procurement and installation of equipment, appliances,
19 and machine tools in public and private plants; reserve
20 plant and Government and contractor-owned equipment
21 layaway; and other expenses necessary for the foregoing
22 purposes, \$4,590,205,000, to remain available for obliga-
23 tion until September 30, 2021.

1 PROCUREMENT OF AMMUNITION, ARMY

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

16 OTHER PROCUREMENT, ARMY

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

1 therein, may be acquired, and construction prosecuted
2 thereon prior to approval of title; and procurement and
3 installation of equipment, appliances, and machine tools
4 in public and private plants; reserve plant and Govern-
5 ment and contractor-owned equipment layaway; and other
6 expenses necessary for the foregoing purposes,
7 \$7,683,632,000, to remain available for obligation until
8 September 30, 2021.

9 AIRCRAFT PROCUREMENT, NAVY

10 For construction, procurement, production, modifica-
11 tion, and modernization of aircraft, equipment, including
12 ordnance, spare parts, and accessories therefor; specialized
13 equipment; expansion of public and private plants, includ-
14 ing the land necessary therefor, and such lands and inter-
15 ests therein, may be acquired, and construction prosecuted
16 thereon prior to approval of title; and procurement and
17 installation of equipment, appliances, and machine tools
18 in public and private plants; reserve plant and Govern-
19 ment and contractor-owned equipment layaway,
20 \$20,107,195,000, to remain available for obligation until
21 September 30, 2021.

22 WEAPONS PROCUREMENT, NAVY

23 For construction, procurement, production, modifica-
24 tion, and modernization of missiles, torpedoes, other weap-
25 ons, and related support equipment including spare parts,

1 and accessories therefor; expansion of public and private
2 plants, including the land necessary therefor, and such
3 lands and interests therein, may be acquired, and con-
4 struction prosecuted thereon prior to approval of title; and
5 procurement and installation of equipment, appliances,
6 and machine tools in public and private plants; reserve
7 plant and Government and contractor-owned equipment
8 layaway, \$3,555,587,000, to remain available for obliga-
9 tion until September 30, 2021.

10 PROCUREMENT OF AMMUNITION, NAVY AND MARINE
11 CORPS

12 For construction, procurement, production, and
13 modification of ammunition, and accessories therefor; spe-
14 cialized equipment and training devices; expansion of pub-
15 lic and private plants, including ammunition facilities, au-
16 thorized by section 2854 of title 10, United States Code,
17 and the land necessary therefor, for the foregoing pur-
18 poses, and such lands and interests therein, may be ac-
19 quired, and construction prosecuted thereon prior to ap-
20 proval of title; and procurement and installation of equip-
21 ment, appliances, and machine tools in public and private
22 plants; reserve plant and Government and contractor-
23 owned equipment layaway; and other expenses necessary
24 for the foregoing purposes, \$973,556,000, to remain avail-
25 able for obligation until September 30, 2021.

1 SHIPBUILDING AND CONVERSION, NAVY

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

14 Columbia Class Submarine (AP), \$2,949,400,000;
15 Carrier Replacement Program, \$1,598,181,000;
16 Virginia Class Submarine, \$4,340,676,000;
17 Virginia Class Submarine (AP), \$2,796,401,000;
18 CVN Refueling Overhauls (AP), \$425,873,000;
19 DDG-1000 Program, \$270,965,000;
20 DDG-51 Destroyer, \$5,187,837,000;
21 DDG-51 Destroyer (AP), \$391,928,000;
22 Littoral Combat Ship, \$1,558,505,000;
23 Expeditionary Sea Base, \$647,000,000;
24 TAO Fleet Oiler, \$977,104,000;
25 TAO Fleet Oiler (AP), \$75,046,000;

1 Towing, Salvage, and Rescue Ship, \$80,517,000;
2 LCU 1700, \$41,520,000;
3 Ship to Shore Connector, \$507,875,000;
4 Service Craft, \$72,062,000;
5 LCAC SLEP, \$23,321,000;
6 For outfitting, post-delivery, conversions, and first
7 destination transportation, \$557,457,000; and
8 Completion of Prior Year Shipbuilding Programs,
9 \$207,099,000.

10 In all: \$22,708,767,000, to remain available for obli-
11 gation until September 30, 2023: *Provided*, That addi-
12 tional obligations may be incurred after September 30,
13 2023, for engineering services, tests, evaluations, and
14 other such budgeted work that must be performed in the
15 final stage of ship construction: *Provided further*, That
16 none of the funds provided under this heading for the con-
17 struction or conversion of any naval vessel to be con-
18 structed in shipyards in the United States shall be ex-
19 pended in foreign facilities for the construction of major
20 components of such vessel: *Provided further*, That none
21 of the funds provided under this heading shall be used
22 for the construction of any naval vessel in foreign ship-
23 yards: *Provided further*, That funds appropriated or other-
24 wise made available by this Act for production of the com-
25 mon missile compartment of nuclear-powered vessels may

1 be available for multiyear procurement of critical compo-
2 nents to support continuous production of such compart-
3 ments only in accordance with the provisions of subsection
4 (i) of section 2218a of title 10, United States Code (as
5 added by section 1023 of the National Defense Authoriza-
6 tion Act for Fiscal Year 2017 (Public Law 114–328)).

7 OTHER PROCUREMENT, NAVY

8 For procurement, production, and modernization of
9 support equipment and materials not otherwise provided
10 for, Navy ordnance (except ordnance for new aircraft, new
11 ships, and ships authorized for conversion); the purchase
12 of passenger motor vehicles for replacement only; expan-
13 sion of public and private plants, including the land nec-
14 essary therefor, and such lands and interests therein, may
15 be acquired, and construction prosecuted thereon prior to
16 approval of title; and procurement and installation of
17 equipment, appliances, and machine tools in public and
18 private plants; reserve plant and Government and con-
19 tractor-owned equipment layaway, \$9,093,835,000, to re-
20 main available for obligation until September 30, 2021.

21 PROCUREMENT, MARINE CORPS

22 For expenses necessary for the procurement, manu-
23 facture, and modification of missiles, armament, military
24 equipment, spare parts, and accessories therefor; plant
25 equipment, appliances, and machine tools, and installation

1 thereof in public and private plants; reserve plant and
2 Government and contractor-owned equipment layaway; ve-
3 hicles for the Marine Corps, including the purchase of pas-
4 senger motor vehicles for replacement only; and expansion
5 of public and private plants, including land necessary
6 therefor, and such lands and interests therein, may be ac-
7 quired, and construction prosecuted thereon prior to ap-
8 proval of title, \$2,647,569,000, to remain available for ob-
9 ligation until September 30, 2021.

10 AIRCRAFT PROCUREMENT, AIR FORCE

11 For construction, procurement, and modification of
12 aircraft and equipment, including armor and armament,
13 specialized ground handling equipment, and training de-
14 vices, spare parts, and accessories therefor; specialized
15 equipment; expansion of public and private plants, Gov-
16 ernment-owned equipment and installation thereof in such
17 plants, erection of structures, and acquisition of land, for
18 the foregoing purposes, and such lands and interests
19 therein, may be acquired, and construction prosecuted
20 thereon prior to approval of title; reserve plant and Gov-
21 ernment and contractor-owned equipment layaway; and
22 other expenses necessary for the foregoing purposes in-
23 cluding rents and transportation of things,
24 \$17,118,921,000 (increased by \$65,000,000), to remain
25 available for obligation until September 30, 2021.

1 MISSILE PROCUREMENT, AIR FORCE

2 For construction, procurement, and modification of
3 missiles, rockets, and related equipment, including spare
4 parts and accessories therefor; ground handling equip-
5 ment, and training devices; expansion of public and pri-
6 vate plants, Government-owned equipment and installa-
7 tion thereof in such plants, erection of structures, and ac-
8 quisition of land, for the foregoing purposes, and such
9 lands and interests therein, may be acquired, and con-
10 struction prosecuted thereon prior to approval of title; re-
11 serve plant and Government and contractor-owned equip-
12 ment layaway; and other expenses necessary for the fore-
13 going purposes including rents and transportation of
14 things, \$2,591,982,000, to remain available for obligation
15 until September 30, 2021.

16 SPACE PROCUREMENT, AIR FORCE

17 For construction, procurement, and modification of
18 spacecraft, rockets, and related equipment, including
19 spare parts and accessories therefor; ground handling
20 equipment, and training devices; expansion of public and
21 private plants, Government-owned equipment and installa-
22 tion thereof in such plants, erection of structures, and ac-
23 quisition of land, for the foregoing purposes, and such
24 lands and interests therein, may be acquired, and con-
25 struction prosecuted thereon prior to approval of title; re-

1 serve plant and Government and contractor-owned equip-
2 ment layaway; and other expenses necessary for the fore-
3 going purposes including rents and transportation of
4 things, \$2,388,642,000, to remain available for obligation
5 until September 30, 2021.

6 PROCUREMENT OF AMMUNITION, AIR FORCE

7 For construction, procurement, production, and
8 modification of ammunition, and accessories therefor; spe-
9 cialized equipment and training devices; expansion of pub-
10 lic and private plants, including ammunition facilities, au-
11 thorized by section 2854 of title 10, United States Code,
12 and the land necessary therefor, for the foregoing pur-
13 poses, and such lands and interests therein, may be ac-
14 quired, and construction prosecuted thereon prior to ap-
15 proval of title; and procurement and installation of equip-
16 ment, appliances, and machine tools in public and private
17 plants; reserve plant and Government and contractor-
18 owned equipment layaway; and other expenses necessary
19 for the foregoing purposes, \$1,468,992,000, to remain
20 available for obligation until September 30, 2021.

21 OTHER PROCUREMENT, AIR FORCE

22 For procurement and modification of equipment (in-
23 cluding ground guidance and electronic control equipment,
24 and ground electronic and communication equipment),
25 and supplies, materials, and spare parts therefor, not oth-

1 erwise provided for; the purchase of passenger motor vehi-
2 cles for replacement only; lease of passenger motor vehi-
3 cles; and expansion of public and private plants, Govern-
4 ment-owned equipment and installation thereof in such
5 plants, erection of structures, and acquisition of land, for
6 the foregoing purposes, and such lands and interests
7 therein, may be acquired, and construction prosecuted
8 thereon, prior to approval of title; reserve plant and Gov-
9 ernment and contractor-owned equipment layaway,
10 \$20,597,574,000, to remain available for obligation until
11 September 30, 2021.

12 PROCUREMENT, DEFENSE-WIDE

13 For expenses of activities and agencies of the Depart-
14 ment of Defense (other than the military departments)
15 necessary for procurement, production, and modification
16 of equipment, supplies, materials, and spare parts there-
17 for, not otherwise provided for; the purchase of passenger
18 motor vehicles for replacement only; expansion of public
19 and private plants, equipment, and installation thereof in
20 such plants, erection of structures, and acquisition of land
21 for the foregoing purposes, and such lands and interests
22 therein, may be acquired, and construction prosecuted
23 thereon prior to approval of title; reserve plant and Gov-
24 ernment and contractor-owned equipment layaway,

1 \$6,711,225,000 (reduced by \$10,000,000), to remain
2 available for obligation until September 30, 2021.

3 NATIONAL GUARD AND RESERVE EQUIPMENT ACCOUNT

4 For procurement of rotary-wing aircraft; combat, tac-
5 tical and support vehicles; other weapons; and other pro-
6 curement items for the reserve components of the Armed
7 Forces, \$1,300,000,000, to remain available for obligation
8 until September 30, 2021: *Provided*, That the Chiefs of
9 National Guard and Reserve components shall, not later
10 than 30 days after enactment of this Act, individually sub-
11 mit to the congressional defense committees the mod-
12 ernization priority assessment for their respective Na-
13 tional Guard or Reserve component: *Provided further*,
14 That none of the funds made available by this paragraph
15 may be used to procure manned fixed wing aircraft, or
16 procure or modify missiles, munitions, or ammunition.

17 DEFENSE PRODUCTION ACT PURCHASES

18 For activities by the Department of Defense pursuant
19 to sections 108, 301, 302, and 303 of the Defense Produc-
20 tion Act of 1950 (50 U.S.C. 4518, 4531, 4532, and 4533),
21 \$68,578,000, to remain available until expended.

1 TITLE IV
2 RESEARCH, DEVELOPMENT, TEST AND
3 EVALUATION
4 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,
5 ARMY

6 For expenses necessary for basic and applied sci-
7 entific research, development, test and evaluation, includ-
8 ing maintenance, rehabilitation, lease, and operation of fa-
9 cilities and equipment, \$10,108,108,000 (increased by
10 \$5,000,000) (reduced by \$5,000,000) (increased by
11 \$5,000,000), to remain available for obligation until Sep-
12 tember 30, 2020.

13 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,
14 NAVY

15 For expenses necessary for basic and applied sci-
16 entific research, development, test and evaluation, includ-
17 ing maintenance, rehabilitation, lease, and operation of fa-
18 cilities and equipment, \$17,658,244,000, to remain avail-
19 able for obligation until September 30, 2020: *Provided*,
20 That funds appropriated in this paragraph which are
21 available for the V-22 may be used to meet unique oper-
22 ational requirements of the Special Operations Forces.

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

3 For expenses necessary for basic and applied sci-
4 entific research, development, test and evaluation, includ-
5 ing maintenance, rehabilitation, lease, and operation of fa-
6 cilities and equipment, \$40,939,500,000 (reduced by
7 \$10,000,000), to remain available for obligation until Sep-
8 tember 30, 2020.

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

11 (INCLUDING TRANSFER OF FUNDS)

12 For expenses of activities and agencies of the Depart-
13 ment of Defense (other than the military departments),
14 necessary for basic and applied scientific research, devel-
15 opment, test and evaluation; advanced research projects
16 as may be designated and determined by the Secretary
17 of Defense, pursuant to law; maintenance, rehabilitation,
18 lease, and operation of facilities and equipment,
19 \$22,291,423,000 (increased by \$30,000,000) (reduced by
20 \$5,000,000) (reduced by \$7,000,000) (reduced by
21 \$1,000,000) (increased by \$1,000,000) (increased by
22 \$10,000,000) (reduced by \$14,364,000) (increased by
23 \$14,364,000), to remain available for obligation until Sep-
24 tember 30, 2020: *Provided*, That, of the funds made avail-
25 able in this paragraph, \$250,000,000 for the Defense

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

17 OPERATIONAL TEST AND EVALUATION, DEFENSE

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

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

3 TITLE V

4 REVOLVING AND MANAGEMENT FUNDS

5 DEFENSE WORKING CAPITAL FUNDS

6 For the Defense Working Capital Funds,
7 \$1,542,115,000.

8 TITLE VI

9 OTHER DEPARTMENT OF DEFENSE PROGRAMS

10 DEFENSE HEALTH PROGRAM

11 For expenses, not otherwise provided for, for medical
12 and health care programs of the Department of Defense
13 as authorized by law, \$34,047,018,000 (increased by
14 \$1,000,000) (increased by \$5,000,000) (increased by
15 \$1,000,000) (increased by \$6,000,000) (increased by
16 \$1,000,000) (increased by \$10,000,000); of which
17 \$31,758,947,000 (increased by \$1,000,000) shall be for
18 operation and maintenance, of which not to exceed one
19 percent shall remain available for obligation until Sep-
20 tember 30, 2020, and of which up to \$15,211,801,000
21 may be available for contracts entered into under the
22 TRICARE program; of which \$844,834,000, to remain
23 available for obligation until September 30, 2021, shall be
24 for procurement; and of which \$1,443,237,000 (increased
25 by \$1,000,000) (increased by \$5,000,000) (increased by

1 \$6,000,000) (increased by \$1,000,000) (increased by
2 \$10,000,000), to remain available for obligation until Sep-
3 tember 30, 2020, shall be for research, development, test
4 and evaluation: *Provided*, That, notwithstanding any other
5 provision of law, of the amount made available under this
6 heading for research, development, test and evaluation,
7 not less than \$8,000,000 shall be available for HIV pre-
8 vention educational activities undertaken in connection
9 with United States military training, exercises, and hu-
10 manitarian assistance activities conducted primarily in Af-
11 rican nations: *Provided further*, That of the funds provided
12 under this heading for research, development, test and
13 evaluation, not less than \$752,600,000 shall be made
14 available to the United States Army Medical Research and
15 Materiel Command to carry out the congressionally di-
16 rected medical research programs.

17 CHEMICAL AGENTS AND MUNITIONS DESTRUCTION,
18 DEFENSE

19 For expenses, not otherwise provided for, necessary
20 for the destruction of the United States stockpile of lethal
21 chemical agents and munitions in accordance with the pro-
22 visions of section 1412 of the Department of Defense Au-
23 thorization Act, 1986 (50 U.S.C. 1521), and for the de-
24 struction of other chemical warfare materials that are not
25 in the chemical weapon stockpile, \$993,816,000, of which

1 \$105,997,000 shall be for operation and maintenance, of
2 which no less than \$52,735,000 shall be for the Chemical
3 Stockpile Emergency Preparedness Program, consisting of
4 \$21,600,000 for activities on military installations and
5 \$31,135,000, to remain available until September 30,
6 2020, to assist State and local governments; \$1,091,000
7 shall be for procurement, to remain available until Sep-
8 tember 30, 2021, of which \$1,091,000 shall be for the
9 Chemical Stockpile Emergency Preparedness Program to
10 assist State and local governments; and \$886,728,000, to
11 remain available until September 30, 2020, shall be for
12 research, development, test and evaluation, of which
13 \$880,283,000 shall only be for the Assembled Chemical
14 Weapons Alternatives program.

15 DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES,

16 DEFENSE

17 (INCLUDING TRANSFER OF FUNDS)

18 For drug interdiction and counter-drug activities of
19 the Department of Defense, for transfer to appropriations
20 available to the Department of Defense for military per-
21 sonnel of the reserve components serving under the provi-
22 sions of title 10 and title 32, United States Code; for oper-
23 ation and maintenance; for procurement; and for research,
24 development, test and evaluation, \$854,814,000 (in-
25 creased by \$3,000,000), of which \$530,285,000 shall be

1 for counter-narcotics support; \$121,900,000 shall be for
2 the drug demand reduction program; \$197,353,000 (in-
3 creased by \$3,000,000) shall be for the National Guard
4 counter-drug program; and \$5,276,000 shall be for the
5 National Guard counter-drug schools program: *Provided*,
6 That the funds appropriated under this heading shall be
7 available for obligation for the same time period and for
8 the same purpose as the appropriation to which trans-
9 ferred: *Provided further*, That upon a determination that
10 all or part of the funds transferred from this appropriation
11 are not necessary for the purposes provided herein, such
12 amounts may be transferred back to this appropriation:
13 *Provided further*, That the transfer authority provided
14 under this heading is in addition to any other transfer au-
15 thority contained elsewhere in this Act.

16 OFFICE OF THE INSPECTOR GENERAL

17 For expenses and activities of the Office of the In-
18 spector General in carrying out the provisions of the In-
19 spector General Act of 1978, as amended, \$329,273,000,
20 of which \$327,611,000 shall be for operation and mainte-
21 nance, of which not to exceed \$700,000 is available for
22 emergencies and extraordinary expenses to be expended on
23 the approval or authority of the Inspector General, and
24 payments may be made on the Inspector General's certifi-
25 cate of necessity for confidential military purposes; of

1 which \$60,000, to remain available for obligation until
2 September 30, 2021, shall be for procurement; and of
3 which \$1,602,000, to remain available until September 30,
4 2020, shall be for research, development, test and evalua-
5 tion.

6 TITLE VII

7 RELATED AGENCIES

8 CENTRAL INTELLIGENCE AGENCY RETIREMENT AND 9 DISABILITY SYSTEM FUND

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

15 INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT

16 For necessary expenses of the Intelligence Commu-
17 nity Management Account, \$512,424,000.

18 TITLE VIII

19 GENERAL PROVISIONS

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

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

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

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

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

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

3 (TRANSFER OF FUNDS)

4 SEC. 8005. Upon determination by the Secretary of
5 Defense that such action is necessary in the national inter-
6 est, he may, with the approval of the Office of Manage-
7 ment and Budget, transfer not to exceed \$4,250,000,000
8 of working capital funds of the Department of Defense
9 or funds made available in this Act to the Department
10 of Defense for military functions (except military con-
11 struction) between such appropriations or funds or any
12 subdivision thereof, to be merged with and to be available
13 for the same purposes, and for the same time period, as
14 the appropriation or fund to which transferred: *Provided*,
15 That such authority to transfer may not be used unless
16 for higher priority items, based on unforeseen military re-
17 quirements, than those for which originally appropriated
18 and in no case where the item for which funds are re-
19 quested has been denied by the Congress: *Provided further*,
20 That the Secretary of Defense shall notify the Congress
21 promptly of all transfers made pursuant to this authority
22 or any other authority in this Act: *Provided further*, That
23 no part of the funds in this Act shall be available to pre-
24 pare or present a request to the Committees on Appropria-
25 tions for reprogramming of funds, unless for higher pri-

1 ority items, based on unforeseen military requirements,
2 than those for which originally appropriated and in no
3 case where the item for which reprogramming is requested
4 has been denied by the Congress: *Provided further*, That
5 a request for multiple reprogrammings of funds using au-
6 thority provided in this section shall be made prior to June
7 30, 2019: *Provided further*, That transfers among military
8 personnel appropriations shall not be taken into account
9 for purposes of the limitation on the amount of funds that
10 may be transferred under this section.

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

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

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

5 SEC. 8007. (a) Not later than 60 days after enact-
6 ment of this Act, the Department of Defense shall submit
7 a report to the congressional defense committees to estab-
8 lish the baseline for application of reprogramming and
9 transfer authorities for fiscal year 2019: *Provided*, That
10 the report shall include—

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

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

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

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

1 committees, unless the Secretary of Defense certifies in
2 writing to the congressional defense committees that such
3 reprogramming or transfer is necessary as an emergency
4 requirement: *Provided*, That this subsection shall not
5 apply to transfers from the following appropriations ac-
6 counts:

- 7 (1) “Environmental Restoration, Army”;
- 8 (2) “Environmental Restoration, Navy”;
- 9 (3) “Environmental Restoration, Air Force”;
- 10 (4) “Environmental Restoration, Defense-
11 Wide”;
- 12 (5) “Environmental Restoration, Formerly
13 Used Defense Sites”; and
- 14 (6) “Drug Interdiction and Counter-drug Ac-
15 tivities, Defense”.

16 (TRANSFER OF FUNDS)

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

1 appropriation and the “Operation and Maintenance” ap-
2 propriation accounts in such amounts as may be deter-
3 mined by the Secretary of Defense, with the approval of
4 the Office of Management and Budget, except that such
5 transfers may not be made unless the Secretary of Defense
6 has notified the Congress of the proposed transfer: *Pro-*
7 *vided further*, That except in amounts equal to the
8 amounts appropriated to working capital funds in this Act,
9 no obligations may be made against a working capital fund
10 to procure or increase the value of war reserve material
11 inventory, unless the Secretary of Defense has notified the
12 Congress prior to any such obligation.

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

17 SEC. 8010. None of the funds provided in this Act
18 shall be available to initiate: (1) a multiyear contract that
19 employs economic order quantity procurement in excess of
20 \$20,000,000 in any one year of the contract or that in-
21 cludes an unfunded contingent liability in excess of
22 \$20,000,000; or (2) a contract for advance procurement
23 leading to a multiyear contract that employs economic
24 order quantity procurement in excess of \$20,000,000 in
25 any one year, unless the congressional defense committees

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

21 (1) the Secretary of Defense has submitted to
22 Congress a budget request for full funding of units
23 to be procured through the contract and, in the case
24 of a contract for procurement of aircraft, that in-
25 cludes, for any aircraft unit to be procured through

1 the contract for which procurement funds are re-
2 quired in that budget request for production be-
3 yond advance procurement activities in the fiscal
4 year covered by the budget, full funding of procure-
5 ment of such unit in that fiscal year;

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

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

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

22 SEC. 8011. Within the funds appropriated for the op-
23 eration and maintenance of the Armed Forces, funds are
24 hereby appropriated pursuant to section 401 of title 10,
25 United States Code, for humanitarian and civic assistance

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

23 SEC. 8012. (a) During the current fiscal year, the
24 civilian personnel of the Department of Defense may not
25 be managed on the basis of any end-strength, and the

1 management of such personnel during that fiscal year
2 shall not be subject to any constraint or limitation (known
3 as an end-strength) on the number of such personnel who
4 may be employed on the last day of such fiscal year.

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

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

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

23 SEC. 8013. None of the funds made available by this
24 Act shall be used in any way, directly or indirectly, to in-

1 fluence congressional action on any legislation or appro-
2 priation matters pending before the Congress.

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

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

24 SEC. 8016. None of the funds in this Act may be
25 available for the purchase by the Department of Defense

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

24 SEC. 8017. None of the funds available to the De-
25 partment of Defense may be used to demilitarize or dis-

1 pose of M-1 Carbines, M-1 Garand rifles, M-14 rifles,
2 .22 caliber rifles, .30 caliber rifles, or M-1911 pistols, or
3 to demilitarize or destroy small arms ammunition or am-
4 munition components that are not otherwise prohibited
5 from commercial sale under Federal law, unless the small
6 arms ammunition or ammunition components are certified
7 by the Secretary of the Army or designee as unserviceable
8 or unsafe for further use.

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

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

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

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

22 SEC. 8021. During the current fiscal year, the De-
23 partment of Defense is authorized to incur obligations of
24 not to exceed \$350,000,000 for purposes specified in sec-
25 tion 2350j(c) of title 10, United States Code, in anticipa-

1 tion of receipt of contributions, only from the Government
2 of Kuwait, under that section: *Provided*, That, upon re-
3 ceipt, such contributions from the Government of Kuwait
4 shall be credited to the appropriations or fund which in-
5 curred such obligations.

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

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

14 (2) \$10,800,000 shall be available from “Air-
15 craft Procurement, Air Force”; and

16 (3) \$1,700,000 shall be available from “Other
17 Procurement, Air Force” for vehicle procurement.

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

22 SEC. 8023. (a) None of the funds appropriated in this
23 Act are available to establish a new Department of De-
24 fense (department) federally funded research and develop-
25 ment center (FFRDC), either as a new entity, or as a

1 separate entity administrated by an organization man-
2 aging another FFRDC, or as a nonprofit membership cor-
3 poration consisting of a consortium of other FFRDCs and
4 other nonprofit entities.

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

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

1 employee participation in community service and/or devel-
2 opment.

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

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

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

22 SEC. 8024. None of the funds appropriated or made
23 available in this Act shall be used to procure carbon, alloy,
24 or armor steel plate for use in any Government-owned fa-
25 cility or property under the control of the Department of

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

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

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

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

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

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

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

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

1 SEC. 8029. (a) Notwithstanding any other provision
2 of law, the Secretary of the Air Force may convey at no
3 cost to the Air Force, without consideration, to Indian
4 tribes located in the States of Nevada, Idaho, North Da-
5 kota, South Dakota, Montana, Oregon, Minnesota, and
6 Washington relocatable military housing units located at
7 Grand Forks Air Force Base, Malmstrom Air Force Base,
8 Mountain Home Air Force Base, Ellsworth Air Force
9 Base, and Minot Air Force Base that are excess to the
10 needs of the Air Force.

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

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

1 (d) In this section, the term “Indian tribe” means
2 any recognized Indian tribe included on the current list
3 published by the Secretary of the Interior under section
4 104 of the Federally Recognized Indian Tribe Act of 1994
5 (Public Law 103–454; 108 Stat. 4792; 25 U.S.C. 5131).

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

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

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

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

24 SEC. 8032. The Secretary of Defense shall issue reg-
25 ulations to prohibit the sale of any tobacco or tobacco-

1 related products in military resale outlets in the United
2 States, its territories and possessions at a price below the
3 most competitive price in the local community: *Provided*,
4 That such regulations shall direct that the prices of to-
5 bacco or tobacco-related products in overseas military re-
6 tail outlets shall be within the range of prices established
7 for military retail system stores located in the United
8 States.

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

22 (b) The fiscal year 2020 budget request for the De-
23 partment of Defense as well as all justification material
24 and other documentation supporting the fiscal year 2020
25 Department of Defense budget shall be prepared and sub-

1 mitted to the Congress on the basis that any equipment
2 which was classified as an end item and funded in a pro-
3 curement appropriation contained in this Act shall be
4 budgeted for in a proposed fiscal year 2020 procurement
5 appropriation and not in the supply management business
6 area or any other area or category of the Department of
7 Defense Working Capital Funds.

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

24 SEC. 8035. Of the funds appropriated to the Depart-
25 ment of Defense under the heading “Operation and Main-

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

9 SEC. 8036. (a) None of the funds appropriated in this
10 Act may be expended by an entity of the Department of
11 Defense unless the entity, in expending the funds, com-
12 plies with the Buy American Act. For purposes of this
13 subsection, the term “Buy American Act” means chapter
14 83 of title 41, United States Code.

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

23 (c) In the case of any equipment or products pur-
24 chased with appropriations provided under this Act, it is
25 the sense of the Congress that any entity of the Depart-

1 ment of Defense, in expending the appropriation, purchase
2 only American-made equipment and products, provided
3 that American-made equipment and products are cost-
4 competitive, quality competitive, and available in a timely
5 fashion.

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

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

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

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

22 (c) This section does not apply to—

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

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

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

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

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

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

24 (2) the Competitive Sourcing Official deter-
25 mines that, over all performance periods stated in

1 the solicitation of offers for performance of the ac-
2 tivity or function, the cost of performance of the ac-
3 tivity or function by a contractor would be less costly
4 to the Department of Defense by an amount that
5 equals or exceeds the lesser of—

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

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

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

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

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

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

9 (A) is included on the procurement list es-
10 tablished pursuant to section 2 of the Javits-
11 Wagner-O’Day Act (section 8503 of title 41,
12 United States Code);

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

18 (C) is planned to be converted to perform-
19 ance by a qualified firm under at least 51 per-
20 cent ownership by an Indian tribe, as defined in
21 section 4(e) of the Indian Self-Determination
22 and Education Assistance Act (25 U.S.C.
23 450b(e)), or a Native Hawaiian Organization,
24 as defined in section 8(a)(15) of the Small
25 Business Act (15 U.S.C. 637(a)(15)).

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

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

14 (RESCISSIONS)

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

1 “Aircraft Procurement, Navy”, 2017/2019,
2 \$69,140,000;

3 “Aircraft Procurement, Air Force”, 2017/2019,
4 \$93,600,000;

5 “Aircraft Procurement, Navy”, 2018/2020,
6 \$11,761,000;

7 “Weapons Procurement, Navy”, 2018/2020,
8 \$115,657,000;

9 “Aircraft Procurement, Air Force”, 2018/2020,
10 \$134,900,000;

11 “Missile Procurement, Air Force”, 2018/2020,
12 \$5,200,000;

13 “Space Procurement, Air Force”, 2018/2020,
14 \$25,000,000;

15 “Procurement, Defense-Wide”, 2018/2020,
16 \$14,000,000;

17 “Research, Development, Test and Evaluation,
18 Navy”, 2018/2019, \$6,196,000; and

19 “Research, Development, Test and Evaluation, Air
20 Force”, 2018/2019, \$17,500,000.

21 SEC. 8040. None of the funds available in this Act
22 may be used to reduce the authorized positions for mili-
23 tary technicians (dual status) of the Army National
24 Guard, Air National Guard, Army Reserve and Air Force
25 Reserve for the purpose of applying any administratively

1 imposed civilian personnel ceiling, freeze, or reduction on
2 military technicians (dual status), unless such reductions
3 are a direct result of a reduction in military force struc-
4 ture.

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

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

23 SEC. 8043. (a) None of the funds available to the
24 Department of Defense for any fiscal year for drug inter-
25 diction or counter-drug activities may be transferred to

1 any other department or agency of the United States ex-
2 cept as specifically provided in an appropriations law.

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

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

24 SEC. 8045. In addition to the amounts appropriated
25 or otherwise made available elsewhere in this Act,

1 \$44,000,000 is hereby appropriated to the Department of
2 Defense: *Provided*, That upon the determination of the
3 Secretary of Defense that it shall serve the national inter-
4 est, the Secretary shall make grants in the amounts speci-
5 fied as follows: \$20,000,000 to the United Service Organi-
6 zations and \$24,000,000 to the Red Cross.

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

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

20 SEC. 8048. None of the funds available to the De-
21 partment of Defense under this Act shall be obligated or
22 expended to pay a contractor under a contract with the
23 Department of Defense for costs of any amount paid by
24 the contractor to an employee when—

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

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

6 (INCLUDING TRANSFER OF FUNDS)

7 SEC. 8049. During the current fiscal year, no more
8 than \$30,000,000 of appropriations made in this Act
9 under the heading “Operation and Maintenance, Defense-
10 Wide” may be transferred to appropriations available for
11 the pay of military personnel, to be merged with, and to
12 be available for the same time period as the appropriations
13 to which transferred, to be used in support of such per-
14 sonnel in connection with support and services for eligible
15 organizations and activities outside the Department of De-
16 fense pursuant to section 2012 of title 10, United States
17 Code.

18 SEC. 8050. During the current fiscal year, in the case
19 of an appropriation account of the Department of Defense
20 for which the period of availability for obligation has ex-
21 pired or which has closed under the provisions of section
22 1552 of title 31, United States Code, and which has a
23 negative unliquidated or unexpended balance, an obliga-
24 tion or an adjustment of an obligation may be charged

1 to any current appropriation account for the same purpose
2 as the expired or closed account if—

3 (1) the obligation would have been properly
4 chargeable (except as to amount) to the expired or
5 closed account before the end of the period of avail-
6 ability or closing of that account;

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

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

1 SEC. 8051. (a) Notwithstanding any other provision
2 of law, the Chief of the National Guard Bureau may per-
3 mit the use of equipment of the National Guard Distance
4 Learning Project by any person or entity on a space-avail-
5 able, reimbursable basis. The Chief of the National Guard
6 Bureau shall establish the amount of reimbursement for
7 such use on a case-by-case basis.

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

14 (INCLUDING TRANSFER OF FUNDS)

15 SEC. 8052. Of the funds appropriated in this Act
16 under the heading “Operation and Maintenance, Defense-
17 wide”, \$35,000,000 (increased by \$2,000,000) shall be for
18 continued implementation and expansion of the Sexual As-
19 sault Special Victims’ Counsel Program: *Provided*, That
20 the funds are made available for transfer to the Depart-
21 ment of the Army, the Department of the Navy, and the
22 Department of the Air Force: *Provided further*, That funds
23 transferred shall be merged with and available for the
24 same purposes and for the same time period as the appro-
25 priations to which the funds are transferred: *Provided fur-*

1 *ther*, That this transfer authority is in addition to any
2 other transfer authority provided in this Act.

3 SEC. 8053. None of the funds appropriated in title
4 IV of this Act may be used to procure end-items for deliv-
5 ery to military forces for operational training, operational
6 use or inventory requirements: *Provided*, That this restric-
7 tion does not apply to end-items used in development,
8 prototyping, and test activities preceding and leading to
9 acceptance for operational use: *Provided further*, That the
10 Secretary of Defense shall, not later than 60 days after
11 enactment of this Act, submit a report detailing the use
12 of funds requested in research, development, test and eval-
13 uation accounts for end-items used in development, proto-
14 typing and test activities preceding and leading to accept-
15 ance for operational use: *Provided further*, That this re-
16 striction does not apply to programs funded within the
17 National Intelligence Program: *Provided further*, That the
18 Secretary of Defense may waive this restriction on a case-
19 by-case basis by certifying in writing to the Committees
20 on Appropriations of the House of Representatives and the
21 Senate that it is in the national security interest to do
22 so.

23 SEC. 8054. (a) The Secretary of Defense may, on a
24 case-by-case basis, waive with respect to a foreign country
25 each limitation on the procurement of defense items from

1 foreign sources provided in law if the Secretary determines
2 that the application of the limitation with respect to that
3 country would invalidate cooperative programs entered
4 into between the Department of Defense and the foreign
5 country, or would invalidate reciprocal trade agreements
6 for the procurement of defense items entered into under
7 section 2531 of title 10, United States Code, and the
8 country does not discriminate against the same or similar
9 defense items produced in the United States for that coun-
10 try.

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

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

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

19 (c) Subsection (a) does not apply to a limitation re-
20 garding construction of public vessels, ball and roller bear-
21 ings, food, and clothing or textile materials as defined by
22 section XI (chapters 50–65) of the Harmonized Tariff
23 Schedule of the United States and products classified
24 under headings 4010, 4202, 4203, 6401 through 6406,
25 6505, 7019, 7218 through 7229, 7304.41 through

1 7304.49, 7306.40, 7502 through 7508, 8105, 8108, 8109,
2 8211, 8215, and 9404.

3 SEC. 8055. None of the funds appropriated or other-
4 wise made available by this or other Department of De-
5 fense Appropriations Acts may be obligated or expended
6 for the purpose of performing repairs or maintenance to
7 military family housing units of the Department of De-
8 fense, including areas in such military family housing
9 units that may be used for the purpose of conducting offi-
10 cial Department of Defense business.

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

24 SEC. 8057. The Secretary of Defense shall continue
25 to provide a classified quarterly report to the House and

1 Senate Appropriations Committees, Subcommittees on
2 Defense on certain matters as directed in the classified
3 annex accompanying this Act.

4 SEC. 8058. Notwithstanding section 12310(b) of title
5 10, United States Code, a Reservist who is a member of
6 the National Guard serving on full-time National Guard
7 duty under section 502(f) of title 32, United States Code,
8 may perform duties in support of the ground-based ele-
9 ments of the National Ballistic Missile Defense System.

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

1 manent Export of Unclassified Military Articles issued by
2 the Department of State.

3 SEC. 8060. Notwithstanding any other provision of
4 law, the Chief of the National Guard Bureau, or his des-
5 ignee, may waive payment of all or part of the consider-
6 ation that otherwise would be required under section 2667
7 of title 10, United States Code, in the case of a lease of
8 personal property for a period not in excess of 1 year to
9 any organization specified in section 508(d) of title 32,
10 United States Code, or any other youth, social, or fra-
11 ternal nonprofit organization as may be approved by the
12 Chief of the National Guard Bureau, or his designee, on
13 a case-by-case basis.

14 (INCLUDING TRANSFER OF FUNDS)

15 SEC. 8061. Of the amounts appropriated in this Act
16 under the heading “Operation and Maintenance, Army”,
17 \$62,483,700 shall remain available until expended: *Pro-*
18 *vided*, That, notwithstanding any other provision of law,
19 the Secretary of Defense is authorized to transfer such
20 funds to other activities of the Federal Government: *Pro-*
21 *vided further*, That the Secretary of Defense is authorized
22 to enter into and carry out contracts for the acquisition
23 of real property, construction, personal services, and oper-
24 ations related to projects carrying out the purposes of this
25 section: *Provided further*, That contracts entered into

1 under the authority of this section may provide for such
2 indemnification as the Secretary determines to be nec-
3 essary: *Provided further*, That projects authorized by this
4 section shall comply with applicable Federal, State, and
5 local law to the maximum extent consistent with the na-
6 tional security, as determined by the Secretary of Defense.

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

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

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

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

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

24 (b) Nothing in section (a) shall be construed to pro-
25 hibit the merger of programs or changes to the National

1 Intelligence Program budget at or below the Expenditure
2 Center level, provided such change is otherwise in accord-
3 ance with paragraphs (a)(1)–(3).

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

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

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

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

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

1 SEC. 8063. In addition to amounts provided else-
2 where in this Act, \$5,000,000 (increased by \$5,000,000)
3 is hereby appropriated to the Department of Defense, to
4 remain available for obligation until expended: *Provided*,
5 That notwithstanding any other provision of law, that
6 upon the determination of the Secretary of Defense that
7 it shall serve the national interest, these funds shall be
8 available only for a grant to the Fisher House Foundation,
9 Inc., only for the construction and furnishing of additional
10 Fisher Houses to meet the needs of military family mem-
11 bers when confronted with the illness or hospitalization of
12 an eligible military beneficiary.

13 SEC. 8064. Any notice that is required to be sub-
14 mitted to the Committees on Appropriations of the Senate
15 and the House of Representatives under section 806(c)(4)
16 of the Bob Stump National Defense Authorization Act for
17 Fiscal Year 2003 (10 U.S.C. 2302 note) after the date
18 of the enactment of this Act shall be submitted pursuant
19 to that requirement concurrently to the Subcommittees on
20 Defense of the Committees on Appropriations of the Sen-
21 ate and the House of Representatives.

22 (INCLUDING TRANSFER OF FUNDS)

23 SEC. 8065. Of the amounts appropriated in this Act
24 under the headings “Procurement, Defense-Wide” and
25 “Research, Development, Test and Evaluation, Defense-

1 Wide”, \$500,000,000 shall be for the Israeli Cooperative
2 Programs: *Provided*, That of this amount, \$70,000,000
3 shall be for the Secretary of Defense to provide to the Gov-
4 ernment of Israel for the procurement of the Iron Dome
5 defense system to counter short-range rocket threats, sub-
6 ject to the U.S.-Israel Iron Dome Procurement Agree-
7 ment, as amended; \$187,000,000 shall be for the Short
8 Range Ballistic Missile Defense (SRBMD) program, in-
9 cluding cruise missile defense research and development
10 under the SRBMD program, of which \$50,000,000 shall
11 be for co-production activities of SRBMD systems in the
12 United States and in Israel to meet Israel’s defense re-
13 quirements consistent with each nation’s laws, regulations,
14 and procedures, subject to the U.S.-Israeli co-production
15 agreement for SRBMD, as amended; \$80,000,000 shall
16 be for an upper-tier component to the Israeli Missile De-
17 fense Architecture, of which \$80,000,000 shall be for co-
18 production activities of Arrow 3 Upper Tier systems in
19 the United States and in Israel to meet Israel’s defense
20 requirements consistent with each nation’s laws, regula-
21 tions, and procedures, subject to the U.S.-Israeli co-pro-
22 duction agreement for Arrow 3 Upper Tier, as amended;
23 and \$163,000,000 shall be for the Arrow System Improve-
24 ment Program including development of a long range,
25 ground and airborne, detection suite: *Provided further*,

1 That the transfer authority provided under this provision
2 is in addition to any other transfer authority contained
3 in this Act.

4 (INCLUDING TRANSFER OF FUNDS)

5 SEC. 8066. Of the amounts appropriated in this Act
6 under the heading “Shipbuilding and Conversion, Navy”,
7 \$207,099,000 shall be available until September 30, 2019,
8 to fund prior year shipbuilding cost increases: *Provided*,
9 That upon enactment of this Act, the Secretary of the
10 Navy shall transfer funds to the following appropriations
11 in the amounts specified: *Provided further*, That the
12 amounts transferred shall be merged with and be available
13 for the same purposes as the appropriations to which
14 transferred to:

15 (1) Under the heading “Shipbuilding and Con-
16 version, Navy”, 2011/2019: LHA Replacement
17 \$25,100,000;

18 (2) Under the heading “Shipbuilding and Con-
19 version, Navy”, 2013/2019: DDG-51 Destroyer
20 \$53,966,000;

21 (3) Under the heading “Shipbuilding and Con-
22 version, Navy”, 2014/2019: Littoral Combat Ship
23 \$19,498,000;

1 (4) Under the heading “Shipbuilding and Con-
2 version, Navy”, 2015/2019: Littoral Combat Ship
3 \$83,686,000;

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

6 (6) Under the heading “Shipbuilding and Con-
7 version, Navy”, 2016/2019: TAO Fleet Oiler
8 \$15,449,000.

9 SEC. 8067. Funds appropriated by this Act, or made
10 available by the transfer of funds in this Act, for intel-
11 ligence activities are deemed to be specifically authorized
12 by the Congress for purposes of section 504 of the Na-
13 tional Security Act of 1947 (50 U.S.C. 3094) during fiscal
14 year 2019 until the enactment of the Intelligence Author-
15 ization Act for Fiscal Year 2019.

16 SEC. 8068. None of the funds provided in this Act
17 shall be available for obligation or expenditure through a
18 reprogramming of funds that creates or initiates a new
19 program, project, or activity unless such program, project,
20 or activity must be undertaken immediately in the interest
21 of national security and only after written prior notifica-
22 tion to the congressional defense committees.

23 SEC. 8069. The budget of the President for fiscal
24 year 2020 submitted to the Congress pursuant to section
25 1105 of title 31, United States Code, shall include sepa-

1 rate budget justification documents for costs of United
2 States Armed Forces' participation in contingency oper-
3 ations for the Military Personnel accounts, the Operation
4 and Maintenance accounts, the Procurement accounts,
5 and the Research, Development, Test and Evaluation ac-
6 counts: *Provided*, That these documents shall include a de-
7 scription of the funding requested for each contingency op-
8 eration, for each military service, to include all Active and
9 Reserve components, and for each appropriations account:
10 *Provided further*, That these documents shall include esti-
11 mated costs for each element of expense or object class,
12 a reconciliation of increases and decreases for each contin-
13 gency operation, and programmatic data including, but
14 not limited to, troop strength for each Active and Reserve
15 component, and estimates of the major weapons systems
16 deployed in support of each contingency: *Provided further*,
17 That these documents shall include budget exhibits OP-
18 5 and OP-32 (as defined in the Department of Defense
19 Financial Management Regulation) for all contingency op-
20 erations for the budget year and the two preceding fiscal
21 years.

22 SEC. 8070. None of the funds in this Act may be
23 used for research, development, test, evaluation, procure-
24 ment or deployment of nuclear armed interceptors of a
25 missile defense system.

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

5 SEC. 8072. The Secretary of Defense may use up to
6 \$800,000,000 of the amounts appropriated or otherwise
7 made available in this Act to the Department of Defense
8 for the rapid acquisition and deployment of supplies and
9 associated support services pursuant to section 806 of the
10 Bob Stump National Defense Authorization Act for Fiscal
11 Year 2003 (Public Law 107–314; 10 U.S.C. 2302 note):
12 *Provided*, That the Secretary of Defense shall notify the
13 congressional defense committees promptly of all uses of
14 this authority.

15 SEC. 8073. 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. 8074. 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. 8075. (a) None of the funds appropriated by
9 this Act may be used to transfer research and develop-
10 ment, acquisition, or other program authority relating to
11 current tactical unmanned aerial vehicles (TUAVs) from
12 the Army.

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

18 SEC. 8076. 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, 2020.

24 SEC. 8077. 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. 8078. (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 2019: *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. 8079. 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 notifi-
10 cation to the congressional defense committees.

11 SEC. 8080. Notwithstanding any other provision of
12 law, any transfer of funds, appropriated or otherwise made
13 available by this Act, for support to friendly foreign coun-
14 tries in connection with the conduct of operations in which
15 the United States is not participating, pursuant to section
16 331(d) of Title 10, United States Code, shall be made in
17 accordance with sections 8005 or 9002 of this Act, as ap-
18 plicable.

19 SEC. 8081. Any transfer of amounts appropriated to,
20 credited to, or deposited in the Department of Defense Ac-
21 quisition Workforce Development Fund in or for fiscal
22 year 2019 to a military department or Defense Agency
23 pursuant to section 1705(e)(1) of title 10, United States
24 Code, shall be covered by and subject to sections 8005 or
25 9002 of this Act, as applicable.

1 SEC. 8082. None of the funds made available by this
2 Act for excess defense articles, assistance under section
3 333 of title 10, United States Code, or peacekeeping oper-
4 ations for the countries designated annually to be in viola-
5 tion of the standards of the Child Soldiers Prevention Act
6 of 2008 (Public Law 110–457; 22 U.S.C. 2370c–1) may
7 be used to support any military training or operation that
8 includes child soldiers, as defined by the Child Soldiers
9 Prevention Act of 2008, unless such assistance is other-
10 wise permitted under section 404 of the Child Soldiers
11 Prevention Act of 2008.

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

18 (1) creates a new start effort;

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

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

23 (4) transfers funding between appropriations,
24 unless the congressional intelligence committees are noti-
25 fied 30 days in advance of such reprogramming of funds;

1 this notification period may be reduced for urgent national
2 security 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. 8084. 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. 8085. 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 (INCLUDING TRANSFER OF FUNDS)

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

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

21 SEC. 8088. (a) Any agency receiving funds made
22 available in this Act, shall, subject to subsections (b) and
23 (c), post on the public Web site of that agency any report
24 required to be submitted by the Congress in this or any

1 other Act, upon the determination by the head of the agen-
2 cy that it shall serve the national interest.

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

4 (1) the public posting of the report com-
5 promises national security; or

6 (2) the report contains proprietary information.

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

11 SEC. 8089. (a) None of the funds appropriated or
12 otherwise made available by this Act may be expended for
13 any Federal contract for an amount in excess of
14 \$1,000,000, unless the contractor agrees not to—

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

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

11 (b) None of the funds appropriated or otherwise
12 made available by this Act may be expended for any Fed-
13 eral contract unless the contractor certifies that it requires
14 each covered subcontractor to agree not to enter into, and
15 not to take any action to enforce any provision of, any
16 agreement as described in paragraphs (1) and (2) of sub-
17 section (a), with respect to any employee or independent
18 contractor performing work related to such subcontract.
19 For purposes of this subsection, a “covered subcon-
20 tractor” is an entity that has a subcontract in excess of
21 \$1,000,000 on a contract subject to subsection (a).

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

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

19 (INCLUDING TRANSFER OF FUNDS)

20 SEC. 8090. From within the funds appropriated for
21 operation and maintenance for the Defense Health Pro-
22 gram in this Act, up to \$113,000,000, shall be available
23 for transfer to the Joint Department of Defense-Depart-
24 ment of Veterans Affairs Medical Facility Demonstration
25 Fund in accordance with the provisions of section 1704

1 of the National Defense Authorization Act for Fiscal Year
2 2010, Public Law 111–84: *Provided*, That for purposes
3 of section 1704(b), the facility operations funded are oper-
4 ations of the integrated Captain James A. Lovell Federal
5 Health Care Center, consisting of the North Chicago Vet-
6 erans Affairs Medical Center, the Navy Ambulatory Care
7 Center, and supporting facilities designated as a combined
8 Federal medical facility as described by section 706 of
9 Public Law 110–417: *Provided further*, That additional
10 funds may be transferred from funds appropriated for op-
11 eration and maintenance for the Defense Health Program
12 to the Joint Department of Defense-Department of Vet-
13 erans Affairs Medical Facility Demonstration Fund upon
14 written notification by the Secretary of Defense to the
15 Committees on Appropriations of the House of Represent-
16 atives and the Senate.

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

22 SEC. 8092. Appropriations available to the Depart-
23 ment of Defense may be used for the purchase of heavy
24 and light armored vehicles for the physical security of per-
25 sonnel or for force protection purposes up to a limit of

1 \$450,000 per vehicle, notwithstanding price or other limi-
2 tations applicable to the purchase of passenger carrying
3 vehicles.

4 (INCLUDING TRANSFER OF FUNDS)

5 SEC. 8093. Upon a determination by the Director of
6 National Intelligence that such action is necessary and in
7 the national interest, the Director may, with the approval
8 of the Office of Management and Budget, transfer not to
9 exceed \$1,500,000,000 of the funds made available in this
10 Act for the National Intelligence Program: *Provided*, That
11 such authority to transfer may not be used unless for
12 higher priority items, based on unforeseen intelligence re-
13 quirements, than those for which originally appropriated
14 and in no case where the item for which funds are re-
15 quested has been denied by the Congress: *Provided further*,
16 That a request for multiple reprogrammings of funds
17 using authority provided in this section shall be made
18 prior to June 30, 2019.

19 SEC. 8094. None of the funds appropriated or other-
20 wise made available in this or any other Act may be used
21 to transfer, release, or assist in the transfer or release to
22 or within the United States, its territories, or possessions
23 Khalid Sheikh Mohammed or any other detainee who—
24 (1) is not a United States citizen or a member
25 of the Armed Forces of the United States; and

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

4 SEC. 8095. (a) None of the funds appropriated or
5 otherwise made available in this or any other Act may be
6 used to construct, acquire, or modify any facility in the
7 United States, its territories, or possessions to house any
8 individual described in subsection (c) for the purposes of
9 detention or imprisonment in the custody or under the ef-
10 fective control of the Department of Defense.

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

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

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

20 (2) is—

21 (A) in the custody or under the effective
22 control of the Department of Defense; or

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

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

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

14 SEC. 8098. (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 (3) Agents of the Russian Federation have
14 ceased taking active measures to destabilize the con-
15 trol of the Government of Ukraine over eastern
16 Ukraine.

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

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

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

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

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

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

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

3 (c) Any payments provided under a program under
4 subsection (a) shall not be considered an admission or ac-
5 knowledge of any legal obligation to compensate for
6 any damage, personal injury, or death.

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

16 (e) Local military commanders shall receive legal ad-
17 vice before making ex gratia payments under this sub-
18 section. The legal advisor, under regulations of the De-
19 partment of Defense, shall advise on whether an ex gratia
20 payment is proper under this section and applicable De-
21 partment of Defense regulations.

22 (f) A written record of any ex gratia payment offered
23 or denied shall be kept by the local commander and on
24 a timely basis submitted to the appropriate office in the

1 Department of Defense as determined by the Secretary
2 of Defense.

3 (g) The Secretary of Defense shall report to the con-
4 gressional defense committees on an annual basis the effi-
5 cacy of the ex gratia payment program including the num-
6 ber of types of cases considered, amounts offered, the re-
7 sponse from ex gratia payment recipients, and any rec-
8 ommended modifications to the program.

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

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

20 SEC. 8103. The Secretary of each military depart-
21 ment, in reducing each research, development, test and
22 evaluation and procurement account of the military de-
23 partment as required under paragraph (1) of section
24 828(d) of the National Defense Authorization Act for Fis-
25 cal Year 2016 (Public Law 114–92; 10 U.S.C. 2430 note),

1 as amended by section 825(a)(3) of the National Defense
2 Authorization Act for Fiscal Year 2018, shall allocate the
3 percentage reduction determined under paragraph (2) of
4 such section 828(d) proportionally from all programs,
5 projects, or activities under such account: *Provided*, That
6 the authority under section 804(d)(2) of the National De-
7 fense Authorization Act for Fiscal Year 2016 (Public Law
8 114–92; 10 U.S.C. 2302 note) to transfer amounts avail-
9 able in the Rapid Prototyping Fund shall be subject to
10 section 8005 or 9002 of this Act, as applicable.

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

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

20 (1) conduct an acquisition pursuant to section
21 702 of the Foreign Intelligence Surveillance Act of
22 1978 for the purpose of targeting a United States
23 person; or

24 (2) acquire, monitor, or store the contents (as
25 such term is defined in section 2510(8) of title 18,

1 United States Code) of any electronic communica-
2 tion of a United States person from a provider of
3 electronic communication services to the public pur-
4 suant to section 501 of the Foreign Intelligence Sur-
5 veillance Act of 1978.

6 SEC. 8106. None of the funds made available by this
7 Act may be obligated or expended to implement the Arms
8 Trade Treaty until the Senate approves a resolution of
9 ratification for the Treaty.

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

21 SEC. 8108. None of the funds made available in this
22 Act may be obligated for activities authorized under sec-
23 tion 1208 of the Ronald W. Reagan National Defense Au-
24 thorization Act for Fiscal Year 2005 (Public Law 112-
25 81; 125 Stat. 1621) to initiate support for, or expand sup-

1 port to, foreign forces, irregular forces, groups, or individ-
2 uals unless the congressional defense committees are noti-
3 fied in accordance with the direction contained in the clas-
4 sified annex accompanying this Act, not less than 15 days
5 before initiating such support: *Provided*, That none of the
6 funds made available in this Act may be used under sec-
7 tion 1208 for any activity that is not in support of an
8 ongoing military operation being conducted by United
9 States Special Operations Forces to combat terrorism:
10 *Provided further*, That the Secretary of Defense may waive
11 the prohibitions in this section if the Secretary determines
12 that such waiver is required by extraordinary cir-
13 cumstances and, by not later than 72 hours after making
14 such waiver, notifies the congressional defense committees
15 of such waiver.

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

1 tions 3 and 4 of such Resolution (50 U.S.C. 1542 and
2 1543).

3 SEC. 8110. None of the funds provided in this Act
4 for the TAO Fleet Oiler program shall be used to award
5 a new contract that provides for the acquisition of the fol-
6 lowing components unless those components are manufac-
7 tured in the United States: Auxiliary equipment (including
8 pumps) for shipboard services; propulsion equipment (in-
9 cluding engines, reduction gears, and propellers); ship-
10 board cranes; and spreaders for shipboard cranes.

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

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

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

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

3 (INCLUDING TRANSFER OF FUNDS)

4 SEC. 8114. Of the amounts appropriated in this Act,
5 the Secretary of Defense may use up to \$117,642,000
6 under the heading “Operation and Maintenance, Defense-
7 Wide”, and up to \$39,400,000 under the heading “Re-
8 search, Development, Test and Evaluation, Defense-
9 Wide” to develop, replace, and sustain Federal Govern-
10 ment security and suitability background investigation in-
11 formation technology systems of the Office of Personnel
12 Management or other Federal agency responsible for con-
13 ducting such investigations: *Provided*, That the Secretary
14 may transfer additional amounts into these headings or
15 into “Procurement, Defense-Wide” using established re-
16 programming procedures prescribed in the Department of
17 Defense Financial Management Regulation 7000.14, Vol-
18 ume 3, Chapter 6, dated September 2015: *Provided fur-*
19 *ther*, That such funds shall supplement, not supplant any
20 other amounts made available to other Federal agencies
21 for such purposes.

22 SEC. 8115. None of the funds made available by this
23 Act may be used to carry out the closure or realignment
24 of the United States Naval Station, Guantánamo Bay,
25 Cuba.

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

5 (b) Nothing in subsection (a) shall limit the use of
6 funds necessary for any Federal, State, tribal, or local law
7 enforcement agency or any other entity carrying out crimi-
8 nal investigations, prosecution, or adjudication activities,
9 or for any activity necessary for the national defense, in-
10 cluding intelligence activities.

11 SEC. 8117. Notwithstanding any other provision of
12 law, any transfer of funds appropriated or otherwise made
13 available by this Act to the Global Engagement Center es-
14 tablished by section 1287 of the National Defense Author-
15 ization Act for Fiscal Year 2017 (Public Law 114–328;
16 130 Stat. 22 U.S.C. 2656 note) shall be made in accord-
17 ance with section 8005 or 9002 of this Act, as applicable.

18 SEC. 8118. In addition to amounts provided else-
19 where in this Act, there is appropriated \$270,000,000, for
20 an additional amount for “Operation and Maintenance,
21 Defense-Wide”, to remain available until expended: *Pro-*
22 *vided*, That such funds shall only be available to the Sec-
23 retary of Defense, acting through the Office of Economic
24 Adjustment of the Department of Defense, or for transfer
25 to the Secretary of Education, notwithstanding any other

1 provision of law, to make grants, conclude cooperative
2 agreements, or supplement other Federal funds to con-
3 struct, renovate, repair, or expand elementary and sec-
4 ondary public schools on military installations in order to
5 address capacity or facility condition deficiencies at such
6 schools: *Provided further*, That in making such funds
7 available, the Office of Economic Adjustment or the Sec-
8 retary of Education shall give priority consideration to
9 those military installations with schools having the most
10 serious capacity or facility condition deficiencies as deter-
11 mined by the Secretary of Defense: *Provided further*, That
12 as a condition of receiving funds under this section a local
13 educational agency or State shall provide a matching share
14 as described in the notice titled “Department of Defense
15 Program for Construction, Renovation, Repair or Expan-
16 sion of Public Schools Located on Military Installations”
17 published by the Department of Defense in the Federal
18 Register on September 9, 2011 (76 Fed. Reg. 55883 et
19 seq.): *Provided further*, That these provisions apply to
20 funds provided under this section, and to funds previously
21 provided by Congress to construct, renovate, repair, or ex-
22 pand elementary and secondary public schools on military
23 installations in order to address capacity or facility condi-
24 tion deficiencies at such schools to the extent such funds

1 remain unobligated on the date of enactment of this sec-
2 tion.

3 SEC. 8119. In carrying out the program described in
4 the memorandum on the subject of “Policy for Assisted
5 Reproductive Services for the Benefit of Seriously or Se-
6 verely Ill/Injured (Category II or III) Active Duty Service
7 Members” issued by the Assistant Secretary of Defense
8 for Health Affairs on April 3, 2012, and the guidance
9 issued to implement such memorandum, the Secretary of
10 Defense shall apply such policy and guidance, except
11 that—

12 (1) the limitation on periods regarding embryo
13 cryopreservation and storage set forth in part III(G)
14 and in part IV(H) of such memorandum shall not
15 apply; and

16 (2) the term “assisted reproductive technology”
17 shall include embryo cryopreservation and storage
18 without limitation on the duration of such
19 cryopreservation and storage.

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

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

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

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

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

16 SEC. 8125. None of the funds made available by this
17 or any other Act may be obligated or expended to divest
18 more than one E-8C aircraft unless the Secretary of the
19 Air Force certifies to the congressional defense committees
20 that funds made available in this or any other Act have
21 been obligated pursuant to the award of one or more con-
22 tracts to continue the Joint Surveillance Target Attack
23 Radar System recapitalization program.

24 SEC. 8126. None of the funds provided for, or other-
25 wise made available, in this or any other Act, may be obli-

1 gated or expended by the Secretary of Defense to provide
2 motorized vehicles, aviation platforms, munitions other
3 than small arms and munitions appropriate for customary
4 ceremonial honors, operational military units, or oper-
5 ational military platforms if the Secretary determines that
6 providing such units, platforms, or equipment would un-
7 dermine the readiness of such units, platforms, or equip-
8 ment.

9 SEC. 8127. (a) None of the funds made available by
10 this Act to the Secretary of Defense or the Secretary of
11 any military department may be used to enter into a con-
12 tract for the acquisition of furnished energy for the new
13 Rhine Ordnance Barracks Army Medical Center until the
14 Secretary of Defense submits to the congressional defense
15 committees a written certification that—

16 (1) the source of furnished energy for such
17 Medical Center will minimize the use of fuels
18 sourced from inside the Russian Federation;

19 (2) the design of such Medical Center will uti-
20 lize a diversified energy supply from a mixed-fuel
21 system as the source of furnished energy to sustain
22 mission critical operations during any sustained en-
23 ergy supply disruption caused by the Russian Fed-
24 eration; and

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

4 (b) Subsection (a) shall not apply if the Secretary of
5 Defense certifies to the congressional defense committees
6 that a waiver of such subsection is necessary to protect
7 the national security interests of the United States.

8 SEC. 8128. The Secretary of Defense may obligate
9 and expend funds made available under this or any other
10 Act for procurement or for research, development, test and
11 evaluation for the F-35 Joint Strike Fighter to modify
12 up to six F-35 aircraft, including up to two F-35 aircraft
13 of each variant, to a test configuration: *Provided*, That
14 the Secretary of Defense shall, with the concurrence of
15 the Secretary of the Air Force and the Secretary of the
16 Navy, notify the congressional defense committees not
17 fewer than 30 days prior to obligating and expending
18 funds under this section.

19 SEC. 8129. Amounts appropriated for “Defense
20 Health Program” in this Act and hereafter may be obli-
21 gated to make death gratuity payments, as authorized in
22 subchapter II of chapter 75 of title 10, United States
23 Code, if no appropriation for “Military Personnel” is avail-
24 able for obligation for such payments: *Provided*, That such

1 obligations may subsequently be recorded against appro-
2 priations available for “Military Personnel”.

3 SEC. 8130. None of the funds appropriated or other-
4 wise made available by this or any other Act may be obli-
5 gated or expended by the Department of Defense to mi-
6 grate data and applications to the proposed Joint Enter-
7 prise Defense Infrastructure or the Defense Enterprise
8 Office Solutions cloud computing services until a period
9 of 90 days has elapsed following the date on which the
10 Secretary of Defense submits to the congressional defense
11 committees—

12 (1) a proposed plan to establish a budget ac-
13 counting system that provides transparency across
14 the Department, including all military Services and
15 Defense Agencies, for funds requested and expended
16 for all cloud computing services procured by the De-
17 partment and funds requested and expended to mi-
18 grate to a cloud computing environment; and

19 (2) a detailed description of the Department’s
20 strategy to implement enterprise-wide cloud com-
21 puting, including the goals and acquisition strategies
22 for all proposed enterprise-wide cloud computing
23 service procurements; the strategy to sustain com-
24 petition and innovation throughout the period of
25 performance of each contract, including defining op-

1 portunities for multiple cloud service providers and
2 insertion of new technologies; and an assessment of
3 potential threats and security vulnerabilities of the
4 proposed cloud computing strategy, and plans to
5 mitigate such risks.

6 TITLE IX

7 OVERSEAS CONTINGENCY OPERATIONS

8 MILITARY PERSONNEL

9 MILITARY PERSONNEL, ARMY

10 For an additional amount for “Military Personnel,
11 Army”, \$2,929,154,000: *Provided*, That such amount 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 MILITARY PERSONNEL, NAVY

17 For an additional amount for “Military Personnel,
18 Navy”, \$385,461,000: *Provided*, That such amount is des-
19 ignated by the Congress for Overseas Contingency Oper-
20 ations/Global War on Terrorism pursuant to section
21 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
22 Deficit Control Act of 1985.

23 MILITARY PERSONNEL, MARINE CORPS

24 For an additional amount for “Military Personnel,
25 Marine Corps”, \$109,232,000: *Provided*, That such

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

5 MILITARY PERSONNEL, AIR FORCE

6 For an additional amount for “Military Personnel,
7 Air Force”, \$964,508,000: *Provided*, That such amount
8 is designated by the Congress for Overseas Contingency
9 Operations/Global War on Terrorism pursuant to section
10 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
11 Deficit Control Act of 1985.

12 RESERVE PERSONNEL, ARMY

13 For an additional amount for “Reserve Personnel,
14 Army”, \$37,007,000: *Provided*, That such amount is des-
15 ignated by the Congress for Overseas Contingency Oper-
16 ations/Global War on Terrorism pursuant to section
17 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
18 Deficit Control Act of 1985.

19 RESERVE PERSONNEL, NAVY

20 For an additional amount for “Reserve Personnel,
21 Navy”, \$11,100,000: *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 RESERVE PERSONNEL, MARINE CORPS

2 For an additional amount for “Reserve Personnel,
3 Marine Corps”, \$2,380,000: *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”, \$21,076,000: *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”, \$195,283,000: *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”, \$5,460,000: *Provided*, That such
25 amount is designated by the Congress for Overseas Con-

1 contingency 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”, \$18,125,500,000: *Provided*, That such
8 amount is designated by the Congress for Overseas Con-
9 tingency Operations/Global War on Terrorism pursuant to
10 section 251(b)(2)(A)(ii) of the Balanced Budget and
11 Emergency Deficit Control Act of 1985.

12 OPERATION AND MAINTENANCE, NAVY

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

21 OPERATION AND MAINTENANCE, MARINE CORPS

22 For an additional amount for “Operation and Main-
23 tenance, Marine Corps”, \$1,121,900,000: *Provided*, That
24 such amount is designated by the Congress for Overseas
25 Contingency Operations/Global War on Terrorism pursu-

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

3 OPERATION AND MAINTENANCE, AIR FORCE

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

10 OPERATION AND MAINTENANCE, DEFENSE-WIDE

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

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

1 may be used to support the Government of Jordan, in such
2 amounts as the Secretary of Defense may determine, to
3 enhance the ability of the armed forces of Jordan to in-
4 crease or sustain security along its borders, upon 15 days
5 prior written notification to the congressional defense
6 committees outlining the amounts intended to be provided
7 and the nature of the expenses incurred: *Provided further*,
8 That such amount is designated by the Congress for Over-
9 seas Contingency Operations/Global War on Terrorism
10 pursuant to section 251(b)(2)(A)(ii) of the Balanced
11 Budget and Emergency Deficit Control Act of 1985.

12 OPERATION AND MAINTENANCE, ARMY RESERVE

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

19 OPERATION AND MAINTENANCE, NAVY RESERVE

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

1 OPERATION AND MAINTENANCE, MARINE CORPS
2 RESERVE

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

9 OPERATION AND MAINTENANCE, AIR FORCE RESERVE

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

16 OPERATION AND MAINTENANCE, ARMY NATIONAL
17 GUARD

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

1 OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

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

8 AFGHANISTAN SECURITY FORCES FUND

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

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

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

1 COUNTER-ISIS TRAIN AND EQUIP FUND

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

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

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

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

12 PROCUREMENT

13 AIRCRAFT PROCUREMENT, ARMY

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

21 MISSILE PROCUREMENT, ARMY

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

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

4 PROCUREMENT OF WEAPONS AND TRACKED COMBAT
5 VEHICLES, ARMY

6 For an additional amount for “Procurement of Weap-
7 ons and Tracked Combat Vehicles, Army”,
8 \$1,102,108,000, to remain available until September 30,
9 2021: *Provided*, That such amount is designated by the
10 Congress for Overseas Contingency Operations/Global
11 War on Terrorism pursuant to section 251(b)(2)(A)(ii) of
12 the Balanced Budget and Emergency Deficit Control Act
13 of 1985.

14 PROCUREMENT OF AMMUNITION, ARMY

15 For an additional amount for “Procurement of Am-
16 munition, Army”, \$309,525,000, to remain available until
17 September 30, 2021: *Provided*, That such amount is des-
18 ignated by the Congress for Overseas Contingency Oper-
19 ations/Global War on Terrorism pursuant to section
20 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
21 Deficit Control Act of 1985.

22 OTHER PROCUREMENT, ARMY

23 For an additional amount for “Other Procurement,
24 Army”, \$1,364,345,000, to remain available until Sep-
25 tember 30, 2021: *Provided*, That such amount is des-

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

5 AIRCRAFT PROCUREMENT, NAVY

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

13 WEAPONS PROCUREMENT, NAVY

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

21 PROCUREMENT OF AMMUNITION, NAVY AND MARINE

22 CORPS

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

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

5 OTHER PROCUREMENT, NAVY

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

13 PROCUREMENT, MARINE CORPS

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

21 AIRCRAFT PROCUREMENT, AIR FORCE

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

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

4 MISSILE PROCUREMENT, AIR FORCE

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

12 PROCUREMENT OF AMMUNITION, AIR FORCE

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

20 OTHER PROCUREMENT, AIR FORCE

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

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

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

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

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

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

1 REVOLVING AND MANAGEMENT FUNDS

2 DEFENSE WORKING CAPITAL FUNDS

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

9 OTHER DEPARTMENT OF DEFENSE PROGRAMS

10 DEFENSE HEALTH PROGRAM

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

18 DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES,

19 DEFENSE

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

1 OFFICE OF THE INSPECTOR GENERAL

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

8 GENERAL PROVISIONS—THIS TITLE

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

13 (INCLUDING TRANSFER OF FUNDS)

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 (7) providing humanitarian organizations access
2 to detainees, internally displaced persons, and other
3 Pakistani civilians affected by the conflict.

4 (b) The Secretary of Defense, in coordination with
5 the Secretary of State, may waive the restriction in sub-
6 section (a) on a case-by-case basis by certifying in writing
7 to the congressional defense committees that it is in the
8 national security interest to do so: *Provided*, That if the
9 Secretary of Defense, in coordination with the Secretary
10 of State, exercises such waiver authority, the Secretaries
11 shall report to the congressional defense committees on
12 both the justification for the waiver and on the require-
13 ments of this section that the Government of Pakistan was
14 not able to meet: *Provided further*, That such report may
15 be submitted in classified form if necessary.

16 (INCLUDING TRANSFER OF FUNDS)

17 SEC. 9017. In addition to amounts otherwise made
18 available in this Act, \$770,000,000 is hereby appropriated
19 to the Department of Defense and made available for
20 transfer only to the operation and maintenance, military
21 personnel, and procurement accounts, to improve the intel-
22 ligence, surveillance, and reconnaissance capabilities of the
23 Department of Defense: *Provided*, That the transfer au-
24 thority provided in this section is in addition to any other
25 transfer authority provided elsewhere in this Act: *Provided*

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

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

1 SEC. 9019. None of the funds in this Act may be
2 made available for the transfer of additional C-130 cargo
3 aircraft to the Afghanistan National Security Forces or
4 the Afghanistan Air Force until the Department of De-
5 fense provides a report to the congressional defense com-
6 mittees of the Afghanistan Air Force's medium airlift re-
7 quirements. The report should identify Afghanistan's abil-
8 ity to utilize and maintain existing medium lift aircraft
9 in the inventory and the best alternative platform, if nec-
10 essary, to provide additional support to the Afghanistan
11 Air Force's current medium airlift capacity.

12 (RESCISSIONS)

13 SEC. 9020. Of the funds appropriated in Department
14 of Defense Appropriations Acts, the following funds are
15 hereby rescinded from the following accounts and pro-
16 grams in the specified amounts: *Provided*, That such
17 amounts are designated by the Congress for Overseas
18 Contingency Operations/Global War on Terrorism pursu-
19 ant to section 251(b)(2)(A)(ii) of the Balanced Budget
20 and Emergency Deficit Control Act of 1985:

21 “Procurement of Ammunition, Navy and Marine
22 Corps”, 2017/2019, \$2,216,000;

23 “Counter-ISIS Train and Equip Fund”, 2018/2019,
24 \$25,000,000; and

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

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

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

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

14 TITLE X

15 ADDITIONAL GENERAL PROVISIONS

16 SPENDING REDUCTION ACCOUNT

17 SEC. 10001. The amount by which the applicable al-
18 location of new budget authority made by the Committee
19 on Appropriations of the House of Representatives under
20 section 302(b) of the Congressional Budget Act of 1974
21 exceeds the amount of proposed new budget authority is
22 \$0.

23 SEC. 10002. None of the funds made available by this
24 Act may be used in contravention of—

1 (1) Executive Order No. 13175 (65 Fed. Reg.
2 67249; relating to consultation and coordination
3 with Indian Tribal governments); or

4 (2) section 1501.2(d)(2) of title 40, Code of
5 Federal Regulations.

6 SEC. 10003. None of the funds made available by this
7 Act may be used to transfer the information technology
8 contracting and acquisition services or the Senior Leader
9 Communications functions of the Defense Information
10 Systems Agency.

11 SEC. 10004. None of the funds made available by this
12 Act may be used to terminate a Reserve Officers' Training
13 Corps program at—

14 (1) a Historically Black College or University
15 (which has the meaning given the term “part B in-
16 stitution” in section 322 of the Higher Education
17 Act of 1965 (20 U.S.C. 1061));

18 (2) a Hispanic-serving institution (as defined in
19 section 502 of such Act (20 U.S.C. 1101a)); or

20 (3) a Tribal College or University (as defined in
21 section 316 of such Act (20 U.S.C. 1059c)).

22 SEC. 10005. None of the funds made available by this
23 Act may be used to procure, or to extend or renew a con-
24 tract to procure, any good or service from Zhongxing Tele-
25 communications Equipment Corporation, ZTE Kangxun

1 Telecommunications Ltd., or Huawei Technologies Co.,
2 Ltd.

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

Passed the House of Representatives June 28, 2018.

Attest: KAREN L. HAAS,
Clerk.

Calendar No. 500

115TH CONGRESS
2^D SESSION

H. R. 6157

AN ACT

Making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes.

JUNE 28, 2018

Received; read twice and placed on the calendar