

**Calendar No. 115**114TH CONGRESS  
1ST SESSION**S. 1558****[Report No. 114-63]**

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

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IN THE SENATE OF THE UNITED STATES

JUNE 11, 2015

Mr. COCHRAN, from the Committee on Appropriations, reported the following original bill; which was read twice and placed on the calendar

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**A BILL**

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

1       *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*  
3 That the following sums are appropriated, out of any  
4 money in the Treasury not otherwise appropriated, for the  
5 Department of Defense for the fiscal year ending Sep-  
6 tember 30, 2016, and for other purposes, namely:

1

## TITLE I

2

## MILITARY PERSONNEL

3

## MILITARY PERSONNEL, ARMY

4

For pay, allowances, individual clothing, subsistence,  
interest on deposits, gratuities, permanent change of sta-  
tion travel (including all expenses thereof for organiza-  
tional movements), and expenses of temporary duty travel  
between permanent duty stations, for members of the  
Army on active duty (except members of reserve compo-  
nents 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 Depart-  
ment of Defense Military Retirement Fund,  
\$41,038,287,000.

16

## MILITARY PERSONNEL, NAVY

17

For pay, allowances, individual clothing, subsistence,  
interest on deposits, gratuities, permanent change of sta-  
tion travel (including all expenses thereof for organiza-  
tional movements), and expenses of temporary duty travel  
between permanent duty stations, for members of the  
Navy on active duty (except members of the Reserve pro-  
vided 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,

25

1 as amended (42 U.S.C. 402 note), and to the Department  
2 of Defense Military Retirement Fund, \$27,983,432,000.

3           MILITARY PERSONNEL, MARINE CORPS

4           For pay, allowances, individual clothing, subsistence,  
5 interest on deposits, gratuities, permanent change of sta-  
6 tion travel (including all expenses thereof for organiza-  
7 tional movements), and expenses of temporary duty travel  
8 between permanent duty stations, for members of the Ma-  
9 rine Corps on active duty (except members of the Reserve  
10 provided for elsewhere); and for payments pursuant to sec-  
11 tion 156 of Public Law 97-377, as amended (42 U.S.C.  
12 402 note), and to the Department of Defense Military Re-  
13 tirement Fund, \$12,953,400,000.

14           MILITARY PERSONNEL, AIR FORCE

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

1 ment of Defense Military Retirement Fund,  
2 \$27,756,536,000.

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, \$4,418,714,000.

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 \$1,849,541,000.

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 \$697,839,000.

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, \$1,676,551,000.

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, \$7,862,122,000.

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 \$3,205,691,000.

## 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, \$27,285,099,000: *Provided*, That not to ex-  
15 ceed \$12,478,000 can be used for emergencies and ex-  
16 traordinary expenses, to be expended on the approval or  
17 authority of the Secretary of the Army, and payments may  
18 be made on his certificate of necessity for confidential mili-  
19 tary 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, \$25,933,099,000:  
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, \$5,277,785,000.

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, \$26,144,988,000: *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, \$32,124,431,000:  
23 *Provided*, That not more than \$15,000,000 may be used  
24 for the Combatant Commander Initiative Fund authorized  
25 under section 166a of title 10, United States Code: *Pro-*



1 *vided further*, That not to exceed \$36,000,000 can be used  
2 for emergencies and extraordinary expenses, to be ex-  
3 pended on the approval or authority of the Secretary of  
4 Defense, and payments may be made on his certificate of  
5 necessity for confidential military purposes: *Provided fur-*  
6 *ther*, That of the funds provided under this heading, not  
7 less than \$35,045,000 shall be made available for the Pro-  
8 curement Technical Assistance Cooperative Agreement  
9 Program, of which not less than \$3,600,000 shall be avail-  
10 able for centers defined in 10 U.S.C. 2411(1)(D): *Pro-*  
11 *vided further*, That none of the funds appropriated or oth-  
12 erwise made available by this Act may be used to plan  
13 or implement the consolidation of a budget or appropria-  
14 tions liaison office of the Office of the Secretary of De-  
15 fense, the office of the Secretary of a military department,  
16 or the service headquarters of one of the Armed Forces  
17 into a legislative affairs or legislative liaison office: *Pro-*  
18 *vided further*, That \$9,031,000, to remain available until  
19 expended, is available only for expenses relating to certain  
20 classified activities, and may be transferred as necessary  
21 by the Secretary of Defense to operation and maintenance  
22 appropriations or research, development, test and evalua-  
23 tion appropriations, to be merged with and to be available  
24 for the same time period as the appropriations to which  
25 transferred: *Provided further*, That any ceiling on the in-

1 vestment item unit cost of items that may be purchased  
2 with operation and maintenance funds shall not apply to  
3 the funds described in the preceding proviso: *Provided fur-*  
4 *ther*, That the transfer authority provided under this head-  
5 ing is in addition to any other transfer authority provided  
6 elsewhere in this Act.

7 OPERATION AND MAINTENANCE, ARMY RESERVE

8 For expenses, not otherwise provided for, necessary  
9 for the operation and maintenance, including training, or-  
10 ganization, and administration, of the Army Reserve; re-  
11 pair of facilities and equipment; hire of passenger motor  
12 vehicles; travel and transportation; care of the dead; re-  
13 cruiting; procurement of services, supplies, and equip-  
14 ment; and communications, \$2,679,992,000.

15 OPERATION AND MAINTENANCE, NAVY RESERVE

16 For expenses, not otherwise provided for, necessary  
17 for the operation and maintenance, including training, or-  
18 ganization, and administration, of the Navy Reserve; re-  
19 pair of facilities and equipment; hire of passenger motor  
20 vehicles; travel and transportation; care of the dead; re-  
21 cruiting; procurement of services, supplies, and equip-  
22 ment; and communications, \$998,758,000.

## 1 OPERATION AND MAINTENANCE, MARINE CORPS

## 2 RESERVE

3 For expenses, not otherwise provided for, necessary  
4 for the operation and maintenance, including training, or-  
5 ganization, and administration, of the Marine Corps Re-  
6 serve; repair of facilities and equipment; hire of passenger  
7 motor vehicles; travel and transportation; care of the dead;  
8 recruiting; procurement of services, supplies, and equip-  
9 ment; and communications, \$277,036,000.

## 10 OPERATION AND MAINTENANCE, AIR FORCE RESERVE

11 For expenses, not otherwise provided for, necessary  
12 for the operation and maintenance, including training, or-  
13 ganization, and administration, of the Air Force Reserve;  
14 repair of facilities and equipment; hire of passenger motor  
15 vehicles; travel and transportation; care of the dead; re-  
16 cruiting; procurement of services, supplies, and equip-  
17 ment; and communications, \$3,056,357,000.

## 18 OPERATION AND MAINTENANCE, ARMY NATIONAL

## 19 GUARD

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

1 penses (other than mileage), as authorized by law for  
2 Army personnel on active duty, for Army National Guard  
3 division, regimental, and battalion commanders while in-  
4 specting units in compliance with National Guard Bureau  
5 regulations when specifically authorized by the Chief, Na-  
6 tional Guard Bureau; supplying and equipping the Army  
7 National Guard as authorized by law; and expenses of re-  
8 pair, modification, maintenance, and issue of supplies and  
9 equipment (including aircraft), \$6,746,302,000.

10 OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

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

1 Bureau regulations when specifically authorized by the  
2 Chief, National Guard Bureau, \$6,951,010,000.

3 UNITED STATES COURT OF APPEALS FOR THE ARMED  
4 FORCES

5 For salaries and expenses necessary for the United  
6 States Court of Appeals for the Armed Forces,  
7 \$14,078,000, of which not to exceed \$5,000 may be used  
8 for official representation purposes.

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

11 For the Department of the Army, \$234,829,000, to  
12 remain available until transferred: *Provided*, That the Sec-  
13 retary of the Army shall, upon determining that such  
14 funds are required for environmental restoration, reduc-  
15 tion and recycling of hazardous waste, removal of unsafe  
16 buildings and debris of the Department of the Army, or  
17 for similar purposes, transfer the funds made available by  
18 this appropriation to other appropriations made available  
19 to the Department of the Army, to be merged with and  
20 to be available for the same purposes and for the same  
21 time period as the appropriations to which transferred:  
22 *Provided further*, That upon a determination that all or  
23 part of the funds transferred from this appropriation are  
24 not necessary for the purposes provided herein, such  
25 amounts may be transferred back to this appropriation:

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

4 ENVIRONMENTAL RESTORATION, NAVY

5 (INCLUDING TRANSFER OF FUNDS)

6 For the Department of the Navy, \$292,453,000, to  
7 remain available until transferred: *Provided*, That the Sec-  
8 retary of the Navy shall, upon determining that such  
9 funds are required for environmental restoration, reduc-  
10 tion and recycling of hazardous waste, removal of unsafe  
11 buildings and debris of the Department of the Navy, or  
12 for similar purposes, transfer the funds made available by  
13 this appropriation to other appropriations made available  
14 to the Department of the Navy, to be merged with and  
15 to be available for the same purposes and for the same  
16 time period as the appropriations to which transferred:  
17 *Provided further*, That upon a determination that all or  
18 part of the funds transferred from this appropriation are  
19 not necessary for the purposes provided herein, such  
20 amounts may be transferred back to this appropriation:  
21 *Provided further*, That the transfer authority provided  
22 under this heading is in addition to any other transfer au-  
23 thority provided elsewhere in this Act.

## 1 ENVIRONMENTAL RESTORATION, AIR FORCE

2 (INCLUDING TRANSFER OF FUNDS)

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

## 21 ENVIRONMENTAL RESTORATION, DEFENSE-WIDE

22 (INCLUDING TRANSFER OF FUNDS)

23 For the Department of Defense, \$8,232,000, to re-  
24 main available until transferred: *Provided*, That the Sec-  
25 retary of Defense shall, upon determining that such funds

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

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

19 For the Department of the Army, \$233,717,000, to  
20 remain available until transferred: *Provided*, That the Sec-  
21 retary of the Army shall, upon determining that such  
22 funds are required for environmental restoration, reduc-  
23 tion and recycling of hazardous waste, removal of unsafe  
24 buildings and debris at sites formerly used by the Depart-  
25 ment of Defense, transfer the funds made available by this



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

12 OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AID

13 For expenses relating to the Overseas Humanitarian,  
14 Disaster, and Civic Aid programs of the Department of  
15 Defense (consisting of the programs provided under sec-  
16 tions 401, 402, 404, 407, 2557, and 2561 of title 10,  
17 United States Code), \$100,266,000, to remain available  
18 until September 30, 2017.

19 COOPERATIVE THREAT REDUCTION ACCOUNT

20 For assistance to the republics of the former Soviet  
21 Union and, with appropriate authorization by the Depart-  
22 ment of Defense and Department of State, to countries  
23 outside of the former Soviet Union, including assistance  
24 provided by contract or by grants, for facilitating the  
25 elimination and the safe and secure transportation and

1 storage of nuclear, chemical and other weapons; for estab-  
2 lishing programs to prevent the proliferation of weapons,  
3 weapons components, and weapon-related technology and  
4 expertise; for programs relating to the training and sup-  
5 port of defense and military personnel for demilitarization  
6 and protection of weapons, weapons components, and  
7 weapons technology and expertise, and for defense and  
8 military contacts, \$358,496,000, to remain available until  
9 September 30, 2018.

10 DEPARTMENT OF DEFENSE ACQUISITION WORKFORCE

11 DEVELOPMENT FUND

12 (INCLUDING TRANSFER OF FUNDS)

13 For the Department of Defense Acquisition Work-  
14 force Development Fund, \$84,140,000 to remain available  
15 until September 30, 2017: *Provided*, That the Secretary  
16 of Defense may transfer funds provided herein to appro-  
17 priations for military personnel; for operation and mainte-  
18 nance; for procurement; and for research, development,  
19 test and evaluation to accomplish purposes as provided for  
20 in section 1705 of title 10, United States Code: *Provided*  
21 *further*, That the funds appropriated under this heading  
22 shall be available for obligation for the same time period  
23 and for the same purpose as the appropriation to which  
24 transferred: *Provided further*, That upon a determination  
25 that all or part of the funds transferred from this appro-

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

### 6 TITLE III

### 7 PROCUREMENT

#### 8 AIRCRAFT PROCUREMENT, ARMY

9 For construction, procurement, production, modifica-  
10 tion, and modernization of aircraft, equipment, including  
11 ordnance, ground handling equipment, spare parts, and  
12 accessories therefor; specialized equipment and training  
13 devices; expansion of public and private plants, including  
14 the land necessary therefor, for the foregoing purposes,  
15 and such lands and interests therein, may be acquired,  
16 and construction prosecuted thereon prior to approval of  
17 title; and procurement and installation of equipment, ap-  
18 pliances, and machine tools in public and private plants;  
19 reserve plant and Government and contractor-owned  
20 equipment layaway; and other expenses necessary for the  
21 foregoing purposes, \$5,465,751,000, to remain available  
22 for obligation until September 30, 2018.

#### 23 MISSILE PROCUREMENT, ARMY

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

1 ordnance, ground handling equipment, spare parts, and  
2 accessories therefor; specialized equipment and training  
3 devices; expansion of public and private plants, including  
4 the land necessary therefor, for the foregoing purposes,  
5 and such lands and interests therein, may be acquired,  
6 and construction prosecuted thereon prior to approval of  
7 title; and procurement and installation of equipment, ap-  
8 pliances, and machine tools in public and private plants;  
9 reserve plant and Government and contractor-owned  
10 equipment layaway; and other expenses necessary for the  
11 foregoing purposes, \$1,667,167,000, to remain available  
12 for obligation until September 30, 2018.

13     PROCUREMENT OF WEAPONS AND TRACKED COMBAT  
14                             VEHICLES, ARMY

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

1 layaway; and other expenses necessary for the foregoing  
2 purposes, \$1,914,446,000, to remain available for obliga-  
3 tion until September 30, 2018.

4           PROCUREMENT OF AMMUNITION, ARMY

5       For construction, procurement, production, and  
6 modification of ammunition, and accessories therefor; spe-  
7 cialized equipment and training devices; expansion of pub-  
8 lic and private plants, including ammunition facilities, au-  
9 thorized by section 2854 of title 10, United States Code,  
10 and the land necessary therefor, for the foregoing pur-  
11 poses, and such lands and interests therein, may be ac-  
12 quired, and construction prosecuted thereon prior to ap-  
13 proval of title; and procurement and installation of equip-  
14 ment, appliances, and machine tools in public and private  
15 plants; reserve plant and Government and contractor-  
16 owned equipment layaway; and other expenses necessary  
17 for the foregoing purposes, \$1,247,426,000, to remain  
18 available for obligation until September 30, 2018.

19           OTHER PROCUREMENT, ARMY

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

1 equipment and training devices; expansion of public and  
2 private plants, including the land necessary therefor, for  
3 the foregoing purposes, and such lands and interests  
4 therein, may be acquired, and construction prosecuted  
5 thereon prior to approval of title; and procurement and  
6 installation of equipment, appliances, and machine tools  
7 in public and private plants; reserve plant and Govern-  
8 ment and contractor-owned equipment layaway; and other  
9 expenses necessary for the foregoing purposes,  
10 \$5,648,874,000, to remain available for obligation until  
11 September 30, 2018.

12 AIRCRAFT PROCUREMENT, NAVY

13 For construction, procurement, production, modifica-  
14 tion, and modernization of aircraft, equipment, including  
15 ordnance, spare parts, and accessories therefor; specialized  
16 equipment; expansion of public and private plants, includ-  
17 ing the land necessary therefor, and such lands and inter-  
18 ests therein, may be acquired, and construction prosecuted  
19 thereon prior to approval of title; and procurement and  
20 installation of equipment, appliances, and machine tools  
21 in public and private plants; reserve plant and Govern-  
22 ment and contractor-owned equipment layaway,  
23 \$17,392,174,000, to remain available for obligation until  
24 September 30, 2018.

## 1 WEAPONS PROCUREMENT, NAVY

2 For construction, procurement, production, modifica-  
3 tion, and modernization of missiles, torpedoes, other weap-  
4 ons, and related support equipment including spare parts,  
5 and accessories therefor; expansion of public and private  
6 plants, including the land necessary therefor, and such  
7 lands and interests therein, may be acquired, and con-  
8 struction prosecuted thereon prior to approval of title; and  
9 procurement and installation of equipment, appliances,  
10 and machine tools in public and private plants; reserve  
11 plant and Government and contractor-owned equipment  
12 layaway, \$3,172,822,000, to remain available for obliga-  
13 tion until September 30, 2018.

## 14 PROCUREMENT OF AMMUNITION, NAVY AND MARINE

## 15 CORPS

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

1 plants; reserve plant and Government and contractor-  
2 owned equipment layaway; and other expenses necessary  
3 for the foregoing purposes, \$728,741,000, to remain avail-  
4 able for obligation until September 30, 2018.

5 SHIPBUILDING AND CONVERSION, NAVY

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

18 Carrier Replacement Program, \$1,634,701,000;

19 Carrier Replacement Program (AP),  
20 \$683,200,000;

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

22 Virginia Class Submarine (AP),  
23 \$1,993,740,000;

24 CVN Refueling Overhauls, \$678,274,000;

25 CVN Refueling Overhauls (AP), \$14,951,000;



1 DDG-1000 Program, \$433,404,000;  
2 DDG-51 Destroyer, \$4,149,703,000;  
3 Littoral Combat Ship, \$1,331,591,000;  
4 LPD-17, \$550,000,000;  
5 Afloat Forward Staging Base (AP),  
6 \$97,000,000;  
7 LHA Replacement (AP), \$476,543,000;  
8 LX(R) (AP), \$250,000,000;  
9 Joint High Speed Vessel, \$225,000,000;  
10 TAO Fleet Oiler, \$674,190,000;  
11 T-ATS(X) Fleet Tug, \$75,000,000;  
12 LCU Replacement, \$34,000,000;  
13 Moored Training Ship (AP), \$138,200,000;  
14 Ship to Shore Connector, \$204,630,000;  
15 Service Craft, \$30,014,000;  
16 LCAC Service Life Extension Program,  
17 \$80,738,000;  
18 YP Craft Maintenance/ROH/SLEP,  
19 \$21,838,000; and  
20 For outfitting, post delivery, conversions, and  
21 first destination transportation, \$663,970,000.  
22 Completion of Prior Year Shipbuilding Pro-  
23 grams, \$389,305,000.  
24 In all: \$18,176,362,000, to remain available for obli-  
25 gation until September 30, 2020: *Provided*, That addi-

1 tional obligations may be incurred after September 30,  
2 2020, for engineering services, tests, evaluations, and  
3 other such budgeted work that must be performed in the  
4 final stage of ship construction: *Provided further*, That  
5 none of the funds provided under this heading for the con-  
6 struction or conversion of any naval vessel to be con-  
7 structed in shipyards in the United States shall be ex-  
8 pended in foreign facilities for the construction of major  
9 components of such vessel: *Provided further*, That none  
10 of the funds provided under this heading shall be used  
11 for the construction of any naval vessel in foreign ship-  
12 yards.

13                                   OTHER PROCUREMENT, NAVY

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

1 tractor-owned equipment layaway, \$6,329,750,000, to re-  
2 main available for obligation until September 30, 2018.

3                   PROCUREMENT, MARINE CORPS

4           For expenses necessary for the procurement, manu-  
5 facture, and modification of missiles, armament, military  
6 equipment, spare parts, and accessories therefor; plant  
7 equipment, appliances, and machine tools, and installation  
8 thereof in public and private plants; reserve plant and  
9 Government and contractor-owned equipment layaway; ve-  
10 hicles for the Marine Corps, including the purchase of pas-  
11 senger motor vehicles for replacement only; and expansion  
12 of public and private plants, including land necessary  
13 therefor, and such lands and interests therein, may be ac-  
14 quired, and construction prosecuted thereon prior to ap-  
15 proval of title, \$1,239,618,000, to remain available for ob-  
16 ligation until September 30, 2018.

17                   AIRCRAFT PROCUREMENT, AIR FORCE

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

1 therein, may be acquired, and construction prosecuted  
2 thereon prior to approval of title; reserve plant and Gov-  
3 ernment and contractor-owned equipment layaway; and  
4 other expenses necessary for the foregoing purposes in-  
5 cluding rents and transportation of things,  
6 \$15,890,661,000, to remain available for obligation until  
7 September 30, 2018.

8                   MISSILE PROCUREMENT, AIR FORCE

9           For construction, procurement, and modification of  
10 missiles, rockets, and related equipment, including spare  
11 parts and accessories therefor; ground handling equip-  
12 ment, and training devices; expansion of public and pri-  
13 vate plants, Government-owned equipment and installa-  
14 tion thereof in such plants, erection of structures, and ac-  
15 quisition of land, for the foregoing purposes, and such  
16 lands and interests therein, may be acquired, and con-  
17 struction prosecuted thereon prior to approval of title; re-  
18 serve plant and Government and contractor-owned equip-  
19 ment layaway; and other expenses necessary for the fore-  
20 going purposes including rents and transportation of  
21 things, \$2,965,869,000, to remain available for obligation  
22 until September 30, 2018.

23                   SPACE PROCUREMENT, AIR FORCE

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

1 spare parts and accessories therefor; ground handling  
2 equipment, and training devices; expansion of public and  
3 private plants, Government-owned equipment and installa-  
4 tion thereof in such plants, erection of structures, and ac-  
5 quisition of land, for the foregoing purposes, and such  
6 lands and interests therein, may be acquired, and con-  
7 struction prosecuted thereon prior to approval of title; re-  
8 serve plant and Government and contractor-owned equip-  
9 ment layaway; and other expenses necessary for the fore-  
10 going purposes including rents and transportation of  
11 things, \$2,891,159,000, to remain available for obligation  
12 until September 30, 2018.

13           PROCUREMENT OF AMMUNITION, AIR FORCE

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

1 for the foregoing purposes, \$1,797,343,000, to remain  
2 available for obligation until September 30, 2018.

3                   OTHER PROCUREMENT, AIR FORCE

4       For procurement and modification of equipment (in-  
5 cluding ground guidance and electronic control equipment,  
6 and ground electronic and communication equipment),  
7 and supplies, materials, and spare parts therefor, not oth-  
8 erwise provided for; the purchase of passenger motor vehi-  
9 cles for replacement only; lease of passenger motor vehi-  
10 cles; and expansion of public and private plants, Govern-  
11 ment-owned equipment and installation thereof in such  
12 plants, erection of structures, and acquisition of land, for  
13 the foregoing purposes, and such lands and interests  
14 therein, may be acquired, and construction prosecuted  
15 thereon, prior to approval of title; reserve plant and Gov-  
16 ernment and contractor-owned equipment layaway,  
17 \$17,997,359,000, to remain available for obligation until  
18 September 30, 2018.

19                   PROCUREMENT, DEFENSE-WIDE

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

1 and private plants, equipment, and installation thereof in  
2 such plants, erection of structures, and acquisition of land  
3 for the foregoing purposes, and such lands and interests  
4 therein, may be acquired, and construction prosecuted  
5 thereon prior to approval of title; reserve plant and Gov-  
6 ernment and contractor-owned equipment layaway,  
7 \$5,211,532,000, to remain available for obligation until  
8 September 30, 2018.

9           DEFENSE PRODUCTION ACT PURCHASES

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

14                           TITLE IV

15           RESEARCH, DEVELOPMENT, TEST AND

16                           EVALUATION

17         RESEARCH, DEVELOPMENT, TEST AND EVALUATION,

18                           ARMY

19         For expenses necessary for basic and applied sci-  
20 entific research, development, test and evaluation, includ-  
21 ing maintenance, rehabilitation, lease, and operation of fa-  
22 cilities and equipment, \$7,096,935,000, to remain avail-  
23 able for obligation until September 30, 2017.

1 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,  
2 NAVY

3 For expenses necessary for basic and applied sci-  
4 entific research, development, test and evaluation, includ-  
5 ing maintenance, rehabilitation, lease, and operation of fa-  
6 cilities and equipment, \$18,236,645,000, to remain avail-  
7 able for obligation until September 30, 2017: *Provided*,  
8 That funds appropriated in this paragraph which are  
9 available for the V-22 may be used to meet unique oper-  
10 ational requirements of the Special Operations Forces.

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

13 For expenses necessary for basic and applied sci-  
14 entific research, development, test and evaluation, includ-  
15 ing maintenance, rehabilitation, lease, and operation of fa-  
16 cilities and equipment, \$25,874,116,000, to remain avail-  
17 able for obligation until September 30, 2017.

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

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



1 of Defense, pursuant to law; maintenance, rehabilitation,  
2 lease, and operation of facilities and equipment,  
3 \$18,926,433,000, to remain available for obligation until  
4 September 30, 2017: *Provided*, That, of the funds made  
5 available in this paragraph, \$400,000,000 for the Defense  
6 Rapid Innovation Program shall only be available for ex-  
7 penses, not otherwise provided for, to include program  
8 management and oversight, to conduct research, develop-  
9 ment, test and evaluation to include proof of concept dem-  
10 onstration; engineering, testing, and validation; and tran-  
11 sition to full-scale production: *Provided further*, That the  
12 Secretary of Defense may transfer funds provided herein  
13 for the Defense Rapid Innovation Program to appropria-  
14 tions for research, development, test and evaluation to ac-  
15 complish the purpose provided herein: *Provided further*,  
16 That this transfer authority is in addition to any other  
17 transfer authority available to the Department of Defense:  
18 *Provided further*, That the Secretary of Defense shall, not  
19 fewer than 30 days prior to making transfers from this  
20 appropriation, notify the congressional defense committees  
21 in writing of the details of any such transfer.

22 OPERATIONAL TEST AND EVALUATION, DEFENSE

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

1 operational test and evaluation, including initial oper-  
2 ational test and evaluation which is conducted prior to,  
3 and in support of, production decisions; joint operational  
4 testing and evaluation; and administrative expenses in  
5 connection therewith, \$190,558,000, to remain available  
6 for obligation until September 30, 2017.

7 TITLE V

8 REVOLVING AND MANAGEMENT FUNDS

9 DEFENSE WORKING CAPITAL FUNDS

10 For the Defense Working Capital Funds,  
11 \$1,779,568,000.

12 NATIONAL DEFENSE SEALIFT FUND

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

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

## 21 TITLE VI

### 22 OTHER DEPARTMENT OF DEFENSE PROGRAMS

#### 23 DEFENSE HEALTH PROGRAM

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

1 as authorized by law, \$32,267,914,000; of which  
2 \$30,103,891,000 shall be for operation and maintenance,  
3 of which not to exceed one percent shall remain available  
4 for obligation until September 30, 2017, and of which up  
5 to \$14,812,040,000 may be available for contracts entered  
6 into under the TRICARE program; of which  
7 \$365,390,000, to remain available for obligation until Sep-  
8 tember 30, 2018, shall be for procurement; and of which  
9 \$1,798,633,000, to remain available for obligation until  
10 September 30, 2017, shall be for research, development,  
11 test and evaluation.

12 CHEMICAL AGENTS AND MUNITIONS DESTRUCTION,  
13 DEFENSE

14 For expenses, not otherwise provided for, necessary  
15 for the destruction of the United States stockpile of lethal  
16 chemical agents and munitions in accordance with the pro-  
17 visions of section 1412 of the Department of Defense Au-  
18 thorization Act, 1986 (50 U.S.C. 1521), and for the de-  
19 struction of other chemical warfare materials that are not  
20 in the chemical weapon stockpile, \$699,821,000, of which  
21 \$118,198,000 shall be for operation and maintenance, of  
22 which no less than \$50,743,000 shall be for the Chemical  
23 Stockpile Emergency Preparedness Program, consisting of  
24 \$21,289,000 for activities on military installations and  
25 \$29,454,000, to remain available until September 30,

1 2017, to assist State and local governments; \$2,281,000  
2 shall be for procurement, to remain available until Sep-  
3 tember 30, 2018, of which \$2,281,000 shall be for the  
4 Chemical Stockpile Emergency Preparedness Program to  
5 assist State and local governments; and \$579,342,000, to  
6 remain available until September 30, 2017, shall be for  
7 research, development, test and evaluation, of which  
8 \$569,339,000 shall only be for the Assembled Chemical  
9 Weapons Alternatives program.

10 DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES,

11 DEFENSE

12 (INCLUDING TRANSFER OF FUNDS)

13 For drug interdiction and counter-drug activities of  
14 the Department of Defense, for transfer to appropriations  
15 available to the Department of Defense for military per-  
16 sonnel of the reserve components serving under the provi-  
17 sions of title 10 and title 32, United States Code; for oper-  
18 ation and maintenance; for procurement; and for research,  
19 development, test and evaluation, \$1,013,598,000, of  
20 which \$681,109,000 shall be for counter-narcotics sup-  
21 port; \$119,589,000 shall be for the drug demand reduc-  
22 tion program; \$192,900,000 shall be for the National  
23 Guard counter-drug program; and \$20,000,000 shall be  
24 for the National Guard counter-drug schools program:  
25 *Provided*, That the funds appropriated under this heading

1 shall be available for obligation for the same time period  
2 and for the same purpose as the appropriation to which  
3 transferred: *Provided further*, That upon a determination  
4 that all or part of the funds transferred from this appro-  
5 priation are not necessary for the purposes provided here-  
6 in, such amounts may be transferred back to this appro-  
7 priation: *Provided further*, That the transfer authority pro-  
8 vided under this heading is in addition to any other trans-  
9 fer authority contained elsewhere in this Act.

10 OFFICE OF THE INSPECTOR GENERAL

11 For expenses and activities of the Office of the In-  
12 spector General in carrying out the provisions of the In-  
13 spector General Act of 1978, as amended, \$312,559,000,  
14 of which \$310,459,000 shall be for operation and mainte-  
15 nance, of which not to exceed \$700,000 is available for  
16 emergencies and extraordinary expenses to be expended on  
17 the approval or authority of the Inspector General, and  
18 payments may be made on the Inspector General's certifi-  
19 cate of necessity for confidential military purposes; and  
20 of which \$2,100,000, to remain available until September  
21 30, 2017, shall be for research, development, test and eval-  
22 uation.

1 TITLE VII  
2 RELATED AGENCIES  
3 CENTRAL INTELLIGENCE AGENCY RETIREMENT AND  
4 DISABILITY SYSTEM FUND

5 For payment to the Central Intelligence Agency Re-  
6 tirement and Disability System Fund, to maintain the  
7 proper funding level for continuing the operation of the  
8 Central Intelligence Agency Retirement and Disability  
9 System, \$514,000,000.

10 INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT

11 For necessary expenses of the Intelligence Commu-  
12 nity Management Account, \$513,923,000.

13 TITLE VIII  
14 GENERAL PROVISIONS

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

18 SEC. 8002. During the current fiscal year, provisions  
19 of law prohibiting the payment of compensation to, or em-  
20 ployment of, any person not a citizen of the United States  
21 shall not apply to personnel of the Department of Defense:  
22 *Provided*, That salary increases granted to direct and indi-  
23 rect hire foreign national employees of the Department of  
24 Defense funded by this Act shall not be at a rate in excess  
25 of the percentage increase authorized by law for civilian

1 employees of the Department of Defense whose pay is  
2 computed under the provisions of section 5332 of title 5,  
3 United States Code, or at a rate in excess of the percent-  
4 age increase provided by the appropriate host nation to  
5 its own employees, whichever is higher: *Provided further*,  
6 That this section shall not apply to Department of De-  
7 fense foreign service national employees serving at United  
8 States diplomatic missions whose pay is set by the Depart-  
9 ment of State under the Foreign Service Act of 1980: *Pro-*  
10 *vided further*, That the limitations of this provision shall  
11 not apply to foreign national employees of the Department  
12 of Defense in the Republic of Turkey.

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

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

23 (TRANSFER OF FUNDS)

24 SEC. 8005. Upon determination by the Secretary of  
25 Defense that such action is necessary in the national inter-



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

1 thority provided in this section shall be made prior to June  
2 30, 2016: *Provided further*, That transfers among military  
3 personnel appropriations shall not be taken into account  
4 for purposes of the limitation on the amount of funds that  
5 may be transferred under this section.

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

19 (b) Amounts specified in the referenced tables de-  
20 scribed in subsection (a) shall not be treated as subdivi-  
21 sions of appropriations for purposes of section 8005 of this  
22 Act: *Provided*, That section 8005 shall apply when trans-  
23 fers of the amounts described in subsection (a) occur be-  
24 tween appropriation accounts.

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

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

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

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

18        (b) Notwithstanding section 8005 of this Act, none  
19 of the funds provided in this Act shall be available for  
20 reprogramming or transfer until the report identified in  
21 subsection (a) is submitted to the congressional defense  
22 committees, unless the Secretary of Defense certifies in  
23 writing to the congressional defense committees that such  
24 reprogramming or transfer is necessary as an emergency  
25 requirement: *Provided*, That this subsection shall not

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

3 (1) “Environmental Restoration, Army”.

4 (2) “Environmental Restoration, Navy”.

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

6 (4) “Environmental Restoration, Defense-  
7 wide”.

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

10 (TRANSFER OF FUNDS)

11 SEC. 8008. During the current fiscal year, cash bal-  
12 ances in working capital funds of the Department of De-  
13 fense established pursuant to section 2208 of title 10,  
14 United States Code, may be maintained in only such  
15 amounts as are necessary at any time for cash disburse-  
16 ments to be made from such funds: *Provided*, That trans-  
17 fers may be made between such funds: *Provided further*,  
18 That transfers may be made between working capital  
19 funds and the “Foreign Currency Fluctuations, Defense”  
20 appropriation and the “Operation and Maintenance” ap-  
21 propriation accounts in such amounts as may be deter-  
22 mined by the Secretary of Defense, with the approval of  
23 the Office of Management and Budget, except that such  
24 transfers may not be made unless the Secretary of Defense  
25 has notified the Congress of the proposed transfer: *Pro-*

1 *vided further*, That except in amounts equal to the  
2 amounts appropriated to working capital funds in this Act,  
3 no obligations may be made against a working capital fund  
4 to procure or increase the value of war reserve material  
5 inventory, unless the Secretary of Defense has notified the  
6 Congress prior to any such obligation.

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

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

1 That no part of any appropriation contained in this Act  
2 shall be available to initiate multiyear procurement con-  
3 tracts for any systems or component thereof if the value  
4 of the multiyear contract would exceed \$500,000,000 un-  
5 less specifically provided in this Act: *Provided further*,  
6 That no multiyear procurement contract can be termi-  
7 nated without 30-day prior notification to the congres-  
8 sional defense committees: *Provided further*, That the exe-  
9 cution of multiyear authority shall require the use of a  
10 present value analysis to determine lowest cost compared  
11 to an annual procurement: *Provided further*, That none of  
12 the funds provided in this Act may be used for a multiyear  
13 contract executed after the date of the enactment of this  
14 Act unless in the case of any such contract—

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

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

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

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

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

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

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

20       (b) The fiscal year 2017 budget request for the De-  
21 partment of Defense as well as all justification material  
22 and other documentation supporting the fiscal year 2017  
23 Department of Defense budget request shall be prepared  
24 and submitted to the Congress as if subsections (a) and



1 (b) of this provision were effective with regard to fiscal  
2 year 2017.

3 (c) Nothing in this section shall be construed to apply  
4 to military (civilian) technicians.

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

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

20 (TRANSFER OF FUNDS)

21 SEC. 8015. Funds appropriated in title III of this Act  
22 for the Department of Defense Pilot Mentor-Protégé Pro-  
23 gram may be transferred to any other appropriation con-  
24 tained in this Act solely for the purpose of implementing  
25 a Mentor-Protégé Program developmental assistance

1 agreement pursuant to section 831 of the National De-  
2 fense Authorization Act for Fiscal Year 1991 (Public Law  
3 101–510; 10 U.S.C. 2302 note), as amended, under the  
4 authority of this provision or any other transfer authority  
5 contained in this Act.

6       SEC. 8016. Of the amounts appropriated for “Work-  
7 ing Capital Fund, Army”, \$145,000,000 shall be available  
8 to maintain competitive rates at the arsenals.

9       SEC. 8017. None of the funds available to the De-  
10 partment of Defense may be used to demilitarize or dis-  
11 pose of M–1 Carbines, M–1 Garand rifles, M–14 rifles,  
12 .22 caliber rifles, .30 caliber rifles, or M–1911 pistols, or  
13 to demilitarize or destroy small arms ammunition or am-  
14 munition components that are not otherwise prohibited  
15 from commercial sale under Federal law, unless the small  
16 arms ammunition or ammunition components are certified  
17 by the Secretary of the Army or designee as unserviceable,  
18 unsuitable, or unsafe for further use.

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

1 to the congressional defense committees that such a re-  
2 lation is required in the best interest of the Government.

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

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

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

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

16 SEC. 8022. (a) Of the funds made available in this  
17 Act, not less than \$39,805,000 shall be available for the  
18 Civil Air Patrol Corporation, of which—

19 (1) \$27,711,000 shall be available from “Oper-  
20 ation and Maintenance, Air Force” to support Civil  
21 Air Patrol Corporation operation and maintenance,  
22 readiness, counter-drug activities, and drug demand  
23 reduction activities involving youth programs;

24 (2) \$10,417,000 shall be available from “Air-  
25 craft Procurement, Air Force”; and

1           (3) \$1,677,000 shall be available from “Other  
2           Procurement, Air Force” for vehicle procurement.

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

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

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

1 eral Joint Travel Regulations, when engaged in the per-  
2 formance of membership duties.

3 (c) Notwithstanding any other provision of law, none  
4 of the funds available to the department from any source  
5 during fiscal year 2016 may be used by a defense FFRDC,  
6 through a fee or other payment mechanism, for construc-  
7 tion of new buildings, for payment of cost sharing for  
8 projects funded by Government grants, for absorption of  
9 contract overruns, or for certain charitable contributions,  
10 not to include employee participation in community service  
11 and/or development: *Provided*, That up to 1 percent of  
12 funds provided in this Act for support of defense FFRDCs  
13 may be used for planning and design of scientific or engi-  
14 neering facilities: *Provided further*, That the Secretary of  
15 Defense shall notify the congressional defense committees  
16 15 days in advance of exercising the authority in the pre-  
17 vious proviso.

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

1 staff years funded in the National Intelligence Program  
2 (NIP) and the Military Intelligence Program (MIP).

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

9 (f) Notwithstanding any other provision of this Act,  
10 the total amount appropriated in this Act for FFRDCs  
11 is hereby reduced by \$65,000,000.

12 SEC. 8024. None of the funds appropriated or made  
13 available in this Act shall be used to procure carbon, alloy,  
14 or armor steel plate for use in any Government-owned fa-  
15 cility or property under the control of the Department of  
16 Defense which were not melted and rolled in the United  
17 States or Canada: *Provided*, That these procurement re-  
18 strictions shall apply to any and all Federal Supply Class  
19 9515, American Society of Testing and Materials (ASTM)  
20 or American Iron and Steel Institute (AISI) specifications  
21 of carbon, alloy or armor steel plate: *Provided further*,  
22 That the Secretary of the military department responsible  
23 for the procurement may waive this restriction on a case-  
24 by-case basis by certifying in writing to the Committees  
25 on Appropriations of the House of Representatives and the

1 Senate that adequate domestic supplies are not available  
2 to meet Department of Defense requirements on a timely  
3 basis and that such an acquisition must be made in order  
4 to acquire capability for national security purposes: *Pro-*  
5 *vided further*, That these restrictions shall not apply to  
6 contracts which are in being as of the date of the enact-  
7 ment of this Act.

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

16       SEC. 8026. During the current fiscal year, the De-  
17 partment of Defense may acquire the modification, depot  
18 maintenance and repair of aircraft, vehicles and vessels  
19 as well as the production of components and other De-  
20 fense-related articles, through competition between De-  
21 partment of Defense depot maintenance activities and pri-  
22 vate firms: *Provided*, That the Senior Acquisition Execu-  
23 tive of the military department or Defense Agency con-  
24 cerned, with power of delegation, shall certify that success-  
25 ful bids include comparable estimates of all direct and in-



1 direct costs for both public and private bids: *Provided fur-*  
2 *ther*, That Office of Management and Budget Circular A–  
3 76 shall not apply to competitions conducted under this  
4 section.

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

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

21       (b) The Secretary of Defense shall submit to the Con-  
22 gress a report on the amount of Department of Defense  
23 purchases from foreign entities in fiscal year 2016. Such  
24 report shall separately indicate the dollar value of items  
25 for which the Buy American Act was waived pursuant to

1 any agreement described in subsection (a)(2), the Trade  
2 Agreement Act of 1979 (19 U.S.C. 2501 et seq.), or any  
3 international agreement to which the United States is a  
4 party.

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

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

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

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

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

16           (d) In this section, the term “Indian tribe” means  
17 any recognized Indian tribe included on the current list  
18 published by the Secretary of the Interior under section  
19 104 of the Federally Recognized Indian Tribe Act of 1994  
20 (Public Law 103–454; 108 Stat. 4792; 25 U.S.C. 479a–  
21 1).

22           SEC. 8030. During the current fiscal year, appropria-  
23 tions which are available to the Department of Defense  
24 for operation and maintenance may be used to purchase

1 items having an investment item unit cost of not more  
2 than \$250,000.

3       SEC. 8031. The Secretary of Defense shall issue reg-  
4 ulations to prohibit the sale of any tobacco or tobacco-  
5 related products in military resale outlets in the United  
6 States, its territories and possessions at a price below the  
7 most competitive price in the local community: *Provided*,  
8 That such regulations shall direct that the prices of to-  
9 bacco or tobacco-related products in overseas military re-  
10 tail outlets shall be within the range of prices established  
11 for military retail system stores located in the United  
12 States.

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

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

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

1 the National Security Act of 1947 (50 U.S.C. 3093) shall  
2 remain available until September 30, 2017.

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

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

20 SEC. 8036. (a) None of the funds appropriated in this  
21 Act may be expended by an entity of the Department of  
22 Defense unless the entity, in expending the funds, com-  
23 plies with the Buy American Act. For purposes of this  
24 subsection, the term “Buy American Act” means chapter  
25 83 of title 41, United States Code.

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

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

17           SEC. 8037. None of the funds appropriated by this  
18 Act and hereafter shall be available for a contract for stud-  
19 ies, analysis, or consulting services entered into without  
20 competition on the basis of an unsolicited proposal unless  
21 the head of the activity responsible for the procurement  
22 determines—

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

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

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

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

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

22                 (2) to pay the basic pay of a member of the  
23          Armed Forces or civilian employee of the depart-  
24          ment who is transferred or reassigned from a head-



1       quarters activity if the member or employee's place  
2       of duty remains at the location of that headquarters.

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

10       (c) This section does not apply to—

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

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

17               (3) an Army field operating agency established  
18       to improve the effectiveness and efficiencies of bio-  
19       metric activities and to integrate common biometric  
20       technologies throughout the Department of Defense;  
21       or

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

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

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

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

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

22            (B) \$10,000,000; and

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

1 (A) not making an employer-sponsored  
2 health insurance plan available to the workers  
3 who are to be employed in the performance of  
4 that activity or function under the contract; or

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

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

20 (A) is included on the procurement list estab-  
21 lished pursuant to section 2 of the Javits-Wagner-  
22 O'Day Act (section 8503 of title 41, United States  
23 Code);

24 (B) is planned to be converted to performance  
25 by a qualified nonprofit agency for the blind or by

1 a qualified nonprofit agency for other severely handi-  
2 capped individuals in accordance with that Act; or

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

10 (2) This section shall not apply to depot contracts  
11 or contracts for depot maintenance as provided in sections  
12 2469 and 2474 of title 10, United States Code.

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

22 (RESCISSIONS)

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

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

8           “Cooperative Threat Reduction Account”,  
9           2014/2016, \$23,727,000;

10           “Other Procurement, Air Force”, 2014/2016,  
11           \$78,000,000;

12           “Cooperative Threat Reduction Account”,  
13           2015/2017, \$13,345,000;

14           “Aircraft Procurement, Army”, 2015/2017,  
15           \$68,000,000;

16           “Aircraft Procurement, Air Force”, 2015/2017,  
17           \$139,976,000;

18           “Missile Procurement, Air Force”, 2015/2017,  
19           \$212,000,000;

20           “Other Procurement, Air Force”, 2015/2017,  
21           \$9,000,000;

22           “Research, Development, Test and Evaluation,  
23           Army”, 2015/2016, \$9,299,000;

24           “Research, Development, Test and Evaluation,  
25           Air Force”, 2015/2016, \$665,000,000; and

1           “Research, Development, Test and Evaluation,  
2           Defense-Wide”, 2015/2016, \$60,691,000.

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

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

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

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

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

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

15 SEC. 8045. None of the funds made available by this  
16 Act may be used for Evolved Expendable Launch Vehicle  
17 launch service competitions unless such competitions are  
18 open to all certified providers of Evolved Expendable  
19 Launch Vehicle-class systems: *Provided*, That competi-  
20 tions for launches with multiple service providers shall  
21 consider bids from two or more providers: *Provided fur-*  
22 *ther*, That notwithstanding any other provision of law,  
23 such providers may compete any certified launch vehicle  
24 in their inventory.

1       SEC. 8046. In addition to the amounts appropriated  
2 or otherwise made available elsewhere in this Act,  
3 \$20,000,000 is hereby appropriated to the Department of  
4 Defense: *Provided*, That upon the determination of the  
5 Secretary of Defense that it shall serve the national inter-  
6 est, the Secretary shall make a grant in the amount speci-  
7 fied as follows: \$20,000,000 to the United Service Organi-  
8 zations.

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

16       SEC. 8048. Notwithstanding any other provision in  
17 this Act, the Small Business Innovation Research program  
18 and the Small Business Technology Transfer program set-  
19 asides shall be taken proportionally from all programs,  
20 projects, or activities to the extent they contribute to the  
21 extramural budget.

22       SEC. 8049. None of the funds available to the De-  
23 partment of Defense under this Act shall be obligated or  
24 expended to pay a contractor under a contract with the



1 Department of Defense for costs of any amount paid by  
2 the contractor to an employee when—

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

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

8 (INCLUDING TRANSFER OF FUNDS)

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

20 SEC. 8051. During the current fiscal year, in the case  
21 of an appropriation account of the Department of Defense  
22 for which the period of availability for obligation has ex-  
23 pired or which has closed under the provisions of section  
24 1552 of title 31, United States Code, and which has a  
25 negative unliquidated or unexpended balance, an obliga-

1 tion or an adjustment of an obligation may be charged  
2 to any current appropriation account for the same purpose  
3 as the expired or closed account if—

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

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

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

1           tion may not exceed an amount equal to 1 percent  
2           of the total appropriation for that account.

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

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

16          SEC. 8053. None of the funds available to the De-  
17 partment of Defense may be obligated to modify command  
18 and control relationships to give Fleet Forces Command  
19 operational and administrative control of United States  
20 Navy forces assigned to the Pacific fleet: *Provided*, That  
21 the command and control relationships which existed on  
22 October 1, 2004, shall remain in force unless changes are  
23 specifically authorized in a subsequent Act: *Provided fur-*  
24 *ther*, That this section does not apply to administrative  
25 control of Navy Air and Missile Defense Command.

1 (INCLUDING TRANSFER OF FUNDS)

2 SEC. 8054. Of the funds appropriated in this Act  
3 under the heading “Operation and Maintenance, Defense-  
4 wide”, \$25,000,000 shall be for continued implementation  
5 and expansion of the Sexual Assault Special Victims’  
6 Counsel Program: *Provided*, That the funds are made  
7 available for transfer to the Department of the Army, the  
8 Department of the Navy, and the Department of the Air  
9 Force: *Provided further*, That funds transferred shall be  
10 merged with and available for the same purposes and for  
11 the same time period as the appropriations to which the  
12 funds are transferred: *Provided further*, That this transfer  
13 authority is in addition to any other transfer authority  
14 provided in this Act.

15 SEC. 8055. None of the funds appropriated in title  
16 IV of this Act may be used to procure end-items for deliv-  
17 ery to military forces for operational training, operational  
18 use or inventory requirements: *Provided*, That this restric-  
19 tion does not apply to end-items used in development,  
20 prototyping, and test activities preceding and leading to  
21 acceptance for operational use: *Provided further*, That this  
22 restriction does not apply to programs funded within the  
23 National Intelligence Program: *Provided further*, That the  
24 Secretary of Defense may waive this restriction on a case-  
25 by-case basis by certifying in writing to the Committees

1 on Appropriations of the House of Representatives and the  
2 Senate that it is in the national security interest to do  
3 so.

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

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

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

20           (2) options for the procurement of items that  
21 are exercised after such date under contracts that  
22 are entered into before such date if the option prices  
23 are adjusted for any reason other than the applica-  
24 tion of a waiver granted under subsection (a).

1 (c) Subsection (a) does not apply to a limitation re-  
2 garding construction of public vessels, ball and roller bear-  
3 ings, food, and clothing or textile materials as defined by  
4 section 11 (chapters 50–65) of the Harmonized Tariff  
5 Schedule and products classified under headings 4010,  
6 4202, 4203, 6401 through 6406, 6505, 7019, 7218  
7 through 7229, 7304.41 through 7304.49, 7306.40, 7502  
8 through 7508, 8105, 8108, 8109, 8211, 8215, and 9404.

9 SEC. 8057. Notwithstanding any other provision of  
10 law, none of the funds appropriated or otherwise made  
11 available by this or any other Act may be used to consoli-  
12 date or relocate any element of a United States Air Force  
13 Rapid Engineer Deployable Heavy Operational Repair  
14 Squadron Engineer (RED HORSE) outside of the United  
15 States until the Secretary of the Air Force—

16 (1) completes an analysis and comparison of  
17 the cost and infrastructure investment required to  
18 consolidate or relocate a RED HORSE squadron  
19 outside of the United States versus within the  
20 United States;

21 (2) provides to the congressional defense com-  
22 mittees a report detailing the findings of the cost  
23 analysis; and

24 (3) certifies in writing to the congressional de-  
25 fense committees that the preferred site for the con-

1       solidation or relocation yields the greatest savings  
2       for the Air Force:

3   *Provided*, That the term “United States” in this section  
4 does not include any territory or possession of the United  
5 States.

6       SEC. 8058. None of the funds appropriated or other-  
7 wise made available by this or other Department of De-  
8 fense Appropriations Acts may be obligated or expended  
9 for the purpose of performing repairs or maintenance to  
10 military family housing units of the Department of De-  
11 fense, including areas in such military family housing  
12 units that may be used for the purpose of conducting offi-  
13 cial Department of Defense business.

14       SEC. 8059. Notwithstanding any other provision of  
15 law, funds appropriated in this Act under the heading  
16 “Research, Development, Test and Evaluation, Defense-  
17 Wide” for any new start advanced concept technology  
18 demonstration project or joint capability demonstration  
19 project may only be obligated 45 days after a report, in-  
20 cluding a description of the project, the planned acquisi-  
21 tion and transition strategy and its estimated annual and  
22 total cost, has been provided in writing to the congress-  
23 sional defense committees: *Provided*, That the Secretary  
24 of Defense may waive this restriction on a case-by-case

1 basis by certifying to the congressional defense committees  
2 that it is in the national interest to do so.

3 SEC. 8060. The Secretary of Defense shall continue  
4 to provide a classified quarterly report to the House and  
5 Senate Appropriations Committees, Subcommittees on  
6 Defense on certain matters as directed in the classified  
7 annex accompanying this Act.

8 SEC. 8061. Notwithstanding section 12310(b) of title  
9 10, United States Code, a Reserve who is a member of  
10 the National Guard serving on full-time National Guard  
11 duty under section 502(f) of title 32, United States Code,  
12 may perform duties in support of the ground-based ele-  
13 ments of the National Ballistic Missile Defense System.

14 SEC. 8062. None of the funds provided in this Act  
15 may be used to transfer to any nongovernmental entity  
16 ammunition held by the Department of Defense that has  
17 a center-fire cartridge and a United States military no-  
18 menclature designation of “armor penetrator”, “armor  
19 piercing (AP)”, “armor piercing incendiary (API)”, or  
20 “armor-piercing incendiary tracer (API-T)”, except to an  
21 entity performing demilitarization services for the Depart-  
22 ment of Defense under a contract that requires the entity  
23 to demonstrate to the satisfaction of the Department of  
24 Defense that armor piercing projectiles are either: (1) ren-  
25 dered incapable of reuse by the demilitarization process;



1 or (2) used to manufacture ammunition pursuant to a con-  
2 tract with the Department of Defense or the manufacture  
3 of ammunition for export pursuant to a License for Per-  
4 manent Export of Unclassified Military Articles issued by  
5 the Department of State.

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

17 SEC. 8064. None of the funds appropriated by this  
18 Act shall be used for the support of any nonappropriated  
19 funds activity of the Department of Defense that procures  
20 malt beverages and wine with nonappropriated funds for  
21 resale (including such alcoholic beverages sold by the  
22 drink) on a military installation located in the United  
23 States unless such malt beverages and wine are procured  
24 within that State, or in the case of the District of Colum-  
25 bia, within the District of Columbia, in which the military

1 installation is located: *Provided*, That, in a case in which  
2 the military installation is located in more than one State,  
3 purchases may be made in any State in which the installa-  
4 tion is located: *Provided further*, That such local procure-  
5 ment requirements for malt beverages and wine shall  
6 apply to all alcoholic beverages only for military installa-  
7 tions in States which are not contiguous with another  
8 State: *Provided further*, That alcoholic beverages other  
9 than wine and malt beverages, in contiguous States and  
10 the District of Columbia shall be procured from the most  
11 competitive source, price and other factors considered.

12 (INCLUDING TRANSFER OF FUNDS)

13 SEC. 8065. Of the amounts appropriated in this Act  
14 under the heading "Operation and Maintenance, Army",  
15 \$76,611,750 shall remain available until expended: *Pro-*  
16 *vided*, That, notwithstanding any other provision of law,  
17 the Secretary of Defense is authorized to transfer such  
18 funds to other activities of the Federal Government: *Pro-*  
19 *vided further*, That the Secretary of Defense is authorized  
20 to enter into and carry out contracts for the acquisition  
21 of real property, construction, personal services, and oper-  
22 ations related to projects carrying out the purposes of this  
23 section: *Provided further*, That contracts entered into  
24 under the authority of this section may provide for such  
25 indemnification as the Secretary determines to be nec-

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

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

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

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

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

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

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

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

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

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

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

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

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

24 SEC. 8067. Of the amount appropriated by title VI  
25 under the heading “DEFENSE HEALTH PROGRAM”,

1 \$10,000,000 shall be available for peer-reviewed medical  
2 research on amyotrophic lateral sclerosis (ALS).

3 (INCLUDING TRANSFER OF FUNDS)

4 SEC. 8068. Of the amounts appropriated in this Act  
5 under the headings “Procurement, Defense-Wide” and  
6 “Research, Development, Test and Evaluation, Defense-  
7 Wide”, \$473,995,000 shall be for the Israeli Cooperative  
8 Programs: *Provided*, That of this amount, \$41,400,000  
9 shall be for the Secretary of Defense to provide to the Gov-  
10 ernment of Israel for the procurement of the Iron Dome  
11 defense system to counter short-range rocket threats, sub-  
12 ject to the U.S.-Israel Iron Dome Procurement Agree-  
13 ment, as amended; \$286,526,000 shall be for the Short  
14 Range Ballistic Missile Defense (SRBMD) program, in-  
15 cluding cruise missile defense research and development  
16 under the SRBMD program, of which \$150,000,000 shall  
17 be for production activities of SRBMD missiles in the  
18 United States and in Israel to meet Israel’s defense re-  
19 quirements consistent with each nation’s laws, regulations,  
20 and procedures, of which not more than \$90,000,000, sub-  
21 ject to previously established transfer procedures, may be  
22 obligated or expended until establishment of a U.S.-Israeli  
23 production agreement for SRBMD; \$89,550,000 shall be  
24 for an upper-tier component to the Israeli Missile Defense  
25 Architecture, of which not more than \$15,000,000, subject

1 to previously established transfer procedures, may be obli-  
2 gated or expended until establishment of a U.S.-Israeli  
3 production agreement; and \$56,519,000 shall be for the  
4 Arrow System Improvement Program including develop-  
5 ment of a long range, ground and airborne, detection  
6 suite: *Provided further*, That funds made available under  
7 this provision for production of missiles and missile com-  
8 ponents may be transferred to appropriations available for  
9 the procurement of weapons and equipment, to be merged  
10 with and to be available for the same time period and the  
11 same purposes as the appropriation to which transferred:  
12 *Provided further*, That the transfer authority provided  
13 under this provision is in addition to any other transfer  
14 authority contained in this Act.

15 (INCLUDING TRANSFER OF FUNDS)

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

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

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

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

10          (4) Under the heading “Shipbuilding and Con-  
11 version, Navy”, 2012/2016: DDG–51 Destroyer  
12 \$75,014,000;

13          (5) Under the heading “Shipbuilding and Con-  
14 version, Navy”, 2012/2016: Littoral Combat Ship  
15 \$82,674,000;

16          (6) Under the heading “Shipbuilding and Con-  
17 version, Navy”, 2012/2016: LPD–17 Amphibious  
18 Transport Dock Program \$38,733,000;

19          (7) Under the heading “Shipbuilding and Con-  
20 version, Navy”, 2012/2016: Joint High Speed Vessel  
21 \$22,597,000; and

22          (8) Under the heading “Shipbuilding and Con-  
23 version, Navy”, 2013/2016: Joint High Speed Vessel  
24 \$3,638,000.

1           SEC. 8070. Funds appropriated by this Act, or made  
2 available by the transfer of funds in this Act, for intel-  
3 ligence activities are deemed to be specifically authorized  
4 by the Congress for purposes of section 504 of the Na-  
5 tional Security Act of 1947 (50 U.S.C. 3094) during fiscal  
6 year 2016 until the enactment of the Intelligence Author-  
7 ization Act for Fiscal Year 2016.

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

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



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

14 SEC. 8073. None of the funds in this Act may be  
15 used for research, development, test, evaluation, procure-  
16 ment or deployment of nuclear armed interceptors of a  
17 missile defense system.

18 SEC. 8074. Notwithstanding any other provision of  
19 this Act, to reflect savings due to favorable foreign ex-  
20 change rates, the total amount appropriated in this Act  
21 is hereby reduced by \$1,201,800,000.

22 SEC. 8075. None of the funds appropriated or made  
23 available in this Act shall be used to reduce or disestablish  
24 the operation of the 53rd Weather Reconnaissance Squad-  
25 ron of the Air Force Reserve, if such action would reduce

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

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

15                               (INCLUDING TRANSFER OF FUNDS)

16       SEC. 8077. The Secretary of Defense may transfer  
17 funds from any available Department of the Navy appro-  
18 priation to any available Navy ship construction appro-  
19 priation for the purpose of liquidating necessary changes  
20 resulting from inflation, market fluctuations, or rate ad-  
21 justments for any ship construction program appropriated  
22 in law: *Provided*, That the Secretary may transfer not to  
23 exceed \$50,000,000 under the authority provided by this  
24 section: *Provided further*, That the Secretary may not  
25 transfer any funds until 30 days after the proposed trans-

1 fer has been reported to the Committees on Appropria-  
2 tions of the House of Representatives and the Senate, un-  
3 less a response from the Committees is received sooner:  
4 *Provided further*, That any funds transferred pursuant to  
5 this section shall retain the same period of availability as  
6 when originally appropriated: *Provided further*, That the  
7 transfer authority provided by this section is in addition  
8 to any other transfer authority contained elsewhere in this  
9 Act.

10 SEC. 8078. (a) None of the funds appropriated by  
11 this Act may be used to transfer research and develop-  
12 ment, acquisition, or other program authority relating to  
13 current tactical unmanned aerial vehicles (TUAVs) from  
14 the Army.

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

20 SEC. 8079. Up to \$15,000,000 of the funds appro-  
21 priated under the heading “Operation and Maintenance,  
22 Navy” may be made available for the Asia Pacific Re-  
23 gional Initiative Program for the purpose of enabling the  
24 Pacific Command to execute Theater Security Cooperation  
25 activities such as humanitarian assistance, and payment

1 of incremental and personnel costs of training and exer-  
2 cising with foreign security forces: *Provided*, That funds  
3 made available for this purpose may be used, notwith-  
4 standing any other funding authorities for humanitarian  
5 assistance, security assistance or combined exercise ex-  
6 penses: *Provided further*, That funds may not be obligated  
7 to provide assistance to any foreign country that is other-  
8 wise prohibited from receiving such type of assistance  
9 under any other provision of law.

10 SEC. 8080. None of the funds appropriated by this  
11 Act for programs of the Office of the Director of National  
12 Intelligence shall remain available for obligation beyond  
13 the current fiscal year, except for funds appropriated for  
14 research and technology, which shall remain available until  
15 September 30, 2017.

16 SEC. 8081. For purposes of section 1553(b) of title  
17 31, United States Code, any subdivision of appropriations  
18 made in this Act under the heading “Shipbuilding and  
19 Conversion, Navy” shall be considered to be for the same  
20 purpose as any subdivision under the heading “Ship-  
21 building and Conversion, Navy” appropriations in any  
22 prior fiscal year, and the 1 percent limitation shall apply  
23 to the total amount of the appropriation.

24 SEC. 8082. (a) Not later than 60 days after the date  
25 of enactment of this Act, the Director of National Intel-

1 ligen­ce shall submit a report to the congressional intel-  
2 ligen­ce committees to establish the baseline for applica-  
3 tion of reprogram­ming and transfer authori­ties for fiscal year  
4 2016: *Provided*, That the report shall include—

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

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

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

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

22           SEC. 8083. None of the funds made available by this  
23           Act may be used to retire, divest, realign or transfer RQ-  
24           4B Global Hawk aircraft, or to disestablish or convert  
25           units associated with such aircraft.

1        SEC. 8084. During the current fiscal year and here-  
2 after, none of the funds made available by this Act for  
3 excess defense articles, assistance under title 10, U.S.C.  
4 2282, or peacekeeping operations for the countries des-  
5 ignated annually in the Department of State's Trafficking  
6 in Persons Report to be in violation of the standards of  
7 the Child Soldiers Prevention Act of 2008 may be used  
8 to support any military training or operation that includes  
9 child soldiers, as defined by the Child Soldiers Prevention  
10 Act of 2008 (Public Law 110-457; 22 U.S.C. 2370c-1),  
11 unless such assistance is otherwise permitted under sec-  
12 tion 404 of the Child Soldiers Prevention Act of 2008.

13                                    (INCLUDING TRANSFER OF FUNDS)

14        SEC. 8085. Of the funds appropriated in the Intel-  
15 ligence Community Management Account for the Program  
16 Manager for the Information Sharing Environment,  
17 \$20,000,000 is available for transfer by the Director of  
18 National Intelligence to other departments and agencies  
19 for purposes of Government-wide information sharing ac-  
20 tivities: *Provided*, That funds transferred under this provi-  
21 sion are to be merged with and available for the same pur-  
22 poses and time period as the appropriation to which trans-  
23 ferred: *Provided further*, That the Office of Management  
24 and Budget must approve any transfers made under this  
25 provision.

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

7           (1) creates a new start effort;

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

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

12          (4) transfers funding between appropriations,  
13 unless the congressional intelligence committees are noti-  
14 fied 30 days in advance of such reprogramming of funds;  
15 this notification period may be reduced for urgent national  
16 security requirements.

17       (b) None of the funds provided for the National Intel-  
18 ligence Program in this or any prior appropriations Act  
19 shall be available for obligation or expenditure through a  
20 reprogramming or transfer of funds in accordance with  
21 section 102A(d) or the National Security Act of 1947 (50  
22 U.S.C. 3024(d)) that results in a cumulative increase or  
23 decrease of the levels specified in the classified annex ac-  
24 companying the Act unless the congressional intelligence  
25 committees are notified 30 days in advance of such re-

1 programming of funds; this notification period may be re-  
2 duced for urgent national security requirements.

3 SEC. 8087. The Director of National Intelligence  
4 shall submit to Congress each year, at or about the time  
5 that the President's budget is submitted to Congress that  
6 year under section 1105(a) of title 31, United States  
7 Code, a future-years intelligence program (including asso-  
8 ciated annexes) reflecting the estimated expenditures and  
9 proposed appropriations included in that budget. Any such  
10 future-years intelligence program shall cover the fiscal  
11 year with respect to which the budget is submitted and  
12 at least the four succeeding fiscal years.

13 SEC. 8088. For the purposes of this Act, the term  
14 "congressional intelligence committees" means the Perma-  
15 nent Select Committee on Intelligence of the House of  
16 Representatives, the Select Committee on Intelligence of  
17 the Senate, the Subcommittee on Defense of the Com-  
18 mittee on Appropriations of the House of Representatives,  
19 and the Subcommittee on Defense of the Committee on  
20 Appropriations of the Senate.

21 SEC. 8089. The Department of Defense shall con-  
22 tinue to report incremental contingency operations costs  
23 for Operation Inherent Resolve, Operation Freedom's Sen-  
24 tinel, and any named successor operations, on a monthly  
25 basis and any other operation designated and identified



1 by the Secretary of Defense for the purposes of section  
2 127a of title 10, United States Code, on a semi-annual  
3 basis in the Cost of War Execution Report as prescribed  
4 in the Department of Defense Financial Management  
5 Regulation Department of Defense Instruction 7000.14,  
6 Volume 12, Chapter 23 “Contingency Operations”, Annex  
7 1, dated September 2005.

8 (INCLUDING TRANSFER OF FUNDS)

9 SEC. 8090. During the current fiscal year, not to ex-  
10 ceed \$11,000,000 from each of the appropriations made  
11 in title II of this Act for “Operation and Maintenance,  
12 Army”, “Operation and Maintenance, Navy”, and “Oper-  
13 ation and Maintenance, Air Force” may be transferred by  
14 the military department concerned to its central fund es-  
15 tablished for Fisher Houses and Suites pursuant to sec-  
16 tion 2493(d) of title 10, United States Code.

17 (INCLUDING TRANSFER OF FUNDS)

18 SEC. 8091. Funds appropriated by this Act for oper-  
19 ation and maintenance may be available for the purpose  
20 of making remittances and transfer to the Defense Acqui-  
21 sition Workforce Development Fund in accordance with  
22 section 1705 of title 10, United States Code.

23 SEC. 8092. (a) Any agency receiving funds made  
24 available in this Act, shall, subject to subsections (b) and  
25 (c), post on the public Web site of that agency any report

1 required to be submitted by the Congress in this or any  
2 other Act, upon the determination by the head of the agen-  
3 cy that it shall serve the national interest.

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

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

7 (2) the report contains proprietary information.

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

12 SEC. 8093. (a) None of the funds appropriated or  
13 otherwise made available by this Act may be expended for  
14 any Federal contract for an amount in excess of  
15 \$1,000,000, unless the contractor agrees not to—

16 (1) enter into any agreement with any of its  
17 employees or independent contractors that requires,  
18 as a condition of employment, that the employee or  
19 independent contractor agree to resolve through ar-  
20 bitration any claim under title VII of the Civil  
21 Rights Act of 1964 or any tort related to or arising  
22 out of sexual assault or harassment, including as-  
23 sault and battery, intentional infliction of emotional  
24 distress, false imprisonment, or negligent hiring, su-  
25 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. 8094. From within the funds appropriated for  
21 operation and maintenance for the Defense Health Pro-  
22 gram in this Act, up to \$121,000,000, 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. 8095. None of the funds made available by this  
18 Act may be used by the Secretary of Defense to take bene-  
19 ficial occupancy of more than 2,500 parking spaces (other  
20 than handicap-reserved spaces) to be provided by the  
21 BRAC 133 project: *Provided*, That this limitation may be  
22 waived in part if: (1) the Secretary of Defense certifies  
23 to Congress that levels of service at existing intersections  
24 in the vicinity of the project have not experienced failing  
25 levels of service as defined by the Transportation Research

1 Board Highway Capacity Manual over a consecutive 90-  
2 day period; (2) the Department of Defense and the Vir-  
3 ginia Department of Transportation agree on the number  
4 of additional parking spaces that may be made available  
5 to employees of the facility subject to continued 90-day  
6 traffic monitoring; and (3) the Secretary of Defense noti-  
7 fies the congressional defense committees in writing at  
8 least 14 days prior to exercising this waiver of the number  
9 of additional parking spaces to be made available.

10 SEC. 8096. Appropriations available to the Depart-  
11 ment of Defense may be used for the purchase of heavy  
12 and light armored vehicles for the physical security of per-  
13 sonnel or for force protection purposes up to a limit of  
14 \$400,000 per vehicle, notwithstanding price or other limi-  
15 tations applicable to the purchase of passenger carrying  
16 vehicles.

17 SEC. 8097. None of the funds appropriated or other-  
18 wise made available by this Act or any other Act may be  
19 used by the Department of Defense or a component there-  
20 of in contravention of section 1246(c)(2) of the National  
21 Defense Authorization Act for Fiscal Year 2014 (Public  
22 Law 113–66; 127 Stat. 923), as extended by section 1649  
23 of S. 1376, 114th Congress, as reported to the Senate.

24 SEC. 8098. The Secretary of Defense shall report  
25 quarterly the numbers of civilian personnel end strength

1 by appropriation account for each and every appropriation  
2 account used to finance Federal civilian personnel salaries  
3 to the congressional defense committees within 15 days  
4 after the end of each fiscal quarter.

5 (INCLUDING TRANSFER OF FUNDS)

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

20 SEC. 8100. None of the funds appropriated or other-  
21 wise made available in this or any other Act may be used  
22 except in accordance with the National Defense Authoriza-  
23 tion Act for Fiscal Year 2016, to transfer, release, or as-  
24 sist in the transfer or release to or within the United

1 States, its territories, or possessions Khalid Sheikh Mo-  
2 hammed or any other detainee who—

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

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

8 SEC. 8101. (a) None of the funds appropriated or  
9 otherwise made available in this or any other Act may be  
10 used to construct, acquire, or modify any facility in the  
11 United States, its territories, or possessions to house any  
12 individual described in subsection (c) for the purposes of  
13 detention or imprisonment in the custody or under the ef-  
14 fective control of the Department of Defense except in ac-  
15 cordance with the National Defense Authorization Act for  
16 Fiscal Year 2016.

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

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

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



1 (2) is—

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

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

6 SEC. 8102. None of the funds appropriated or other-  
7 wise made available in this Act may be used to transfer  
8 any individual detained at United States Naval Station  
9 Guantánamo Bay, Cuba, to the custody or control of the  
10 individual's country of origin, any other foreign country,  
11 or any other foreign entity except in accordance with the  
12 National Defense Authorization Act for Fiscal Year 2016.

13 (INCLUDING TRANSFER OF FUNDS)

14 SEC. 8103. Of the amounts appropriated for “Oper-  
15 ation and Maintenance, Navy”, up to \$1,000,000 shall be  
16 available for transfer to the John C. Stennis Center for  
17 Public Service Development Trust Fund established under  
18 section 116 of the John C. Stennis Center for Public Serv-  
19 ice Training and Development Act (2 U.S.C. 1105).

20 SEC. 8104. None of the funds provided in this Act  
21 for the T-AO(X) program shall be used to award a new  
22 contract that provides for the acquisition of the following  
23 components unless those components are manufactured in  
24 the United States: Auxiliary equipment (including pumps)  
25 for shipboard services; propulsion equipment (including

1 engines, reduction gears, and propellers); shipboard  
2 cranes; and spreaders for shipboard cranes.

3       SEC. 8105. (a) None of the funds appropriated or  
4 otherwise made available by this or any other Act may  
5 be used by the Secretary of Defense, or any other official  
6 or officer of the Department of Defense, to enter into a  
7 contract, memorandum of understanding, or cooperative  
8 agreement with, or make a grant to, or provide a loan  
9 or loan guarantee to Rosoboronexport or any subsidiary  
10 of Rosoboronexport.

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

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

22           (2) The armed forces of the Russian Federation  
23 have withdrawn from Crimea, other than armed  
24 forces present on military bases subject to agree-  
25 ments in force between the Government of the Rus-

1       sian Federation and the Government of Ukraine;  
2       and

3             (3) Agents of the Russian Federation have  
4       ceased taking active measures to destabilize the con-  
5       trol of the Government of Ukraine over eastern  
6       Ukraine.

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

16      SEC. 8106. None of the funds made available by this  
17      Act may be used to transfer more than 36 AH-64 Apache  
18      helicopter aircraft from the Army National Guard to the  
19      active Army until 60 days after the National Commission  
20      on the Future of the Army releases its recommendations:  
21      *Provided*, That this section shall continue in effect through  
22      the date of enactment of the National Defense Authoriza-  
23      tion Act for Fiscal Year 2016.

24      SEC. 8107. Notwithstanding any other provision of  
25      this Act, to reflect savings due to lower than anticipated

1 fuel prices, the total amount appropriated in this Act is  
2 hereby reduced by \$827,000,000.

3       SEC. 8108. (a) Of the funds appropriated in this Act  
4 for the Department of Defense, amounts may be made  
5 available, under such regulations as the Secretary may  
6 prescribe, to local military commanders appointed by the  
7 Secretary of Defense, or by an officer or employee des-  
8 ignated by the Secretary, to provide at their discretion ex  
9 gratia payments in amounts consistent with subsection (d)  
10 of this section for damage, personal injury, or death that  
11 is incident to combat operations of the Armed Forces in  
12 a foreign country.

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

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

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

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

24       (c) NATURE OF PAYMENTS.—Any payments provided  
25 under a program under subsection (a) shall not be consid-

1 ered an admission or acknowledgment of any legal obliga-  
2 tion to compensate for any damage, personal injury, or  
3 death.

4 (d) AMOUNT OF PAYMENTS.—If the Secretary of De-  
5 fense determines a program under subsection (a) to be ap-  
6 propriate in a particular setting, the amounts of pay-  
7 ments, if any, to be provided to civilians determined to  
8 have suffered harm incident to combat operations of the  
9 Armed Forces under the program should be determined  
10 pursuant to regulations prescribed by the Secretary and  
11 based on an assessment, which should include such factors  
12 as cultural appropriateness and prevailing economic condi-  
13 tions.

14 (e) LEGAL ADVICE.—Local military commanders  
15 shall receive legal advice before making ex gratia pay-  
16 ments under this subsection. The legal advisor, under reg-  
17 ulations of the Department of Defense, shall advise on  
18 whether an ex gratia payment is proper under this section  
19 and applicable Department of Defense regulations.

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

1 (g) REPORT.—The Secretary of Defense shall report  
2 to the congressional defense committees on an annual  
3 basis the efficacy of the ex gratia payment program in-  
4 cluding the number of types of cases considered, amounts  
5 offered, the response from ex gratia payment recipients,  
6 and any recommended modifications to the program.

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

16 SEC. 8110. Of the funds provided for “Research, De-  
17 velopment, Test and Evaluation, Defense-Wide” in this  
18 Act, not less than \$2,800,000 shall be used to support  
19 the Department’s activities related to the implementation  
20 of the Digital Accountability and Transparency Act  
21 (DATA Act; Public Law 113–101; 31 U.S.C. 6101 note)  
22 and to support the implementation of a uniform procure-  
23 ment instrument identifier as described in 48 CFR sub-  
24 part 4.16, to include changes in business processes, work-  
25 force, or information technology.

1       SEC. 8111. None of the funds made available in this  
2 or any other Act may be used to pay the salary of any  
3 officer or employee of the Department of Defense who ap-  
4 proves or implements the transfer of administrative re-  
5 sponsibilities or budgetary resources of any program,  
6 project, or activity financed by this Act to the jurisdiction  
7 of another Federal agency not financed by this Act with-  
8 out the express authorization of Congress: *Provided*, That  
9 this limitation shall not apply to transfers of funds ex-  
10 pressly provided for in Defense Appropriations Acts, or  
11 provisions of Acts providing supplemental appropriations  
12 for the Department of Defense.

13       SEC. 8112. It is the sense of the Senate that—

14             (1) the Nation’s fiscal challenges are a top pri-  
15 ority for Congress, and sequestration—non-strategic,  
16 across-the-board budget cuts—remains an unreason-  
17 able and inadequate budgeting tool to address the  
18 Nation’s deficits and debt;

19             (2) sequestration relief must be accomplished  
20 for fiscal years 2016 and 2017;

21             (3) sequestration relief should include equal de-  
22 fense and non-defense relief; and

23             (4) sequestration relief should be offset through  
24 targeted changes in mandatory and discretionary  
25 categories and revenues.

1 TITLE IX  
2 OVERSEAS CONTINGENCY OPERATIONS  
3 MILITARY PERSONNEL  
4 MILITARY PERSONNEL, ARMY

5 For an additional amount for “Military Personnel,  
6 Army”, \$1,828,441,000: *Provided*, That such amount is  
7 designated by the Congress for Overseas Contingency Op-  
8 erations/Global War on Terrorism pursuant to section  
9 251(b)(2)(A)(ii) of the Balanced Budget and Emergency  
10 Deficit Control Act of 1985.

11 MILITARY PERSONNEL, NAVY

12 For an additional amount for “Military Personnel,  
13 Navy”, \$251,011,000: *Provided*, That such amount is des-  
14 ignated by the Congress for Overseas Contingency Oper-  
15 ations/Global War on Terrorism pursuant to section  
16 251(b)(2)(A)(ii) of the Balanced Budget and Emergency  
17 Deficit Control Act of 1985.

18 MILITARY PERSONNEL, MARINE CORPS

19 For an additional amount for “Military Personnel,  
20 Marine Corps”, \$171,079,000: *Provided*, That such  
21 amount is designated by the Congress for Overseas Con-  
22 tingency Operations/Global War on Terrorism pursuant to  
23 section 251(b)(2)(A)(ii) of the Balanced Budget and  
24 Emergency Deficit Control Act of 1985.



## 1                   MILITARY PERSONNEL, AIR FORCE

2           For an additional amount for “Military Personnel,  
3 Air Force”, \$726,126,000: *Provided*, That such amount  
4 is designated by the Congress for Overseas Contingency  
5 Operations/Global War on Terrorism pursuant to section  
6 251(b)(2)(A)(ii) of the Balanced Budget and Emergency  
7 Deficit Control Act of 1985.

## 8                   RESERVE PERSONNEL, ARMY

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

## 15                   RESERVE PERSONNEL, NAVY

16           For an additional amount for “Reserve Personnel,  
17 Navy”, \$12,693,000: *Provided*, That such amount is des-  
18 ignated by the Congress for Overseas Contingency Oper-  
19 ations/Global War on Terrorism pursuant to section  
20 251(b)(2)(A)(ii) of the Balanced Budget and Emergency  
21 Deficit Control Act of 1985.

## 22                   RESERVE PERSONNEL, MARINE CORPS

23           For an additional amount for “Reserve Personnel,  
24 Marine Corps”, \$3,393,000: *Provided*, That such amount  
25 is designated by the Congress for Overseas Contingency

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

4 RESERVE PERSONNEL, AIR FORCE

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

11 NATIONAL GUARD PERSONNEL, ARMY

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

18 NATIONAL GUARD PERSONNEL, AIR FORCE

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

## 1 OPERATION AND MAINTENANCE

## 2 OPERATION AND MAINTENANCE, ARMY

3 For an additional amount for “Operation and Main-  
4 tenance, Army”, \$18,930,336,000: *Provided*, That such  
5 amount is designated by the Congress for Overseas Con-  
6 tingency Operations/Global War on Terrorism pursuant to  
7 section 251(b)(2)(A)(ii) of the Balanced Budget and  
8 Emergency Deficit Control Act of 1985.

## 9 OPERATION AND MAINTENANCE, NAVY

10 For an additional amount for “Operation and Main-  
11 tenance, Navy”, \$21,008,396,000: *Provided*, That such  
12 amount is designated by the Congress for Overseas Con-  
13 tingency Operations/Global War on Terrorism pursuant to  
14 section 251(b)(2)(A)(ii) of the Balanced Budget and  
15 Emergency Deficit Control Act of 1985.

## 16 OPERATION AND MAINTENANCE, MARINE CORPS

17 For an additional amount for “Operation and Main-  
18 tenance, Marine Corps”, \$1,879,613,000: *Provided*, That  
19 such amount is designated by the Congress for Overseas  
20 Contingency Operations/Global War on Terrorism pursu-  
21 ant to section 251(b)(2)(A)(ii) of the Balanced Budget  
22 and Emergency Deficit Control Act of 1985.

## 23 OPERATION AND MAINTENANCE, AIR FORCE

24 For an additional amount for “Operation and Main-  
25 tenance, Air Force”, \$21,161,888,000: *Provided*, That

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

5 OPERATION AND MAINTENANCE, DEFENSE-WIDE

6 For an additional amount for “Operation and Main-  
7 tenance, Defense-Wide”, \$6,850,097,000: *Provided*, That  
8 of the funds provided under this heading, not to exceed  
9 \$1,160,000,000, to remain available until September 30,  
10 2017, shall be for payments to reimburse key cooperating  
11 nations for logistical, military, and other support, includ-  
12 ing access, provided to United States military and stability  
13 operations in Afghanistan and to counter the Islamic  
14 State of Iraq and the Levant: *Provided further*, That such  
15 reimbursement payments may be made in such amounts  
16 as the Secretary of Defense, with the concurrence of the  
17 Secretary of State, and in consultation with the Director  
18 of the Office of Management and Budget, may determine,  
19 based on documentation determined by the Secretary of  
20 Defense to adequately account for the support provided,  
21 and such determination is final and conclusive upon the  
22 accounting officers of the United States, and 15 days fol-  
23 lowing notification to the appropriate congressional com-  
24 mittees: *Provided further*, That these funds may be used  
25 for the purpose of providing specialized training and pro-

1 curing supplies and specialized equipment and providing  
2 such supplies and loaning such equipment on a non-reim-  
3 bursable basis to coalition forces supporting United States  
4 military and stability operations in Afghanistan and to  
5 counter the Islamic State of Iraq and the Levant, and 15  
6 days following notification to the appropriate congres-  
7 sional committees: *Provided further*, That these funds may  
8 be used to support the Governments of Jordan and Leb-  
9 anon, in such amounts as the Secretary of Defense may  
10 determine, to enhance the ability of the armed forces of  
11 Jordan to increase or sustain security along the borders  
12 with Syria and Iraq and the ability of the armed forces  
13 of Lebanon to increase or sustain security along the bor-  
14 der with Syria, upon 15 days prior written notification to  
15 the congressional defense committees outlining the  
16 amounts intended to be provided and the nature of the  
17 expenses incurred: *Provided further*, That the Secretary of  
18 Defense shall provide quarterly reports to the congres-  
19 sional defense committees on the use of funds provided  
20 in this paragraph: *Provided further*, That such amount is  
21 designated by the Congress for Overseas Contingency Op-  
22 erations/Global War on Terrorism pursuant to section  
23 251(b)(2)(A)(ii) of the Balanced Budget and Emergency  
24 Deficit Control Act of 1985.

## 1 OPERATION AND MAINTENANCE, ARMY RESERVE

2 For an additional amount for “Operation and Main-  
3 tenance, Army Reserve”, \$24,559,000: *Provided*, That  
4 such amount is designated by the Congress for Overseas  
5 Contingency Operations/Global War on Terrorism pursu-  
6 ant to section 251(b)(2)(A)(ii) of the Balanced Budget  
7 and Emergency Deficit Control Act of 1985.

## 8 OPERATION AND MAINTENANCE, NAVY RESERVE

9 For an additional amount for “Operation and Main-  
10 tenance, Navy Reserve”, \$31,643,000: *Provided*, That  
11 such amount is designated by the Congress for Overseas  
12 Contingency Operations/Global War on Terrorism pursu-  
13 ant to section 251(b)(2)(A)(ii) of the Balanced Budget  
14 and Emergency Deficit Control Act of 1985.

## 15 OPERATION AND MAINTENANCE, MARINE CORPS

## 16 RESERVE

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

## 23 OPERATION AND MAINTENANCE, AIR FORCE RESERVE

24 For an additional amount for “Operation and Main-  
25 tenance, Air Force Reserve”, \$58,106,000: *Provided*, That

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

5 OPERATION AND MAINTENANCE, ARMY NATIONAL  
6 GUARD

7 For an additional amount for “Operation and Main-  
8 tenance, Army National Guard”, \$60,845,000: *Provided*,  
9 That such amount is designated by the Congress for Over-  
10 seas Contingency Operations/Global War on Terrorism  
11 pursuant to section 251(b)(2)(A)(ii) of the Balanced  
12 Budget and Emergency Deficit Control Act of 1985.

13 OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

14 For an additional amount for “Operation and Main-  
15 tenance, Air National Guard”, \$19,900,000: *Provided*,  
16 That such amount is designated by the Congress for Over-  
17 seas Contingency Operations/Global War on Terrorism  
18 pursuant to section 251(b)(2)(A)(ii) of the Balanced  
19 Budget and Emergency Deficit Control Act of 1985.

20 AFGHANISTAN SECURITY FORCES FUND

21 For the “Afghanistan Security Forces Fund”,  
22 \$3,360,357,000, to remain available until September 30,  
23 2017: *Provided*, That such funds shall be available to the  
24 Secretary of Defense, notwithstanding any other provision  
25 of law, for the purpose of allowing the Commander, Com-

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



1 \$20,000,000: *Provided further*, That the United States  
2 may accept equipment procured using funds provided  
3 under this heading in this or prior Acts that was trans-  
4 ferred to the security forces of Afghanistan and returned  
5 by such forces to the United States: *Provided further*, That  
6 equipment procured using funds provided under this head-  
7 ing in this or prior Acts, and not yet transferred to the  
8 security forces of Afghanistan or transferred to the secu-  
9 rity forces of Afghanistan and returned by such forces to  
10 the United States, may be treated as stocks of the Depart-  
11 ment of Defense upon written notification to the congres-  
12 sional defense committees: *Provided further*, That, of the  
13 funds provided under this heading, not less than  
14 \$25,000,000 shall be for recruitment and retention of  
15 women in the Afghanistan National Security Forces: *Pro-*  
16 *vided further*, That such amount is designated by the Con-  
17 gress for Overseas Contingency Operations/Global War on  
18 Terrorism pursuant to section 251(b)(2)(A)(ii) of the Bal-  
19 anced Budget and Emergency Deficit Control Act of 1985.

20 IRAQ TRAIN AND EQUIP FUND

21 For the “Iraq Train and Equip Fund”,  
22 \$715,000,000, to remain available until September 30,  
23 2017: *Provided*, That such funds shall be available to the  
24 Secretary of Defense, in coordination with the Secretary  
25 of State, to provide assistance, including training, equip-

1 ment, logistics support, supplies, services, stipends, infra-  
2 structure repair, renovation, and sustainment, to military  
3 and other security forces of or associated with the Govern-  
4 ment of Iraq, including Kurdish and tribal security forces  
5 or other local security forces, with a national security mis-  
6 sion, to counter the Islamic State of Iraq and the Levant:  
7 *Provided further*, That the Secretary of Defense shall en-  
8 sure that prior to providing assistance to elements of any  
9 forces such elements are appropriately vetted, including at  
10 a minimum, assessing such elements for associations with  
11 terrorist groups or groups associated with the Government  
12 of Iran; and receiving commitments from such elements  
13 to promote respect for human rights and the rule of law:  
14 *Provided further*, That the Secretary of Defense may ac-  
15 cept and retain contributions, including assistance in-kind,  
16 from foreign governments, including the Government of  
17 Iraq, and other entities, to carry out assistance authorized  
18 under this heading: *Provided further*, That contributions  
19 of funds for the purposes provided herein from any foreign  
20 government or other entities, may be credited to this  
21 Fund, to remain available until expended, and used for  
22 such purposes: *Provided further*, That not more than 25  
23 percent of the funds appropriated under this heading may  
24 be obligated or expended until not fewer than 15 days  
25 after (1) the Secretary of Defense submits a report to the

1 appropriate congressional committees, describing the plan  
2 for the provision of such training and assistance and the  
3 forces designated to receive such assistance, and (2) the  
4 President submits a report to the appropriate congress-  
5 sional committees on how assistance provided under this  
6 heading supports a larger regional strategy: *Provided fur-*  
7 *ther*, That of the amount provided under this heading, not  
8 more than 60 percent may be obligated or expended until  
9 not fewer than 15 days after the date on which the Sec-  
10 retary of Defense certifies to the appropriate congressional  
11 committees that an amount equal to not less than 40 per-  
12 cent of the amount provided under this heading has been  
13 contributed by other countries and entities for the pur-  
14 poses for which funds are provided under this heading,  
15 of which at least 50 percent shall have been contributed  
16 or provided by the Government of Iraq: *Provided further*,  
17 That the limitation in the preceding proviso shall not  
18 apply if the Secretary of Defense determines, in writing,  
19 that the national security objectives of the United States  
20 will be compromised by the application of the limitation  
21 to such assistance, and notifies the appropriate congress-  
22 sional committees not less than 15 days in advance of the  
23 exemption taking effect, including a justification for the  
24 Secretary's determination and a description of the assist-  
25 ance to be exempted from the application of such limita-

1 tion: *Provided further*, That the Secretary of Defense may  
2 waive a provision of law relating to the acquisition of items  
3 and support services or sections 40 and 40A of the Arms  
4 Export Control Act (22 U.S.C. 2780 and 2785) if the Sec-  
5 retary determines such provisions of law would prohibit,  
6 restrict, delay or otherwise limit the provision of such as-  
7 sistance and a notice of and justification for such waiver  
8 is submitted to the appropriate congressional committees:  
9 *Provided further*, That the term “appropriate congres-  
10 sional committees” under this heading means the “con-  
11 gressional defense committees”, the Committees on Ap-  
12 propriations and Foreign Relations of the Senate and the  
13 Committees on Appropriations and Foreign Affairs of the  
14 House of Representatives: *Provided further*, That amounts  
15 made available under this heading are designated by the  
16 Congress for Overseas Contingency Operations/Global  
17 War on Terrorism pursuant to section 251(b)(2)(A)(ii) of  
18 the Balanced Budget and Emergency Deficit Control Act  
19 of 1985.

#### 20 SYRIA TRAIN AND EQUIP FUND

21 For the “Syria Train and Equip Fund”,  
22 \$531,450,000, to remain available until September 30,  
23 2017: *Provided*, That such funds shall be available to the  
24 Secretary of Defense, in coordination with the Secretary  
25 of State, to provide assistance, including training, equip-

1 ment, supplies, stipends, construction of training and as-  
2 sociated facilities, and sustainment, to appropriately vet-  
3 ted elements of the Syrian opposition and other appro-  
4 priately vetted Syrian groups and individuals for the fol-  
5 lowing purposes: defending the Syrian people from attacks  
6 by the Islamic State of Iraq and the Levant, and securing  
7 territory controlled by the Syrian opposition; protecting  
8 the United States, its friends and allies, and the Syrian  
9 people from the threats posed by terrorists in Syria; and  
10 promoting the conditions for a negotiated settlement to  
11 end the conflict in Syria: *Provided further*, That the term  
12 “appropriately vetted” shall be construed to mean, at a  
13 minimum, assessments of possible recipients for associa-  
14 tions with terrorist groups or groups associated with the  
15 Governments of Iran or Syria; and for commitment to the  
16 rule of law and a peaceful and democratic Syria: *Provided*  
17 *further*, That the Secretary may accept and retain con-  
18 tributions, including assistance in-kind, from foreign gov-  
19 ernments and other entities to carry out activities author-  
20 ized under this heading: *Provided further*, That contribu-  
21 tions of funds for the purposes provided herein from any  
22 foreign government or other entity to carry out activities  
23 as authorized by this section shall be credited to this  
24 Fund, to remain available until expended, and used for  
25 such purposes: *Provided further*, That the Secretary of De-

1 fense shall comply with the reporting requirements in sec-  
2 tion 149(d) of the Continuing Appropriations Resolution,  
3 2015 (Public Law 113–164): *Provided further*, That the  
4 Secretary of Defense may waive a provision of law relating  
5 to the acquisition of items and support services or sections  
6 40 and 40A of the Arms Export Control Act (22 U.S.C.  
7 2780 and 2785) if the Secretary determines such provi-  
8 sions of law would prohibit, restrict, delay or otherwise  
9 limit the provision of such assistance and a notice of and  
10 justification for such waiver is submitted to the appro-  
11 priate congressional committees: *Provided further*, That  
12 the term “appropriate congressional committees” under  
13 this heading means the “congressional defense commit-  
14 tees”, the Committees on Appropriations and Foreign Re-  
15 lations of the Senate and the Committees on Appropria-  
16 tions and Foreign Affairs of the House of Representatives:  
17 *Provided further*, That the Secretary may provide assist-  
18 ance to third countries for purposes of the provision of  
19 assistance authorized under this heading: *Provided fur-*  
20 *ther*, That the Secretary of Defense shall notify the con-  
21 gressional defense committees 15 days prior to the provi-  
22 sion of such assistance: *Provided further*, That such  
23 amount is designated by the Congress for Overseas Con-  
24 tingency Operations/Global War on Terrorism pursuant to



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

4           PROCUREMENT OF AMMUNITION, ARMY

5           For an additional amount for “Procurement of Am-  
6 munition, Army”, \$192,040,000, to remain available until  
7 September 30, 2018: *Provided*, That such amount is des-  
8 ignated by the Congress for Overseas Contingency Oper-  
9 ations/Global War on Terrorism pursuant to section  
10 251(b)(2)(A)(ii) of the Balanced Budget and Emergency  
11 Deficit Control Act of 1985.

12           OTHER PROCUREMENT, ARMY

13           For an additional amount for “Other Procurement,  
14 Army”, \$1,205,596,000, to remain available until Sep-  
15 tember 30, 2018: *Provided*, That such amount is des-  
16 ignated by the Congress for Overseas Contingency Oper-  
17 ations/Global War on Terrorism pursuant to section  
18 251(b)(2)(A)(ii) of the Balanced Budget and Emergency  
19 Deficit Control Act of 1985.

20           AIRCRAFT PROCUREMENT, NAVY

21           For an additional amount for “Aircraft Procurement,  
22 Navy”, \$217,394,000, to remain available until September  
23 30, 2018: *Provided*, That such amount is designated by  
24 the Congress for Overseas Contingency Operations/Global  
25 War on Terrorism pursuant to section 251(b)(2)(A)(ii) of



1 the Balanced Budget and Emergency Deficit Control Act  
2 of 1985.

3 WEAPONS PROCUREMENT, NAVY

4 For an additional amount for “Weapons Procure-  
5 ment, Navy”, \$3,344,000, to remain available until Sep-  
6 tember 30, 2018: *Provided*, That such amount is des-  
7 ignated by the Congress for Overseas Contingency Oper-  
8 ations/Global War on Terrorism pursuant to section  
9 251(b)(2)(A)(ii) of the Balanced Budget and Emergency  
10 Deficit Control Act of 1985.

11 PROCUREMENT OF AMMUNITION, NAVY AND MARINE  
12 CORPS

13 For an additional amount for “Procurement of Am-  
14 muniton, Navy and Marine Corps”, \$136,930,000, to re-  
15 main available until September 30, 2018: *Provided*, That  
16 such amount is designated by the Congress for Overseas  
17 Contingency Operations/Global War on Terrorism pursu-  
18 ant to section 251(b)(2)(A)(ii) of the Balanced Budget  
19 and Emergency Deficit Control Act of 1985.

20 OTHER PROCUREMENT, NAVY

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

1 the Balanced Budget and Emergency Deficit Control Act  
2 of 1985.

3                   PROCUREMENT, MARINE CORPS

4       For an additional amount for “Procurement, Marine  
5 Corps”, \$48,934,000, to remain available until September  
6 30, 2018: *Provided*, That such amount is designated by  
7 the Congress for Overseas Contingency Operations/Global  
8 War on Terrorism pursuant to section 251(b)(2)(A)(ii) of  
9 the Balanced Budget and Emergency Deficit Control Act  
10 of 1985.

11                   AIRCRAFT PROCUREMENT, AIR FORCE

12       For an additional amount for “Aircraft Procurement,  
13 Air Force”, \$128,900,000, to remain available until Sep-  
14 tember 30, 2018: *Provided*, That such amount is des-  
15 ignated by the Congress for Overseas Contingency Oper-  
16 ations/Global War on Terrorism pursuant to section  
17 251(b)(2)(A)(ii) of the Balanced Budget and Emergency  
18 Deficit Control Act of 1985.

19                   MISSILE PROCUREMENT, AIR FORCE

20       For an additional amount for “Missile Procurement,  
21 Air Force”, \$289,142,000, to remain available until Sep-  
22 tember 30, 2018: *Provided*, That such amount is des-  
23 ignated by the Congress for Overseas Contingency Oper-  
24 ations/Global War on Terrorism pursuant to section

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

3           PROCUREMENT OF AMMUNITION, AIR FORCE

4           For an additional amount for “Procurement of Am-  
5 munition, Air Force”, \$228,874,000, to remain available  
6 until September 30, 2018: *Provided*, That such amount  
7 is designated by the Congress for Overseas Contingency  
8 Operations/Global War on Terrorism pursuant to section  
9 251(b)(2)(A)(ii) of the Balanced Budget and Emergency  
10 Deficit Control Act of 1985.

11           OTHER PROCUREMENT, AIR FORCE

12           For an additional amount for “Other Procurement,  
13 Air Force”, \$3,829,964,000, to remain available until  
14 September 30, 2018: *Provided*, That such amount is des-  
15 ignated by the Congress for Overseas Contingency Oper-  
16 ations/Global War on Terrorism pursuant to section  
17 251(b)(2)(A)(ii) of the Balanced Budget and Emergency  
18 Deficit Control Act of 1985.

19           PROCUREMENT, DEFENSE-WIDE

20           For an additional amount for “Procurement, De-  
21 fense-Wide”, \$173,918,000, to remain available until Sep-  
22 tember 30, 2018: *Provided*, That such amount is des-  
23 ignated by the Congress for Overseas Contingency Oper-  
24 ations/Global War on Terrorism pursuant to section

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

3 NATIONAL GUARD AND RESERVE EQUIPMENT ACCOUNT

4 For procurement of aircraft, missiles, tracked combat  
 5 vehicles, ammunition, other weapons and other procure-  
 6 ment for the reserve components of the Armed Forces,  
 7 \$1,000,000,000, to remain available for obligation until  
 8 September 30, 2018: *Provided*, That the Chiefs of Na-  
 9 tional Guard and Reserve components shall, not later than  
 10 30 days after enactment of this Act, individually submit  
 11 to the congressional defense committees the modernization  
 12 priority assessment for their respective National Guard or  
 13 Reserve component: *Provided further*, That such amount  
 14 is designated by the Congress for Overseas Contingency  
 15 Operations/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 RESEARCH, DEVELOPMENT, TEST AND

19 EVALUATION

20 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,

21 ARMY

22 For an additional amount for “Research, Develop-  
 23 ment, Test and Evaluation, Army”, \$1,500,000, to remain  
 24 available until September 30, 2017: *Provided*, That such  
 25 amount is designated by the Congress for Overseas Con-

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

4 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,  
5 NAVY

6 For an additional amount for “Research, Develop-  
7 ment, Test and Evaluation, Navy”, \$35,747,000, to re-  
8 main available until September 30, 2017: *Provided*, That  
9 such amount is designated by the Congress for Overseas  
10 Contingency Operations/Global War on Terrorism pursu-  
11 ant to section 251(b)(2)(A)(ii) of the Balanced Budget  
12 and Emergency Deficit Control Act of 1985.

13 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,  
14 AIR FORCE

15 For an additional amount for “Research, Develop-  
16 ment, Test and Evaluation, Air Force”, \$17,100,000, to  
17 remain available until September 30, 2017: *Provided*,  
18 That such amount is designated by the Congress for Over-  
19 seas Contingency Operations/Global War on Terrorism  
20 pursuant to section 251(b)(2)(A)(ii) of the Balanced  
21 Budget and Emergency Deficit Control Act of 1985.

22 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,  
23 DEFENSE-WIDE

24 For an additional amount for “Research, Develop-  
25 ment, Test and Evaluation, Defense-Wide”,

1 \$137,087,000, to remain available until September 30,  
2 2017: *Provided*, That such amount is designated by the  
3 Congress for Overseas Contingency Operations/Global  
4 War on Terrorism pursuant to section 251(b)(2)(A)(ii) of  
5 the Balanced Budget and Emergency Deficit Control Act  
6 of 1985.

7 REVOLVING AND MANAGEMENT FUNDS

8 DEFENSE WORKING CAPITAL FUNDS

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

15 OTHER DEPARTMENT OF DEFENSE PROGRAMS

16 DEFENSE HEALTH PROGRAM

17 For an additional amount for “Defense Health Pro-  
18 gram”, \$272,704,000, which shall be for operation and  
19 maintenance: *Provided*, 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 DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES,  
2 DEFENSE

3 For an additional amount for “Drug Interdiction and  
4 Counter-Drug Activities, Defense”, \$186,000,000: *Pro-*  
5 *vided*, That such amount is 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 JOINT IMPROVISED EXPLOSIVE DEVICE DEFEAT FUND  
10 (INCLUDING TRANSFER OF FUNDS)

11 For the “Joint Improvised Explosive Device Defeat  
12 Fund”, \$290,000,000, to remain available until Sep-  
13 tember 30, 2018: *Provided*, That such funds shall be avail-  
14 able to the Secretary of Defense, notwithstanding any  
15 other provision of law, for the purpose of allowing the Di-  
16 rector of the Joint Improvised Explosive Device Defeat  
17 Organization to investigate, develop and provide equip-  
18 ment, supplies, services, training, facilities, personnel and  
19 funds to assist United States forces in the defeat of impro-  
20 vised explosive devices: *Provided further*, That the Sec-  
21 retary of Defense may transfer funds provided herein to  
22 appropriations for military personnel; operation and main-  
23 tenance; procurement; research, development, test and  
24 evaluation; and defense working capital funds to accom-  
25 plish the purpose provided herein: *Provided further*, That

1 this transfer authority is in addition to any other transfer  
2 authority available to the Department of Defense: *Pro-*  
3 *vided further*, That the Secretary of Defense shall, not  
4 fewer than 15 days prior to making transfers from this  
5 appropriation, notify the congressional defense committees  
6 in writing of the details of any such transfer: *Provided*  
7 *further*, That such amount is designated by the Congress  
8 for Overseas Contingency Operations/Global War on Ter-  
9 rorism pursuant to section 251(b)(2)(A)(ii) of the Bal-  
10 anced Budget and Emergency Deficit Control Act of 1985.

11 OFFICE OF THE INSPECTOR GENERAL

12 For an additional amount for the “Office of the In-  
13 spector General”, \$10,262,000: *Provided*, That such  
14 amount is designated by the Congress for Overseas Con-  
15 tingency Operations/Global War on Terrorism pursuant to  
16 section 251(b)(2)(A)(ii) of the Balanced Budget and  
17 Emergency Deficit Control Act of 1985.

18 GENERAL PROVISIONS—THIS TITLE

19 SEC. 9001. Each amount designated in this Act by  
20 the Congress for Overseas Contingency Operations/Global  
21 War on Terrorism pursuant to section 251(b)(2)(A)(ii) of  
22 the Balanced Budget and Emergency Deficit Control Act  
23 of 1985 shall be available (or rescinded, if applicable) only  
24 if the President subsequently so designates all such  
25 amounts and transmits such designations to the Congress.



1        SEC. 9002. Notwithstanding any other provision of  
2 law, funds made available in this title are in addition to  
3 amounts appropriated or otherwise made available for the  
4 Department of Defense for fiscal year 2016.

5                                    (INCLUDING TRANSFER OF FUNDS)

6        SEC. 9003. Upon the determination of the Secretary  
7 of Defense that such action is necessary in the national  
8 interest, the Secretary may, with the approval of the Of-  
9 fice of Management and Budget, transfer up to  
10 \$3,500,000,000 between the appropriations or funds made  
11 available to the Department of Defense in this title: *Pro-*  
12 *vided*, That the Secretary shall notify the Congress  
13 promptly of each transfer made pursuant to the authority  
14 in this section: *Provided further*, That the authority pro-  
15 vided in this section is in addition to any other transfer  
16 authority available to the Department of Defense and is  
17 subject to the same terms and conditions as the authority  
18 provided in section 8005 of this Act.

19        SEC. 9004. Supervision and administration costs and  
20 costs for design during construction associated with a con-  
21 struction project funded with appropriations available for  
22 operation and maintenance or the “Afghanistan Security  
23 Forces Fund” provided in this Act and executed in direct  
24 support of overseas contingency operations in Afghani-  
25 stan, may be obligated at the time a construction contract

1 is awarded: *Provided*, That, for the purpose of this section,  
2 supervision and administration costs and costs for design  
3 during construction include all in-house Government costs.

4 SEC. 9005. From funds made available in this title,  
5 the Secretary of Defense may purchase for use by military  
6 and civilian employees of the Department of Defense in  
7 the U.S. Central Command area of responsibility: (a) pas-  
8 senger motor vehicles up to a limit of \$75,000 per vehicle;  
9 and (b) heavy and light armored vehicles for the physical  
10 security of personnel or for force protection purposes up  
11 to a limit of \$400,000 per vehicle, notwithstanding price  
12 or other limitations applicable to the purchase of pas-  
13 senger carrying vehicles.

14 SEC. 9006. Not to exceed \$5,000,000 of the amounts  
15 appropriated by this title under the heading “Operation  
16 and Maintenance, Army” may be used, notwithstanding  
17 any other provision of law, to fund the Commanders’  
18 Emergency Response Program (CERP), for the purpose  
19 of enabling military commanders in Afghanistan to re-  
20 spond to urgent, small-scale, humanitarian relief and re-  
21 construction requirements within their areas of responsi-  
22 bility: *Provided*, That each project (including any ancillary  
23 or related elements in connection with such project) exe-  
24 cuted under this authority shall not exceed \$2,000,000:  
25 *Provided further*, That not later than 45 days after the

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

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

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

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

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

10       SEC. 9007. Funds available to the Department of De-  
11      fense for operation and maintenance may be used, not-  
12      withstanding any other provision of law, to provide sup-  
13      plies, services, transportation, including airlift and sealift,  
14      and other logistical support to coalition forces supporting  
15      military and stability operations in Afghanistan and to  
16      counter the Islamic State of Iraq and the Levant: *Pro-*  
17      *vided*, That the Secretary of Defense shall provide quar-  
18      terly reports to the congressional defense committees re-  
19      garding support provided under this section.

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

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

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

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

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

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

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

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

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

20          SEC. 9011. Funds made available in this title to the  
21          Department of Defense for operation and maintenance  
22          may be used to purchase items having an investment unit  
23          cost of not more than \$250,000: *Provided*, That, upon de-  
24          termination by the Secretary of Defense that such action  
25          is necessary to meet the operational requirements of a

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

5 SEC. 9012. From funds made available to the De-  
6 partment of Defense in this title under the heading “Oper-  
7 ation and Maintenance, Air Force”, up to \$140,000,000  
8 may be used by the Secretary of Defense, notwithstanding  
9 any other provision of law, to support United States Gov-  
10 ernment transition activities in Iraq by funding the oper-  
11 ations and activities of the Office of Security Cooperation  
12 in Iraq and security assistance teams, including life sup-  
13 port, transportation and personal security, and facilities  
14 renovation and construction, and site closeout activities  
15 prior to returning sites to the Government of Iraq: *Pro-*  
16 *vided*, That, to the extent authorized under the National  
17 Defense Authorization Act for Fiscal Year 2016, the oper-  
18 ations and activities that may be carried out by the Office  
19 of Security Cooperation in Iraq may, with the concurrence  
20 of the Secretary of State, include non-operational training  
21 activities in support of Iraqi Minister of Defense and  
22 Counter Terrorism Service personnel in an institutional  
23 environment to address capability gaps, integrate proc-  
24 esses relating to intelligence, air sovereignty, combined  
25 arms, logistics and maintenance, and to manage and inte-

1 grate defense-related institutions: *Provided further*, That  
2 not later than 30 days following the enactment of this Act,  
3 the Secretary of Defense and the Secretary of State shall  
4 submit to the congressional defense committees a plan for  
5 transitioning any such training activities that they deter-  
6 mine are needed after the end of fiscal year 2016, to exist-  
7 ing or new contracts for the sale of defense articles or  
8 defense services consistent with the provisions of the Arms  
9 Export Control Act (22 U.S.C. 2751 et seq.): *Provided*  
10 *further*, That, not less than 15 days before making funds  
11 available pursuant to the authority provided in this sec-  
12 tion, the Secretary of Defense shall submit to the congres-  
13 sional defense committees a written notice containing a  
14 detailed justification and timeline for the operations and  
15 activities of the Office of Security Cooperation in Iraq at  
16 each site where such operations and activities will be con-  
17 ducted during fiscal year 2016.

18       SEC. 9013. None of the funds made available by this  
19 Act may be used with respect to Syria in contravention  
20 of the War Powers Resolution (50 U.S.C. 1541 et seq.),  
21 including for the introduction of United States armed or  
22 military forces into hostilities in Syria, into situations in  
23 Syria where imminent involvement in hostilities is clearly  
24 indicated by the circumstances, or into Syrian territory,  
25 airspace, or waters while equipped for combat, in con-



1 travention of the congressional consultation and reporting  
2 requirements of sections 3 and 4 of that law (50 U.S.C.  
3 1542 and 1543).

4       SEC. 9014. For the “Ukraine Security Assistance Ini-  
5 tiative” as authorized by section 1251 of S. 1376, the Na-  
6 tional Defense Authorization Act for Fiscal Year 2016,  
7 as reported, \$300,000,000 is hereby appropriated to pro-  
8 vide appropriate security assistance and intelligence sup-  
9 port, including training, equipment, and logistics support,  
10 supplies and services, to military and other security forces  
11 of the Government of Ukraine: *Provided*, That such  
12 amount is designated by the Congress for Overseas Con-  
13 tingency Operations/Global War on Terrorism pursuant to  
14 section 251(b)(2)(A)(ii) of the Balanced Budget and  
15 Emergency Deficit Control Act of 1985.

16       SEC. 9015. None of the funds in this Act may be  
17 made available for the transfer of additional C-130 cargo  
18 aircraft to the Afghanistan National Security Forces or  
19 the Afghanistan Air Force until the Department of De-  
20 fense provides a report to the congressional defense com-  
21 mittees of the Afghanistan Air Force’s medium airlift re-  
22 quirements. The report should identify Afghanistan’s abil-  
23 ity to utilize and maintain existing medium lift aircraft  
24 in the inventory and the best alternative platform, if nec-

1 essary, to provide additional support to the Afghanistan  
2 Air Force’s current medium airlift capacity.

3       SEC. 9016. The Secretary of Defense may obligate  
4 and expend funds made available to the Department of  
5 Defense in this title for additional costs associated with  
6 projects funded with amounts provided under the heading  
7 “Afghanistan Infrastructure Fund” in prior Acts: *Pro-*  
8 *vided*, That such costs shall be limited to contract changes  
9 resulting from inflation, market fluctuation, rate adjust-  
10 ments, and other necessary contract actions to complete  
11 the projects, and associated supervision and administra-  
12 tion costs and costs for design during construction: *Pro-*  
13 *vided further*, That the Secretary may not use more than  
14 \$100,000,000 under the authority provided in this section:  
15 *Provided further*, That the Secretary shall highlight such  
16 contract changes and adjustments in annual reports to the  
17 congressional defense committees.

18       SEC. 9017. It is the sense of the Senate that Con-  
19 gress should enact an updated Authorization for Use of  
20 Military Force to clarify the United States military role  
21 against the Islamic State of Iraq and the Levant (ISIL).

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



Calendar No. 115

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

**S. 1558**

[Report No. 114-63]

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**A BILL**

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

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JUNE 11, 2015

Read twice and placed on the calendar