

JANUARY 25, 2018

**RULES COMMITTEE PRINT 115-56**

**TEXT OF THE HOUSE AMENDMENT TO THE SEN-  
ATE AMENDMENT TO THE TEXT OF H.R. 695  
[DEPARTMENT OF DEFENSE APPROPRIATIONS  
ACT, 2018]**

**[Showing the text of H.R. 4877, as introduced]**

In lieu of the matter proposed to be inserted by the  
Senate, insert the following:

1       That the following sums are appropriated, out of any  
2 money in the Treasury not otherwise appropriated, for the  
3 fiscal year ending September 30, 2018, for military func-  
4 tions administered by the Department of Defense and for  
5 other purposes, namely:

6   **TITLE I**

7   **MILITARY PERSONNEL**

8   **MILITARY PERSONNEL, ARMY**

9       For pay, allowances, individual clothing, subsistence,  
10 interest on deposits, gratuities, permanent change of sta-  
11 tion travel (including all expenses thereof for organiza-  
12 tional movements), and expenses of temporary duty travel  
13 between permanent duty stations, for members of the  
14 Army on active duty (except members of reserve compo-

1 nents provided for elsewhere), cadets, and aviation cadets;  
2 for members of the Reserve Officers' Training Corps; and  
3 for payments pursuant to section 156 of Public Law 97–  
4 377, as amended (42 U.S.C. 402 note), and to the Depart-  
5 ment of Defense Military Retirement Fund,  
6 \$41,427,054,000.

7                   MILITARY PERSONNEL, NAVY

8           For pay, allowances, individual clothing, subsistence,  
9 interest on deposits, gratuities, permanent change of sta-  
10 tion travel (including all expenses thereof for organiza-  
11 tional movements), and expenses of temporary duty travel  
12 between permanent duty stations, for members of the  
13 Navy on active duty (except members of the Reserve pro-  
14 vided for elsewhere), midshipmen, and aviation cadets; for  
15 members of the Reserve Officers' Training Corps; and for  
16 payments pursuant to section 156 of Public Law 97–377,  
17 as amended (42 U.S.C. 402 note), and to the Department  
18 of Defense Military Retirement Fund, \$28,707,918,000  
19 (reduced by \$2,000,000) (increased by \$2,000,000).

20                   MILITARY PERSONNEL, MARINE CORPS

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

1 rine Corps on active duty (except members of the Reserve  
2 provided for elsewhere); and for payments pursuant to sec-  
3 tion 156 of Public Law 97–377, as amended (42 U.S.C.  
4 402 note), and to the Department of Defense Military Re-  
5 tirement Fund, \$13,165,714,000.

6           MILITARY PERSONNEL, AIR FORCE

7       For pay, allowances, individual clothing, subsistence,  
8 interest on deposits, gratuities, permanent change of sta-  
9 tion travel (including all expenses thereof for organiza-  
10 tional movements), and expenses of temporary duty travel  
11 between permanent duty stations, for members of the Air  
12 Force on active duty (except members of reserve compo-  
13 nents provided for elsewhere), cadets, and aviation cadets;  
14 for members of the Reserve Officers’ Training Corps; and  
15 for payments pursuant to section 156 of Public Law 97–  
16 377, as amended (42 U.S.C. 402 note), and to the Depart-  
17 ment of Defense Military Retirement Fund,  
18 \$28,738,320,000.

19           RESERVE PERSONNEL, ARMY

20       For pay, allowances, clothing, subsistence, gratuities,  
21 travel, and related expenses for personnel of the Army Re-  
22 serve on active duty under sections 10211, 10302, and  
23 3038 of title 10, United States Code, or while serving on  
24 active duty under section 12301(d) of title 10, United  
25 States Code, in connection with performing duty specified

1 in section 12310(a) of title 10, United States Code, or  
2 while undergoing reserve training, or while performing  
3 drills or equivalent duty or other duty, and expenses au-  
4 thorized by section 16131 of title 10, United States Code;  
5 and for payments to the Department of Defense Military  
6 Retirement Fund, \$4,721,128,000.

7                   RESERVE PERSONNEL, NAVY

8           For pay, allowances, clothing, subsistence, gratuities,  
9 travel, and related expenses for personnel of the Navy Re-  
10 serve on active duty under section 10211 of title 10,  
11 United States Code, or while serving on active duty under  
12 section 12301(d) of title 10, United States Code, in con-  
13 nection with performing duty specified in section 12310(a)  
14 of title 10, United States Code, or while undergoing re-  
15 serve training, or while performing drills or equivalent  
16 duty, and expenses authorized by section 16131 of title  
17 10, United States Code; and for payments to the Depart-  
18 ment of Defense Military Retirement Fund,  
19 \$1,987,662,000.

20                   RESERVE PERSONNEL, MARINE CORPS

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

1 in connection with performing duty specified in section  
2 12310(a) of title 10, United States Code, or while under-  
3 going reserve training, or while performing drills or equiv-  
4 alent duty, and for members of the Marine Corps platoon  
5 leaders class, and expenses authorized by section 16131  
6 of title 10, United States Code; and for payments to the  
7 Department of Defense Military Retirement Fund,  
8 \$762,793,000.

9                   RESERVE PERSONNEL, AIR FORCE

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

22                   NATIONAL GUARD PERSONNEL, ARMY

23       For pay, allowances, clothing, subsistence, gratuities,  
24 travel, and related expenses for personnel of the Army Na-  
25 tional Guard while on duty under sections 10211, 10302,

1 or 12402 of title 10 or section 708 of title 32, United  
2 States Code, or while serving on duty under section  
3 12301(d) of title 10 or section 502(f) of title 32, United  
4 States Code, in connection with performing duty specified  
5 in section 12310(a) of title 10, United States Code, or  
6 while undergoing training, or while performing drills or  
7 equivalent duty or other duty, and expenses authorized by  
8 section 16131 of title 10, United States Code; and for pay-  
9 ments to the Department of Defense Military Retirement  
10 Fund, \$8,252,426,000.

11 NATIONAL GUARD PERSONNEL, AIR FORCE

12 For pay, allowances, clothing, subsistence, gratuities,  
13 travel, and related expenses for personnel of the Air Na-  
14 tional Guard on duty under sections 10211, 10305, or  
15 12402 of title 10 or section 708 of title 32, United States  
16 Code, or while serving on duty under section 12301(d) of  
17 title 10 or section 502(f) of title 32, United States Code,  
18 in connection with performing duty specified in section  
19 12310(a) of title 10, United States Code, or while under-  
20 going training, or while performing drills or equivalent  
21 duty or other duty, and expenses authorized by section  
22 16131 of title 10, United States Code; and for payments  
23 to the Department of Defense Military Retirement Fund,  
24 \$3,406,137,000.

1 TITLE II  
2 OPERATION AND MAINTENANCE  
3 OPERATION AND MAINTENANCE, ARMY

4 For expenses, not otherwise provided for, necessary  
5 for the operation and maintenance of the Army, as author-  
6 ized by law, \$38,483,846,000 (reduced by \$5,000,000)  
7 (reduced by \$5,600,000) (reduced by \$6,000,000): *Pro-*  
8 *vided*, That not to exceed \$12,478,000 can be used for  
9 emergencies and extraordinary expenses, to be expended  
10 on the approval or authority of the Secretary of the Army,  
11 and payments may be made on his certificate of necessity  
12 for confidential military purposes.

13 OPERATION AND MAINTENANCE, NAVY

14 For expenses, not otherwise provided for, necessary  
15 for the operation and maintenance of the Navy and the  
16 Marine Corps, as authorized by law, \$45,980,133,000 (re-  
17 duced by \$598,000) (reduced by \$7,000,000): *Provided*,  
18 That not to exceed \$15,055,000 can be used for emer-  
19 gencies and extraordinary expenses, to be expended on the  
20 approval or authority of the Secretary of the Navy, and  
21 payments may be made on his certificate of necessity for  
22 confidential military purposes.

## 1 OPERATION AND MAINTENANCE, MARINE CORPS

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

## 5 OPERATION AND MAINTENANCE, AIR FORCE

6 For expenses, not otherwise provided for, necessary  
7 for the operation and maintenance of the Air Force, as  
8 authorized by law, \$38,592,745,000: *Provided*, That not  
9 to exceed \$7,699,000 can be used for emergencies and ex-  
10 traordinary expenses, to be expended on the approval or  
11 authority of the Secretary of the Air Force, and payments  
12 may be made on his certificate of necessity for confidential  
13 military purposes.

## 14 OPERATION AND MAINTENANCE, DEFENSE-WIDE

15 (INCLUDING TRANSFER OF FUNDS)

16 For expenses, not otherwise provided for, necessary  
17 for the operation and maintenance of activities and agen-  
18 cies of the Department of Defense (other than the military  
19 departments), as authorized by law, \$33,771,769,000 (in-  
20 creased by \$5,000,000) (reduced by \$10,000,000) (re-  
21 duced by \$100,000) (increased by \$100,000) (reduced by  
22 \$194,897,000) (increased by \$194,897,000) (reduced by  
23 \$26,200,000) (reduced by \$20,000,000) (reduced by  
24 \$6,000,000) (reduced by \$4,000,000) (reduced by  
25 \$20,000,000) (reduced by \$1,000,000) (reduced by



1 \$10,000,000) (reduced by \$2,500,000) (reduced by  
2 \$2,000,000) (reduced by \$8,000,000) (reduced by  
3 \$6,250,000) (reduced by \$10,000,000) (reduced by  
4 \$10,000,000) (reduced by \$30,000,000) (reduced by  
5 \$34,734,000) (reduced by \$60,000,000): *Provided*, That  
6 not more than \$15,000,000 may be used for the Combat-  
7 ant Commander Initiative Fund authorized under section  
8 166a of title 10, United States Code: *Provided further*,  
9 That not to exceed \$36,000,000 can be used for emer-  
10 gencies and extraordinary expenses, to be expended on the  
11 approval or authority of the Secretary of Defense, and  
12 payments may be made on his certificate of necessity for  
13 confidential military purposes: *Provided further*, That of  
14 the funds provided under this heading, not less than  
15 \$38,458,000 shall be made available for the Procurement  
16 Technical Assistance Cooperative Agreement Program, of  
17 which not less than \$3,600,000 shall be available for cen-  
18 ters defined in 10 U.S.C. 2411(1)(D): *Provided further*,  
19 That none of the funds appropriated or otherwise made  
20 available by this Act may be used to plan or implement  
21 the consolidation of a budget or appropriations liaison of-  
22 fice of the Office of the Secretary of Defense, the office  
23 of the Secretary of a military department, or the service  
24 headquarters of one of the Armed Forces into a legislative  
25 affairs or legislative liaison office: *Provided further*, That

1 \$9,385,000, to remain available until expended, is avail-  
2 able only for expenses relating to certain classified activi-  
3 ties, and may be transferred as necessary by the Secretary  
4 of Defense to operation and maintenance appropriations  
5 or research, development, test and evaluation appropria-  
6 tions, to be merged with and to be available for the same  
7 time period as the appropriations to which transferred:  
8 *Provided further*, That any ceiling on the investment item  
9 unit cost of items that may be purchased with operation  
10 and maintenance funds shall not apply to the funds de-  
11 scribed in the preceding proviso: *Provided further*, That  
12 of the funds provided under this heading, \$415,000,000,  
13 of which \$100,000,000 to remain available until Sep-  
14 tember 30, 2019, shall be available to provide support and  
15 assistance to foreign security forces or other groups or in-  
16 dividuals to conduct, support or facilitate  
17 counterterrorism, crisis response, or other Department of  
18 Defense security cooperation programs: *Provided further*,  
19 That the transfer authority provided under this heading  
20 is in addition to any other transfer authority provided else-  
21 where in this Act.

22 OPERATION AND MAINTENANCE, ARMY RESERVE

23 For expenses, not otherwise provided for, necessary  
24 for the operation and maintenance, including training, or-  
25 ganization, and administration, of the Army Reserve; re-

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

5 OPERATION AND MAINTENANCE, NAVY RESERVE

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

13 OPERATION AND MAINTENANCE, MARINE CORPS

14 RESERVE

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

22 OPERATION AND MAINTENANCE, AIR FORCE RESERVE

23 For expenses, not otherwise provided for, necessary  
24 for the operation and maintenance, including training, or-  
25 ganization, and administration, of the Air Force Reserve;

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

5 OPERATION AND MAINTENANCE, ARMY NATIONAL  
6 GUARD

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

22 OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

23 For expenses of training, organizing, and admin-  
24 istering the Air National Guard, including medical and  
25 hospital treatment and related expenses in non-Federal

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

14 UNITED STATES COURT OF APPEALS FOR THE ARMED  
15 FORCES

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

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

22 For the Department of the Army, \$215,809,000, to  
23 remain available until transferred: *Provided*, That the Sec-  
24 retary of the Army shall, upon determining that such  
25 funds are required for environmental restoration, reduc-

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

15 ENVIRONMENTAL RESTORATION, NAVY

16 (INCLUDING TRANSFER OF FUNDS)

17 For the Department of the Navy, \$288,915,000 (in-  
18 creased by \$34,734,000) (increased by \$30,000,000), to  
19 remain available until transferred: *Provided*, That the Sec-  
20 retary of the Navy shall, upon determining that such  
21 funds are required for environmental restoration, reduc-  
22 tion and recycling of hazardous waste, removal of unsafe  
23 buildings and debris of the Department of the Navy, or  
24 for similar purposes, transfer the funds made available by  
25 this appropriation to other appropriations made available

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

11 ENVIRONMENTAL RESTORATION, AIR FORCE  
12 (INCLUDING TRANSFER OF FUNDS)

13 For the Department of the Air Force, \$308,749,000  
14 (increased by \$30,000,000), to remain available until  
15 transferred: *Provided*, That the Secretary of the Air Force  
16 shall, upon determining that such funds are required for  
17 environmental restoration, reduction and recycling of haz-  
18 ardous waste, removal of unsafe buildings and debris of  
19 the Department of the Air Force, or for similar purposes,  
20 transfer the funds made available by this appropriation  
21 to other appropriations made available to the Department  
22 of the Air Force, to be merged with and to be available  
23 for the same purposes and for the same time period as  
24 the appropriations to which transferred: *Provided further*,  
25 That upon a determination that all or part of the funds

1 transferred from this appropriation are not necessary for  
2 the purposes provided herein, such amounts may be trans-  
3 ferred back to this appropriation: *Provided further*, That  
4 the transfer authority provided under this heading is in  
5 addition to any other transfer authority provided else-  
6 where in this Act.

7 ENVIRONMENTAL RESTORATION, DEFENSE-WIDE  
8 (INCLUDING TRANSFER OF FUNDS)

9 For the Department of Defense, \$9,002,000 (in-  
10 creased by \$10,000,000), to remain available until trans-  
11 ferred: *Provided*, That the Secretary of Defense shall,  
12 upon determining that such funds are required for envi-  
13 ronmental restoration, reduction and recycling of haz-  
14 ardous waste, removal of unsafe buildings and debris of  
15 the Department of Defense, or for similar purposes, trans-  
16 fer the funds made available by this appropriation to other  
17 appropriations made available to the Department of De-  
18 fense, to be merged with and to be available for the same  
19 purposes and for the same time period as the appropria-  
20 tions to which transferred: *Provided further*, That upon  
21 a determination that all or part of the funds transferred  
22 from this appropriation are not necessary for the purposes  
23 provided herein, such amounts may be transferred back  
24 to this appropriation: *Provided further*, That the transfer



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

3 ENVIRONMENTAL RESTORATION, FORMERLY USED  
4 DEFENSE SITES  
5 (INCLUDING TRANSFER OF FUNDS)

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

1 OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AID

2 For expenses relating to the Overseas Humanitarian,  
3 Disaster, and Civic Aid programs of the Department of  
4 Defense (consisting of the programs provided under sec-  
5 tions 401, 402, 404, 407, 2557, and 2561 of title 10,  
6 United States Code), \$107,900,000, to remain available  
7 until September 30, 2018.

8 COOPERATIVE THREAT REDUCTION ACCOUNT

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

15 OPERATION AND MAINTENANCE, NATIONAL DEFENSE

16 RESTORATION FUND

17 (INCLUDING TRANSFER OF FUNDS)

18 In addition to amounts provided elsewhere in this  
19 Act, there is appropriated \$5,000,000,000, for the “Oper-  
20 ation and Maintenance, National Defense Restoration  
21 Fund”: *Provided*, That such funds provided under this  
22 heading shall only be available for programs, projects and  
23 activities necessary to implement the 2018 National De-  
24 fense Strategy: *Provided further*, That such funds shall not  
25 be available for transfer until 30 days after the Secretary

1 has submitted, and the congressional defense committees  
2 have approved, the proposed allocation plan for the use  
3 of such funds to implement such strategy: *Provided fur-*  
4 *ther*, That such allocation plan shall include a detailed jus-  
5 tification for the use of such funds and a description of  
6 how such investments are necessary to implement the  
7 strategy: *Provided further*, That the Secretary of Defense  
8 may transfer these funds only to operation and mainte-  
9 nance accounts: *Provided further*, That the funds trans-  
10 ferred shall be merged with and shall be available for the  
11 same purposes and for the same time period, as the appro-  
12 priation to which transferred: *Provided further*, That none  
13 of the funds made available under this heading may be  
14 transferred to any program, project, or activity specifically  
15 limited or denied by this Act: *Provided further*, That the  
16 transfer authority provided under this heading is in addi-  
17 tion to any other transfer authority available to the De-  
18 partment of Defense.

19

## TITLE III

20

## PROCUREMENT

21

## AIRCRAFT PROCUREMENT, ARMY

22

23

24

25

For construction, procurement, production, modifica-  
tion, and modernization of aircraft, equipment, including  
ordnance, ground handling equipment, spare parts, and  
accessories therefor; specialized equipment and training

1 devices; expansion of public and private plants, including  
2 the land necessary therefor, for the foregoing purposes,  
3 and such lands and interests therein, may be acquired,  
4 and construction prosecuted thereon prior to approval of  
5 title; and procurement and installation of equipment, ap-  
6 pliances, and machine tools in public and private plants;  
7 reserve plant and Government and contractor-owned  
8 equipment layaway; and other expenses necessary for the  
9 foregoing purposes, \$4,456,533,000, to remain available  
10 for obligation until September 30, 2020.

11 MISSILE PROCUREMENT, ARMY

12 For construction, procurement, production, modifica-  
13 tion, and modernization of missiles, equipment, including  
14 ordnance, ground handling equipment, spare parts, and  
15 accessories therefor; specialized equipment and training  
16 devices; expansion of public and private plants, including  
17 the land necessary therefor, for the foregoing purposes,  
18 and such lands and interests therein, may be acquired,  
19 and construction prosecuted thereon prior to approval of  
20 title; and procurement and installation of equipment, ap-  
21 pliances, and machine tools in public and private plants;  
22 reserve plant and Government and contractor-owned  
23 equipment layaway; and other expenses necessary for the  
24 foregoing purposes, \$2,581,600,000, to remain available  
25 for obligation until September 30, 2020.

1     PROCUREMENT OF WEAPONS AND TRACKED COMBAT  
2                                 VEHICLES, ARMY

3         For construction, procurement, production, and  
4 modification of weapons and tracked combat vehicles,  
5 equipment, including ordnance, spare parts, and acces-  
6 sories therefor; specialized equipment and training devices;  
7 expansion of public and private plants, including the land  
8 necessary therefor, for the foregoing purposes, and such  
9 lands and interests therein, may be acquired, and con-  
10 struction prosecuted thereon prior to approval of title; and  
11 procurement and installation of equipment, appliances,  
12 and machine tools in public and private plants; reserve  
13 plant and Government and contractor-owned equipment  
14 layaway; and other expenses necessary for the foregoing  
15 purposes, \$3,556,175,000, to remain available for obliga-  
16 tion until September 30, 2020.

17                                 PROCUREMENT OF AMMUNITION, ARMY

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

1 proval of title; and procurement and installation of equip-  
2 ment, appliances, and machine tools in public and private  
3 plants; reserve plant and Government and contractor-  
4 owned equipment layaway; and other expenses necessary  
5 for the foregoing purposes, \$1,811,808,000, to remain  
6 available for obligation until September 30, 2020.

7 OTHER PROCUREMENT, ARMY

8 For construction, procurement, production, and  
9 modification of vehicles, including tactical, support, and  
10 non-tracked combat vehicles; the purchase of passenger  
11 motor vehicles for replacement only; communications and  
12 electronic equipment; other support equipment; spare  
13 parts, ordnance, and accessories therefor; specialized  
14 equipment and training devices; expansion of public and  
15 private plants, including the land necessary therefor, for  
16 the foregoing purposes, and such lands and interests  
17 therein, may be acquired, and construction prosecuted  
18 thereon prior to approval of title; and procurement and  
19 installation of equipment, appliances, and machine tools  
20 in public and private plants; reserve plant and Govern-  
21 ment and contractor-owned equipment layaway; and other  
22 expenses necessary for the foregoing purposes,  
23 \$6,356,044,000 (increased by \$30,000,000), to remain  
24 available for obligation until September 30, 2020.

## 1 AIRCRAFT PROCUREMENT, NAVY

2 For construction, procurement, production, modifica-  
3 tion, and modernization of aircraft, equipment, including  
4 ordnance, spare parts, and accessories therefor; specialized  
5 equipment; expansion of public and private plants, includ-  
6 ing the land necessary therefor, and such lands and inter-  
7 ests therein, may be acquired, and construction prosecuted  
8 thereon prior to approval of title; and procurement and  
9 installation of equipment, appliances, and machine tools  
10 in public and private plants; reserve plant and Govern-  
11 ment and contractor-owned equipment layaway,  
12 \$17,908,270,000, to remain available for obligation until  
13 September 30, 2020.

## 14 WEAPONS PROCUREMENT, NAVY

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





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

7           Ohio       Replacement       Submarine       (AP),  
8       \$842,853,000;  
9           Carrier Replacement Program, \$1,869,646,000;  
10          Carrier       Replacement       Program       (AP),  
11       \$2,561,058,000;  
12          Virginia Class Submarine, \$3,305,315,000;  
13          Virginia       Class       Submarine       (AP),  
14       \$1,920,596,000;  
15          CVN Refueling Overhauls, \$1,569,669,000;  
16          CVN Refueling Overhauls (AP), \$75,897,000;  
17          DDG-1000 Program, \$164,976,000;  
18          DDG-51 Destroyer, \$3,499,079,000;  
19          DDG-51 Destroyer (AP), \$90,336,000;  
20          Littoral Combat Ship, \$1,566,971,000;  
21          Expeditionary Sea Base, \$635,000,000;  
22          LHA Replacement, \$1,695,077,000;  
23          TAO Fleet Oiler, \$449,415,000;  
24          TAO Fleet Oiler (AP), \$75,068,000;  
25          Ship to Shore Connector, \$390,554,000;

1 Service Craft, \$23,994,000;  
2 Towing, Salvage, and Rescue Ship,  
3 \$76,204,000;  
4 LCU 1700, \$31,850,000;  
5 For outfitting, post delivery, conversions, and  
6 first destination transportation, \$542,626,000; and  
7 Completion of Prior Year Shipbuilding Pro-  
8 grams, \$117,542,000.  
9 In all: \$21,503,726,000, to remain available for obli-  
10 gation until September 30, 2022: *Provided*, That addi-  
11 tional obligations may be incurred after September 30,  
12 2022, for engineering services, tests, evaluations, and  
13 other such budgeted work that must be performed in the  
14 final stage of ship construction: *Provided further*, That  
15 none of the funds provided under this heading for the con-  
16 struction or conversion of any naval vessel to be con-  
17 structed in shipyards in the United States shall be ex-  
18 pended in foreign facilities for the construction of major  
19 components of such vessel: *Provided further*, That none  
20 of the funds provided under this heading shall be used  
21 for the construction of any naval vessel in foreign ship-  
22 yards: *Provided further*, That funds appropriated or other-  
23 wise made available by this Act for production of the com-  
24 mon missile compartment of nuclear-powered vessels may  
25 be available for multiyear procurement of critical compo-

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

6                   OTHER PROCUREMENT, NAVY

7       For procurement, production, and modernization of  
8 support equipment and materials not otherwise provided  
9 for, Navy ordnance (except ordnance for new aircraft, new  
10 ships, and ships authorized for conversion); the purchase  
11 of passenger motor vehicles for replacement only; expan-  
12 sion of public and private plants, including the land nec-  
13 essary therefor, and such lands and interests therein, may  
14 be acquired, and construction prosecuted thereon prior to  
15 approval of title; and procurement and installation of  
16 equipment, appliances, and machine tools in public and  
17 private plants; reserve plant and Government and con-  
18 tractor-owned equipment layaway, \$7,852,952,000, to re-  
19 main available for obligation until September 30, 2020.

20                   PROCUREMENT, MARINE CORPS

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

1 Government and contractor-owned equipment layaway; ve-  
2 hicles for the Marine Corps, including the purchase of pas-  
3 senger motor vehicles for replacement only; and expansion  
4 of public and private plants, including land necessary  
5 therefor, and such lands and interests therein, may be ac-  
6 quired, and construction prosecuted thereon prior to ap-  
7 proval of title, \$1,818,846,000 (increased by  
8 \$20,000,000), to remain available for obligation until Sep-  
9 tember 30, 2020.

10 AIRCRAFT PROCUREMENT, AIR FORCE

11 For construction, procurement, and modification of  
12 aircraft and equipment, including armor and armament,  
13 specialized ground handling equipment, and training de-  
14 vices, spare parts, and accessories therefor; specialized  
15 equipment; expansion of public and private plants, Gov-  
16 ernment-owned equipment and installation thereof in such  
17 plants, erection of structures, and acquisition of land, for  
18 the foregoing purposes, and such lands and interests  
19 therein, may be acquired, and construction prosecuted  
20 thereon prior to approval of title; reserve plant and Gov-  
21 ernment and contractor-owned equipment layaway; and  
22 other expenses necessary for the foregoing purposes in-  
23 cluding rents and transportation of things,  
24 \$16,553,196,000 (increased by \$16,000,000), to remain  
25 available for obligation until September 30, 2020.

## 1 MISSILE PROCUREMENT, AIR FORCE

2 For construction, procurement, and modification of  
3 missiles, rockets, and related equipment, including spare  
4 parts and accessories therefor; ground handling equip-  
5 ment, and training devices; expansion of public and pri-  
6 vate plants, Government-owned equipment and installa-  
7 tion thereof in such plants, erection of structures, and ac-  
8 quisition of land, for the foregoing purposes, and such  
9 lands and interests therein, may be acquired, and con-  
10 struction prosecuted thereon prior to approval of title; re-  
11 serve plant and Government and contractor-owned equip-  
12 ment layaway; and other expenses necessary for the fore-  
13 going purposes including rents and transportation of  
14 things, \$2,203,101,000, to remain available for obligation  
15 until September 30, 2020.

## 16 SPACE PROCUREMENT, AIR FORCE

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

1 serve plant and Government and contractor-owned equip-  
2 ment layaway; and other expenses necessary for the fore-  
3 going purposes including rents and transportation of  
4 things, \$3,210,355,000, to remain available for obligation  
5 until September 30, 2020.

6           PROCUREMENT OF AMMUNITION, AIR FORCE

7       For construction, procurement, production, and  
8 modification of ammunition, and accessories therefor; spe-  
9 cialized equipment and training devices; expansion of pub-  
10 lic and private plants, including ammunition facilities, au-  
11 thorized by section 2854 of title 10, United States Code,  
12 and the land necessary therefor, for the foregoing pur-  
13 poses, and such lands and interests therein, may be ac-  
14 quired, and construction prosecuted thereon prior to ap-  
15 proval of title; and procurement and installation of equip-  
16 ment, appliances, and machine tools in public and private  
17 plants; reserve plant and Government and contractor-  
18 owned equipment layaway; and other expenses necessary  
19 for the foregoing purposes, \$1,316,977,000, to remain  
20 available for obligation until September 30, 2020.

21           OTHER PROCUREMENT, AIR FORCE

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

1 erwise provided for; the purchase of passenger motor vehi-  
2 cles for replacement only; lease of passenger motor vehi-  
3 cles; and expansion of public and private plants, Govern-  
4 ment-owned equipment and installation thereof in such  
5 plants, erection of structures, and acquisition of land, for  
6 the foregoing purposes, and such lands and interests  
7 therein, may be acquired, and construction prosecuted  
8 thereon, prior to approval of title; reserve plant and Gov-  
9 ernment and contractor-owned equipment layaway,  
10 \$19,318,814,000, to remain available for obligation until  
11 September 30, 2020.

12                                   PROCUREMENT, DEFENSE-WIDE

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

1 \$5,239,239,000 (reduced by \$10,000,000), to remain  
2 available for obligation until September 30, 2020.

3 DEFENSE PRODUCTION ACT PURCHASES

4 For activities by the Department of Defense pursuant  
5 to sections 108, 301, 302, and 303 of the Defense Produc-  
6 tion Act of 1950 (50 U.S.C. 4518, 4531, 4532, and 4533),  
7 \$67,401,000, to remain available until expended.

8 PROCUREMENT, NATIONAL DEFENSE RESTORATION

9 FUND

10 (INCLUDING TRANSFER OF FUNDS)

11 In addition to amounts provided elsewhere in this  
12 Act, there is appropriated \$12,622,931,000, for the “Pro-  
13 curement, National Defense Restoration Fund”: *Provided*,  
14 That such funds provided under this heading shall only  
15 be available for programs, projects and activities necessary  
16 to implement the 2018 National Defense Strategy: *Pro-*  
17 *vided further*, That such funds shall not be available for  
18 transfer until 30 days after the Secretary has submitted,  
19 and the congressional defense committees have approved,  
20 the proposed allocation plan for the use of such funds to  
21 implement such strategy: *Provided further*, That such allo-  
22 cation plan shall include a detailed justification for the use  
23 of such funds and a description of how such investments  
24 are necessary to implement the strategy: *Provided further*,  
25 That the Secretary of Defense may transfer these funds



1 only to procurement accounts: *Provided further*, That the  
2 funds transferred shall be merged with and shall be avail-  
3 able for the same purposes and for the same time period,  
4 as the appropriation to which transferred: *Provided fur-*  
5 *ther*, That none of the funds made available under this  
6 heading may be transferred to any program, project, or  
7 activity specifically limited or denied by this Act, except  
8 for missile defense requirements resulting from urgent or  
9 emergent operational needs: *Provided further*, That the  
10 transfer authority provided under this heading is in addi-  
11 tion to any other transfer authority available to the De-  
12 partment of Defense.

13 TITLE IV  
14 RESEARCH, DEVELOPMENT, TEST AND  
15 EVALUATION  
16 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,  
17 ARMY

18 For expenses necessary for basic and applied sci-  
19 entific research, development, test and evaluation, includ-  
20 ing maintenance, rehabilitation, lease, and operation of fa-  
21 cilities and equipment, \$9,674,222,000 (increased by  
22 \$6,000,000) (increased by \$4,000,000) (increased by  
23 \$12,000,000) (increased by \$5,000,000), to remain avail-  
24 able for obligation until September 30, 2019.

1 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,  
2 NAVY

3 For expenses necessary for basic and applied sci-  
4 entific research, development, test and evaluation, includ-  
5 ing maintenance, rehabilitation, lease, and operation of fa-  
6 cilities and equipment, \$17,196,521,000 (increased by  
7 \$598,000) (increased by \$20,000,000) (reduced by  
8 \$2,500,000) (increased by \$24,000,000), to remain avail-  
9 able for obligation until September 30, 2019: *Provided*,  
10 That funds appropriated in this paragraph which are  
11 available for the V-22 may be used to meet unique oper-  
12 ational requirements of the Special Operations Forces.

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

15 For expenses necessary for basic and applied sci-  
16 entific research, development, test and evaluation, includ-  
17 ing maintenance, rehabilitation, lease, and operation of fa-  
18 cilities and equipment, \$33,874,980,000 (increased by  
19 \$5,000,000) (increased by \$6,000,000) (increased by  
20 \$10,000,000) (reduced by \$30,000,000) (increased by  
21 \$30,000,000), to remain available for obligation until Sep-  
22 tember 30, 2019.

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

4 For expenses of activities and agencies of the Depart-  
5 ment of Defense (other than the military departments),  
6 necessary for basic and applied scientific research, devel-  
7 opment, test and evaluation; advanced research projects  
8 as may be designated and determined by the Secretary  
9 of Defense, pursuant to law; maintenance, rehabilitation,  
10 lease, and operation of facilities and equipment,  
11 \$20,698,353,000 (reduced by \$16,000,000) (reduced by  
12 \$12,000,000) (reduced by \$2,500,000) (reduced by  
13 \$12,500,000) (increased by \$20,000,000) (reduced by  
14 \$20,000,000) (reduced by \$4,135,000) (increased by  
15 \$4,135,000) (reduced by \$27,500,000) (increased by  
16 \$10,000,000), to remain available for obligation until Sep-  
17 tember 30, 2019: *Provided*, That, of the funds made avail-  
18 able in this paragraph, \$250,000,000 for the Defense  
19 Rapid Innovation Program shall only be available for ex-  
20 penses, not otherwise provided for, to include program  
21 management and oversight, to conduct research, develop-  
22 ment, test and evaluation to include proof of concept dem-  
23 onstration; engineering, testing, and validation; and tran-  
24 sition to full-scale production: *Provided further*, That the  
25 Secretary of Defense may transfer funds provided herein

1 for the Defense Rapid Innovation Program to appropria-  
2 tions for research, development, test and evaluation to ac-  
3 complish the purpose provided herein: *Provided further*,  
4 That this transfer authority is in addition to any other  
5 transfer authority available to the Department of Defense:  
6 *Provided further*, That the Secretary of Defense shall, not  
7 fewer than 30 days prior to making transfers from this  
8 appropriation, notify the congressional defense committees  
9 in writing of the details of any such transfer.

10 OPERATIONAL TEST AND EVALUATION, DEFENSE

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

20 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,

21 NATIONAL DEFENSE RESTORATION FUND

22 (INCLUDING TRANSFER OF FUNDS)

23 In addition to amounts provided elsewhere in this  
24 Act, there is appropriated \$1,000,000,000, for the “Re-  
25 search, Development, Test and Evaluation, National De-

1 fense Restoration Fund”: *Provided*, That such funds pro-  
2 vided under this heading shall only be available for pro-  
3 grams, projects and activities necessary to implement the  
4 2018 National Defense Strategy: *Provided further*, That  
5 such funds shall not be available for transfer until 30 days  
6 after the Secretary has submitted, and the congressional  
7 defense committees have approved, the proposed allocation  
8 plan for the use of such funds to implement such strategy:  
9 *Provided further*, That such allocation plan shall include  
10 a detailed justification for the use of such funds and a  
11 description of how such investments are necessary to im-  
12 plement the strategy: *Provided further*, That the Secretary  
13 of Defense may transfer these funds only to research, de-  
14 velopment, test and evaluation accounts: *Provided further*,  
15 That the funds transferred shall be merged with and shall  
16 be available for the same purposes and for the same time  
17 period, as the appropriation to which transferred: *Pro-*  
18 *vided further*, That none of the funds made available under  
19 this heading may be transferred to any program, project,  
20 or activity specifically limited or denied by this Act, except  
21 for missile defense requirements resulting from urgent or  
22 emergent operational needs: *Provided further*, That the  
23 transfer authority provided under this heading is in addi-  
24 tion to any other transfer authority available to the De-  
25 partment of Defense.

1 TITLE V  
2 REVOLVING AND MANAGEMENT FUNDS  
3 DEFENSE WORKING CAPITAL FUNDS

4 For the Defense Working Capital Funds,  
5 \$1,586,596,000.

6 TITLE VI  
7 OTHER DEPARTMENT OF DEFENSE PROGRAMS  
8 DEFENSE HEALTH PROGRAM

9 For expenses, not otherwise provided for, for medical  
10 and health care programs of the Department of Defense  
11 as authorized by law, \$33,931,566,000 (increased by  
12 \$7,000,000) (increased by \$1,000,000) (increased by  
13 \$10,000,000) (increased by \$2,000,000) (increased by  
14 \$2,000,000) (increased by \$10,000,000) (increased by  
15 \$5,000,000) (increased by \$10,000,000); of which  
16 \$31,735,923,000 (increased by \$2,000,000) (increased by  
17 \$5,000,000) shall be for operation and maintenance, of  
18 which not to exceed one percent shall remain available for  
19 obligation until September 30, 2019, and of which up to  
20 \$15,349,700,000 may be available for contracts entered  
21 into under the TRICARE program; of which  
22 \$895,328,000, to remain available for obligation until Sep-  
23 tember 30, 2020, shall be for procurement; and of which  
24 \$1,300,315,000 (increased by \$7,000,000) (increased by  
25 \$1,000,000) (increased by \$10,000,000) (increased by

1 \$2,000,000) (increased by \$10,000,000) (increased by  
2 \$10,000,000), to remain available for obligation until Sep-  
3 tember 30, 2019, shall be for research, development, test  
4 and evaluation: *Provided*, That, notwithstanding any other  
5 provision of law, of the amount made available under this  
6 heading for research, development, test and evaluation,  
7 not less than \$8,000,000 shall be available for HIV pre-  
8 vention educational activities undertaken in connection  
9 with United States military training, exercises, and hu-  
10 manitarian assistance activities conducted primarily in Af-  
11 rican nations: *Provided further*, That of the funds provided  
12 under this heading for research, development, test and  
13 evaluation, not less than \$627,100,000 shall be made  
14 available to the United States Army Medical Research and  
15 Materiel Command to carry out the congressionally di-  
16 rected medical research programs.

17 CHEMICAL AGENTS AND MUNITIONS DESTRUCTION,  
18 DEFENSE

19 For expenses, not otherwise provided for, necessary  
20 for the destruction of the United States stockpile of lethal  
21 chemical agents and munitions in accordance with the pro-  
22 visions of section 1412 of the Department of Defense Au-  
23 thorization Act, 1986 (50 U.S.C. 1521), and for the de-  
24 struction of other chemical warfare materials that are not  
25 in the chemical weapon stockpile, \$961,732,000, of which

1 \$104,237,000 shall be for operation and maintenance, of  
2 which no less than \$49,401,000 shall be for the Chemical  
3 Stockpile Emergency Preparedness Program, consisting of  
4 \$21,045,000 for activities on military installations and  
5 \$28,356,000, to remain available until September 30,  
6 2019, to assist State and local governments; \$18,081,000  
7 shall be for procurement, to remain available until Sep-  
8 tember 30, 2020, of which \$18,081,000 shall be for the  
9 Chemical Stockpile Emergency Preparedness Program to  
10 assist State and local governments; and \$839,414,000, to  
11 remain available until September 30, 2019, shall be for  
12 research, development, test and evaluation, of which  
13 \$750,700,000 shall only be for the Assembled Chemical  
14 Weapons Alternatives program.

15 DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES,  
16 DEFENSE  
17 (INCLUDING TRANSFER OF FUNDS)

18 For drug interdiction and counter-drug activities of  
19 the Department of Defense, for transfer to appropriations  
20 available to the Department of Defense for military per-  
21 sonnel of the reserve components serving under the provi-  
22 sions of title 10 and title 32, United States Code; for oper-  
23 ation and maintenance; for procurement; and for research,  
24 development, test and evaluation, \$854,814,000, of which  
25 \$532,648,000 shall be for counter-narcotics support;



1 \$120,813,000 shall be for the drug demand reduction pro-  
2 gram; and \$201,353,000 shall be for the National Guard  
3 counter-drug program: *Provided*, That the funds appro-  
4 priated under this heading shall be available for obligation  
5 for the same time period and for the same purpose as the  
6 appropriation to which transferred: *Provided further*, That  
7 upon a determination that all or part of the funds trans-  
8 ferred from this appropriation are not necessary for the  
9 purposes provided herein, such amounts may be trans-  
10 ferred back to this appropriation: *Provided further*, That  
11 the transfer authority provided under this heading is in  
12 addition to any other transfer authority contained else-  
13 where in this Act.

14 OFFICE OF THE INSPECTOR GENERAL

15 For expenses and activities of the Office of the In-  
16 spector General in carrying out the provisions of the In-  
17 spector General Act of 1978, as amended, \$336,887,000,  
18 of which \$334,087,000 shall be for operation and mainte-  
19 nance, of which not to exceed \$700,000 is available for  
20 emergencies and extraordinary expenses to be expended on  
21 the approval or authority of the Inspector General, and  
22 payments may be made on the Inspector General's certifi-  
23 cate of necessity for confidential military purposes; and  
24 of which \$2,800,000, to remain available until September

1 30, 2019, shall be for research, development, test and eval-  
2 uation.

3 TITLE VII

4 RELATED AGENCIES

5 CENTRAL INTELLIGENCE AGENCY RETIREMENT AND  
6 DISABILITY SYSTEM FUND

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

12 INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT

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

15 TITLE VIII

16 GENERAL PROVISIONS

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

20 SEC. 8002. During the current fiscal year, provisions  
21 of law prohibiting the payment of compensation to, or em-  
22 ployment of, any person not a citizen of the United States  
23 shall not apply to personnel of the Department of Defense:  
24 *Provided*, That salary increases granted to direct and indi-  
25 rect hire foreign national employees of the Department of

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

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

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

1 (TRANSFER OF FUNDS)

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

1 case where the item for which reprogramming is requested  
2 has been denied by the Congress: *Provided further*, That  
3 a request for multiple reprogrammings of funds using au-  
4 thority provided in this section shall be made prior to June  
5 30, 2017: *Provided further*, That transfers among military  
6 personnel appropriations shall not be taken into account  
7 for purposes of the limitation on the amount of funds that  
8 may be transferred under this section.

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

22 (b) Amounts specified in the referenced tables de-  
23 scribed in subsection (a) shall not be treated as subdivi-  
24 sions of appropriations for purposes of section 8005 of this  
25 Act: *Provided*, That section 8005 shall apply when trans-

1   fers of the amounts described in subsection (a) occur be-  
2   tween appropriation accounts.

3           SEC. 8007. (a) Not later than 60 days after enact-  
4   ment of this Act, the Department of Defense shall submit  
5   a report to the congressional defense committees to estab-  
6   lish the baseline for application of reprogramming and  
7   transfer authorities for fiscal year 2018: *Provided*, That  
8   the report shall include—

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

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

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

20           (b) Notwithstanding section 8005 of this Act, none  
21   of the funds provided in this Act shall be available for  
22   reprogramming or transfer until the report identified in  
23   subsection (a) is submitted to the congressional defense  
24   committees, unless the Secretary of Defense certifies in  
25   writing to the congressional defense committees that such

1 reprogramming or transfer is necessary as an emergency  
2 requirement: *Provided*, That this subsection shall not  
3 apply to transfers from the following appropriations ac-  
4 counts:

5 (1) “Environmental Restoration, Army”;

6 (2) “Environmental Restoration, Navy” ;

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

8 (4) “Environmental Restoration, Defense-  
9 Wide”

10 (5) “Environmental Restoration, Formerly  
11 Used Defense Sites”; and

12 (6) “Drug Interdiction and Counter-drug Ac-  
13 tivities, Defense”.

14 (TRANSFER OF FUNDS)

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

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

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

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



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

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

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

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

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

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

15 Funds appropriated in title III of this Act may be used,  
16 subject to section 2306b of title 10 , United States Code,  
17 for multiyear procurement contracts as follows: V-22 Os-  
18 prey aircraft variants; up to 13 SSN Virginia Class Sub-  
19 marines and Government-furnished equipment; and  
20 DDG-51 Arleigh Burke class Flight III guided missile de-  
21 stroyers, the MK 41 Vertical Launching Systems, and as-  
22 sociated Government-furnished systems and subsystems.

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

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

24 SEC. 8012. (a) During the current fiscal year, the  
25 civilian personnel of the Department of Defense may not

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

6 (b) The fiscal year 2019 budget request for the De-  
7 partment of Defense as well as all justification material  
8 and other documentation supporting the fiscal year 2019  
9 Department of Defense budget request shall be prepared  
10 and submitted to the Congress as if subsections (a) and  
11 (b) of this provision were effective with regard to fiscal  
12 year 2019.

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

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

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

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

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

14 (TRANSFER OF FUNDS)

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

1       SEC. 8016. None of the funds in this Act may be  
2 available for the purchase by the Department of Defense  
3 (and its departments and agencies) of welded shipboard  
4 anchor and mooring chain 4 inches in diameter and under  
5 unless the anchor and mooring chain are manufactured  
6 in the United States from components which are substan-  
7 tially manufactured in the United States: *Provided*, That  
8 for the purpose of this section, the term “manufactured”  
9 shall include cutting, heat treating, quality control, testing  
10 of chain and welding (including the forging and shot blast-  
11 ing process): *Provided further*, That for the purpose of this  
12 section substantially all of the components of anchor and  
13 mooring chain shall be considered to be produced or manu-  
14 factured in the United States if the aggregate cost of the  
15 components produced or manufactured in the United  
16 States exceeds the aggregate cost of the components pro-  
17 duced or manufactured outside the United States: *Pro-*  
18 *vided further*, That when adequate domestic supplies are  
19 not available to meet Department of Defense requirements  
20 on a timely basis, the Secretary of the service responsible  
21 for the procurement may waive this restriction on a case-  
22 by-case basis by certifying in writing to the Committees  
23 on Appropriations that such an acquisition must be made  
24 in order to acquire capability for national security pur-  
25 poses.

1       SEC. 8017. None of the funds available to the De-  
2       partment of Defense may be used to demilitarize or dis-  
3       pose of M-1 Carbines, M-1 Garand rifles, M-14 rifles,  
4       .22 caliber rifles, .30 caliber rifles, or M-1911 pistols, or  
5       to demilitarize or destroy small arms ammunition or am-  
6       munition components that are not otherwise prohibited  
7       from commercial sale under Federal law, unless the small  
8       arms ammunition or ammunition components are certified  
9       by the Secretary of the Army or designee as unserviceable  
10      or unsafe for further use.

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

20      SEC. 8019. Of the funds made available in this Act,  
21      \$20,000,000 shall be available for incentive payments au-  
22      thorized by section 504 of the Indian Financing Act of  
23      1974 (25 U.S.C. 1544): *Provided*, That a prime contractor  
24      or a subcontractor at any tier that makes a subcontract  
25      award to any subcontractor or supplier as defined in sec-

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

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

24 SEC. 8021. During the current fiscal year, the De-  
25 partment of Defense is authorized to incur obligations of



1 not to exceed \$350,000,000 for purposes specified in sec-  
2 tion 2350j(c) of title 10, United States Code, in anticipa-  
3 tion of receipt of contributions, only from the Government  
4 of Kuwait, under that section: *Provided*, That, upon re-  
5 ceipt, such contributions from the Government of Kuwait  
6 shall be credited to the appropriations or fund which in-  
7 curred such obligations.

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

11 (1) \$30,800,000 shall be available from “Oper-  
12 ation and Maintenance, Air Force” to support Civil  
13 Air Patrol Corporation operation and maintenance,  
14 readiness, counter-drug activities, and drug demand  
15 reduction activities involving youth programs;

16 (2) \$10,600,000 shall be available from “Air-  
17 craft Procurement, Air Force”; and

18 (3) \$1,700,000 shall be available from “Other  
19 Procurement, Air Force” for vehicle procurement.

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

24 SEC. 8023. (a) None of the funds appropriated in this  
25 Act are available to establish a new Department of De-

1 fense (department) federally funded research and develop-  
2 ment center (FFRDC), either as a new entity, or as a  
3 separate entity administrated by an organization man-  
4 aging another FFRDC, or as a nonprofit membership cor-  
5 poration consisting of a consortium of other FFRDCs and  
6 other nonprofit entities.

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

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

1 runs, or for certain charitable contributions, not to include  
2 employee participation in community service and/or devel-  
3 opment.

4 (d) Notwithstanding any other provision of law, of  
5 the funds available to the department during fiscal year  
6 2018, not more than 6,000 staff years of technical effort  
7 (staff years) may be funded for defense FFRDCs: *Pro-*  
8 *vided*, That, of the specific amount referred to previously  
9 in this subsection, not more than 1,180 staff years may  
10 be funded for the defense studies and analysis FFRDCs:  
11 *Provided further*, That this subsection shall not apply to  
12 staff years funded in the National Intelligence Program  
13 (NIP) and the Military Intelligence Program (MIP).

14 (e) The Secretary of Defense shall, with the submis-  
15 sion of the department's fiscal year 2019 budget request,  
16 submit a report presenting the specific amounts of staff  
17 years of technical effort to be allocated for each defense  
18 FFRDC during that fiscal year and the associated budget  
19 estimates.

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

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

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

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

1 Committee on Appropriations of the House of Representa-  
2 tives.

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

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

1 ican Act with respect to such types of products produced  
2 in that foreign country.

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

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

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

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

1 be available until expended for the payments specified by  
2 section 2921(c)(2) of that Act.

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

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

23 (c) The Operation Walking Shield Program shall re-  
24 solve any conflicts among requests of Indian tribes for  
25 housing units under subsection (a) before submitting re-

1   quests to the Secretary of the Air Force under subsection  
2   (b).

3           (d) In this section, the term Indian tribe means any  
4   recognized Indian tribe included on the current list pub-  
5   lished by the Secretary of the Interior under section 104  
6   of the Federally Recognized Indian Tribe Act of 1994  
7   (Public Law 103–454; 108 Stat. 4792; 25 U.S.C. 479a–  
8   1).

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

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

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

20           (2) close, downgrade from host to extension  
21   center, or place on probation a Senior Reserve Offi-  
22   cers’ Training Corps program in accordance with the  
23   information paper of the Department of the Army  
24   titled “Army Senior Reserve Officers’ Training



1 Corps (SROTC) Program Review and Criteria”,  
2 dated January 27, 2014.

3 SEC. 8032. 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. 8033. (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 2019 budget request for the De-  
2 partment of Defense as well as all justification material  
3 and other documentation supporting the fiscal year 2019  
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 2019 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. 8034. 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, 2019: *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, 2019.

3 SEC. 8035. Notwithstanding any other provision of  
4 law, funds made available in this Act and hereafter for  
5 the Defense Intelligence Agency may be used for the de-  
6 sign, development, and deployment of General Defense In-  
7 telligence Program intelligence communications and intel-  
8 ligence information systems for the Services, the Unified  
9 and Specified Commands, and the component commands.

10 SEC. 8036. 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 shall  
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. 8037. (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 83  
25 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. 8038. (a) Except as provided in subsections (b)  
18 and (c), none of the funds made available by this Act may  
19 be used—

- 20 (1) to establish a field operating agency; or
- 21 (2) to pay the basic pay of a member of the  
22 Armed Forces or civilian employee of the depart-  
23 ment who is transferred or reassigned from a head-  
24 quarters activity if the member or employee’s place  
25 of duty remains at the location of that headquarters.

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

8 (c) This section does not apply to—

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

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

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

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

24 SEC. 8039. (a) None of the funds appropriated by  
25 this Act shall be available to convert to contractor per-

1 formance an activity or function of the Department of De-  
2 fense that, on or after the date of the enactment of this  
3 Act, is performed by Department of Defense civilian em-  
4 ployees unless—

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

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

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

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

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

24 (A) not making an employer-sponsored  
25 health insurance plan available to the workers

1           who are to be employed in the performance of  
2           that activity or function under the contract; or

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

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

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

22                 (B) is planned to be converted to performance  
23                 by a qualified nonprofit agency for the blind or by  
24                 a qualified nonprofit agency for other severely handi-  
25                 capped individuals in accordance with that Act; or

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

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

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

20 (RESCISSIONS)

21 SEC. 8040. Of the funds appropriated in Department  
22 of Defense Appropriations Acts, the following funds are  
23 hereby rescinded from the following accounts and pro-  
24 grams in the specified amounts: *Provided*, That no  
25 amounts may be rescinded from amounts that were des-



1 igned by the Congress for Overseas Contingency Oper-  
2 ations/Global War on Terrorism or as an emergency re-  
3 quirement pursuant to the Concurrent Resolution on the  
4 Budget or the Balanced Budget and Emergency Deficit  
5 Control Act of 1985, as amended:

6           “Aircraft Procurement, Navy”, 2016/2018,  
7           \$274,000,000;

8           “Aircraft Procurement, Air Force”, 2016/2018,  
9           \$82,700,000;

10          “Missile Procurement, Army”, 2017/2019,  
11          \$19,319,000;

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

14          “Other Procurement, Army”, 2017/2019,  
15          \$10,000,000;

16          “Aircraft Procurement, Navy”, 2017/2019,  
17          \$105,600,000;

18          “Weapons Procurement, Navy”, 2017/2019,  
19          \$54,122,000;

20          “Shipbuilding and Conversion, Navy”, 2017/  
21          2021, \$45,116,000;

22          “Aircraft Procurement, Air Force”, 2017/2019,  
23          \$63,293,000;

24          “Missile Procurement, Air Force”, 2017/2019,  
25          \$31,639,000;

1           “Space Procurement, Air Force”, 2017/2019,  
2       \$15,000,000;

3           “Other Procurement, Air Force”, 2017/2019,  
4       \$105,000,000;

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

7           “Research, Development, Test and Evaluation,  
8       Air Force”, 2017/2018, \$41,700,000.

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

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

22       SEC. 8043. Funds appropriated in this Act for oper-  
23 ation and maintenance of the Military Departments, Com-  
24 batant Commands and Defense Agencies shall be available  
25 for reimbursement of pay, allowances and other expenses

1 which would otherwise be incurred against appropriations  
2 for the National Guard and Reserve when members of the  
3 National Guard and Reserve provide intelligence or coun-  
4 terintelligence support to Combatant Commands, Defense  
5 Agencies and Joint Intelligence Activities, including the  
6 activities and programs included within the National Intel-  
7 ligence Program and the Military Intelligence Program:  
8 *Provided*, That nothing in this section authorizes deviation  
9 from established Reserve and National Guard personnel  
10 and training procedures.

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

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

21 SEC. 8045. None of the funds appropriated by this  
22 Act may be used for the procurement of ball and roller  
23 bearings other than those produced by a domestic source  
24 and of domestic origin: *Provided*, That the Secretary of  
25 the military department responsible for such procurement

1 may waive this restriction on a case-by-case basis by certi-  
2 fying in writing to the Committees on Appropriations of  
3 the House of Representatives and the Senate, that ade-  
4 quate domestic supplies are not available to meet Depart-  
5 ment of Defense requirements on a timely basis and that  
6 such an acquisition must be made in order to acquire ca-  
7 pability for national security purposes: *Provided further*,  
8 That this restriction shall not apply to the purchase of  
9 “commercial items”, as defined by section 103 of title 41,  
10 United States Code, except that the restriction shall apply  
11 to ball or roller bearings purchased as end items.

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

19 SEC. 8047. In addition to the amounts appropriated  
20 or otherwise made available elsewhere in this Act,  
21 \$44,000,000 is hereby appropriated to the Department of  
22 Defense: *Provided*, That upon the determination of the  
23 Secretary of Defense that it shall serve the national inter-  
24 est, the Secretary shall make grants in the amounts speci-

1 fied as follows: \$20,000,000 to the United Service Organi-  
2 zations and \$24,000,000 to the Red Cross.

3 SEC. 8048. None of the funds in this Act may be  
4 used to purchase any supercomputer which is not manu-  
5 factured in the United States, unless the Secretary of De-  
6 fense certifies to the congressional defense committees  
7 that such an acquisition must be made in order to acquire  
8 capability for national security purposes that is not avail-  
9 able from United States manufacturers.

10 SEC. 8049. Notwithstanding any other provision in  
11 this Act, the Small Business Innovation Research program  
12 and the Small Business Technology Transfer program set-  
13 asides shall be taken proportionally from all programs,  
14 projects, or activities to the extent they contribute to the  
15 extramural budget.

16 SEC. 8050. None of the funds available to the De-  
17 partment of Defense under this Act shall be obligated or  
18 expended to pay a contractor under a contract with the  
19 Department of Defense for costs of any amount paid by  
20 the contractor to an employee when—

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

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

1 (INCLUDING TRANSFER OF FUNDS)

2 SEC. 8051. During the current fiscal year, no more  
3 than \$30,000,000 of appropriations made in this Act  
4 under the heading “Operation and Maintenance, Defense-  
5 Wide” may be transferred to appropriations available for  
6 the pay of military personnel, to be merged with, and to  
7 be available for the same time period as the appropriations  
8 to which transferred, to be used in support of such per-  
9 sonnel in connection with support and services for eligible  
10 organizations and activities outside the Department of De-  
11 fense pursuant to section 2012 of title 10, United States  
12 Code.

13 SEC. 8052. During the current fiscal year, in the case  
14 of an appropriation account of the Department of Defense  
15 for which the period of availability for obligation has ex-  
16 pired or which has closed under the provisions of section  
17 1552 of title 31, United States Code, and which has a  
18 negative unliquidated or unexpended balance, an obliga-  
19 tion or an adjustment of an obligation may be charged  
20 to any current appropriation account for the same purpose  
21 as the expired or closed account if—

22 (1) the obligation would have been properly  
23 chargeable (except as to amount) to the expired or  
24 closed account before the end of the period of avail-  
25 ability or closing of that account;

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

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

20       SEC. 8053. (a) Notwithstanding any other provision  
21 of law, the Chief of the National Guard Bureau may per-  
22 mit the use of equipment of the National Guard Distance  
23 Learning Project by any person or entity on a space-avail-  
24 able, reimbursable basis. The Chief of the National Guard

1 Bureau shall establish the amount of reimbursement for  
2 such use on a case-by-case basis.

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

9 SEC. 8054. None of the funds available to the De-  
10 partment of Defense may be obligated to modify command  
11 and control relationships to give Fleet Forces Command  
12 operational and administrative control of United States  
13 Navy forces assigned to the Pacific fleet: *Provided*, That  
14 the command and control relationships which existed on  
15 October 1, 2004, shall remain in force until a written  
16 modification has been proposed to the House and Senate  
17 Appropriations Committees: *Provided further*, That the  
18 proposed modification may be implemented 30 days after  
19 the notification unless an objection is received from either  
20 the House or Senate Appropriations Committees: *Provided*  
21 *further*, That any proposed modification shall not preclude  
22 the ability of the commander of United States Pacific  
23 Command to meet operational requirements.



1 (INCLUDING TRANSFER OF FUNDS)

2 SEC. 8055. Of the funds appropriated in this Act  
3 under the heading “Operation and Maintenance, Defense-  
4 Wide”, \$25,000,000 (increased by \$10,000,000) shall be  
5 for continued implementation and expansion of the Sexual  
6 Assault Special Victims’ Counsel Program: *Provided*, That  
7 the funds are made available for transfer to the Depart-  
8 ment of the Army, the Department of the Navy, and the  
9 Department of the Air Force: *Provided further*, That funds  
10 transferred shall be merged with and available for the  
11 same purposes and for the same time period as the appro-  
12 priations to which the funds are transferred: *Provided fur-*  
13 *ther*, That this transfer authority is in addition to any  
14 other transfer authority provided in this Act.

15 SEC. 8056. 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. 8057. (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 XI (chapters 50–65) of the Harmonized Tariff  
5 Schedule of the United States and products classified  
6 under headings 4010, 4202, 4203, 6401 through 6406,  
7 6505, 7019, 7218 through 7229, 7304.41 through  
8 7304.49, 7306.40, 7502 through 7508, 8105, 8108, 8109,  
9 8211, 8215, and 9404.

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

18 SEC. 8059. Notwithstanding any other provision of  
19 law, funds appropriated in this Act under the heading  
20 “Research, Development, Test and Evaluation, Defense-  
21 Wide” for any new start advanced concept technology  
22 demonstration project or joint capability demonstration  
23 project may only be obligated 45 days after a report, in-  
24 cluding a description of the project, the planned acquisi-  
25 tion and transition strategy and its estimated annual and

1 total cost, has been provided in writing to the congres-  
2 sional defense committees: *Provided*, That the Secretary  
3 of Defense may waive this restriction on a case-by-case  
4 basis by certifying to the congressional defense committees  
5 that it is in the national interest to do so.

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

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

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

1 to demonstrate to the satisfaction of the Department of  
2 Defense that armor piercing projectiles are either:

3 (1) rendered incapable of reuse by the demili-  
4 tarization process; or

5 (2) used to manufacture ammunition pursuant  
6 to a contract with the Department of Defense or the  
7 manufacture of ammunition for export pursuant to  
8 a License for Permanent Export of Unclassified  
9 Military Articles issued by the Department of State.

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

21 (INCLUDING TRANSFER OF FUNDS)

22 SEC. 8064. Of the amounts appropriated in this Act  
23 under the heading “Operation and Maintenance, Army”,  
24 \$66,881,780 shall remain available until expended: *Pro-*  
25 *vided*, That, notwithstanding any other provision of law,

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

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

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

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

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

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

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

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

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

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





1 Programs: *Provided*, That of this amount, \$92,000,000  
2 shall be for the Secretary of Defense to provide to the Gov-  
3 ernment of Israel for the procurement of the Iron Dome  
4 defense system to counter short-range rocket threats, sub-  
5 ject to the U.S.-Israel Iron Dome Procurement Agree-  
6 ment, as amended; \$221,500,000 shall be for the Short  
7 Range Ballistic Missile Defense (SRBMD) program, in-  
8 cluding cruise missile defense research and development  
9 under the SRBMD program, of which \$120,000,000 shall  
10 be for co-production activities of SRBMD missiles in the  
11 United States and in Israel to meet Israel's defense re-  
12 quirements consistent with each nation's laws, regulations,  
13 and procedures, subject to the U.S.-Israeli co-production  
14 agreement for SRBMD, as amended; \$205,000,000 shall  
15 be for an upper-tier component to the Israeli Missile De-  
16 fense Architecture, of which \$120,000,000 shall be for co-  
17 production activities of Arrow 3 Upper Tier missiles in  
18 the United States and in Israel to meet Israel's defense  
19 requirements consistent with each nation's laws, regula-  
20 tions, and procedures, subject to the U.S.-Israeli co-pro-  
21 duction agreement for Arrow 3 Upper Tier, as amended;  
22 \$105,000,000 shall be for testing of the upper-tier compo-  
23 nent to the Israeli Missile Defense Architecture in the  
24 United States; and \$82,300,000 shall be for the Arrow  
25 System Improvement Program including development of

1 a long range, ground and airborne, detection suite: *Pro-*  
2 *vided further*, That the transfer authority provided under  
3 this provision is in addition to any other transfer authority  
4 contained in this Act.

5 (INCLUDING TRANSFER OF FUNDS)

6 SEC. 8068. Of the amounts appropriated in this Act  
7 under the heading “Shipbuilding and Conversion, Navy”,  
8 \$117,542,000 shall be available until September 30, 2018,  
9 to fund prior year shipbuilding cost increases: *Provided*,  
10 That upon enactment of this Act, the Secretary of the  
11 Navy shall transfer funds to the following appropriations  
12 in the amounts specified: *Provided further*, That the  
13 amounts transferred shall be merged with and be available  
14 for the same purposes as the appropriations to which  
15 transferred to:

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

19 (2) Under the heading “Shipbuilding and Con-  
20 version, Navy”, 2008/2018: DDG–51 Destroyer  
21 \$19,436,000;

22 (3) Under the heading “Shipbuilding and Con-  
23 version, Navy”, 2012/2018: Littoral Combat Ship  
24 \$6,394,000;

1           (4) Under the heading “Shipbuilding and Con-  
2           version, Navy”, 2012/2018: LHA Replacement  
3           \$14,200,000;

4           (5) Under the heading “Shipbuilding and Con-  
5           version, Navy”, 2013/2018: DDG-51 Destroyer  
6           \$31,941,000;

7           (6) Under the heading “Shipbuilding and Con-  
8           version, Navy”, 2014/2018: Litoral Combat Ship  
9           \$20,471,000; and

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

12           SEC. 8069. Funds appropriated by this Act, or made  
13           available by the transfer of funds in this Act, for intel-  
14           ligence activities are deemed to be specifically authorized  
15           by the Congress for purposes of section 504 of the Na-  
16           tional Security Act of 1947 (50 U.S.C. 3094) during fiscal  
17           year 2018 until the enactment of the Intelligence Author-  
18           ization Act for Fiscal Year 2018.

19           SEC. 8070. None of the funds provided in this Act  
20           shall be available for obligation or expenditure through a  
21           reprogramming of funds that creates or initiates a new  
22           program, project, or activity unless such program, project,  
23           or activity must be undertaken immediately in the interest  
24           of national security and only after written prior notifica-  
25           tion to the congressional defense committees.

1        SEC. 8071. The budget of the President for fiscal  
2 year 2018 submitted to the Congress pursuant to section  
3 1105 of title 31, United States Code, shall include sepa-  
4 rate budget justification documents for costs of United  
5 States Armed Forces' participation in contingency oper-  
6 ations for the Military Personnel accounts, the Operation  
7 and Maintenance accounts, the Procurement accounts,  
8 and the Research, Development, Test and Evaluation ac-  
9 counts: *Provided*, That these documents shall include a de-  
10 scription of the funding requested for each contingency op-  
11 eration, for each military service, to include all Active and  
12 Reserve components, and for each appropriations account:  
13 *Provided further*, That these documents shall include esti-  
14 mated costs for each element of expense or object class,  
15 a reconciliation of increases and decreases for each contin-  
16 gency operation, and programmatic data including, but  
17 not limited to, troop strength for each Active and Reserve  
18 component, and estimates of the major weapons systems  
19 deployed in support of each contingency: *Provided further*,  
20 That these documents shall include budget exhibits OP-  
21 5 and OP-32 (as defined in the Department of Defense  
22 Financial Management Regulation) for all contingency op-  
23 erations for the budget year and the two preceding fiscal  
24 years.

1       SEC. 8072. None of the funds in this Act may be  
2 used for research, development, test, evaluation, procure-  
3 ment or deployment of nuclear armed interceptors of a  
4 missile defense system.

5       SEC. 8073. Notwithstanding any other provision of  
6 this Act, to reflect savings due to favorable foreign ex-  
7 change rates, the total amount appropriated in this Act  
8 is hereby reduced by \$289,000,000.

9       SEC. 8074. None of the funds appropriated or made  
10 available in this Act shall be used to reduce or disestablish  
11 the operation of the 53rd Weather Reconnaissance Squad-  
12 ron of the Air Force Reserve, if such action would reduce  
13 the WC-130 Weather Reconnaissance mission below the  
14 levels funded in this Act: *Provided*, That the Air Force  
15 shall allow the 53rd Weather Reconnaissance Squadron to  
16 perform other missions in support of national defense re-  
17 quirements during the non-hurricane season.

18       SEC. 8075. None of the funds provided in this Act  
19 shall be available for integration of foreign intelligence in-  
20 formation unless the information has been lawfully col-  
21 lected and processed during the conduct of authorized for-  
22 eign intelligence activities: *Provided*, That information  
23 pertaining to United States persons shall only be handled  
24 in accordance with protections provided in the Fourth

1 Amendment of the United States Constitution as imple-  
2 mented through Executive Order No. 12333.

3 SEC. 8076. (a) None of the funds appropriated by  
4 this Act may be used to transfer research and develop-  
5 ment, acquisition, or other program authority relating to  
6 current tactical unmanned aerial vehicles (TUAVs) from  
7 the Army.

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

13 SEC. 8077. None of the funds appropriated by this  
14 Act for programs of the Office of the Director of National  
15 Intelligence shall remain available for obligation beyond  
16 the current fiscal year, except for funds appropriated for  
17 research and technology, which shall remain available until  
18 September 30, 2019.

19 SEC. 8078. For purposes of section 1553(b) of title  
20 31, United States Code, any subdivision of appropriations  
21 made in this Act under the heading “Shipbuilding and  
22 Conversion, Navy” shall be considered to be for the same  
23 purpose as any subdivision under the heading “Ship-  
24 building and Conversion, Navy” appropriations in any

1 prior fiscal year, and the 1 percent limitation shall apply  
2 to the total amount of the appropriation.

3 SEC. 8079. (a) Not later than 60 days after the date  
4 of enactment of this Act, the Director of National Intel-  
5 ligence shall submit a report to the congressional intel-  
6 ligence committees to establish the baseline for application  
7 of reprogramming and transfer authorities for fiscal year  
8 2018: *Provided*, That the report shall include—

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

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

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

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





1 wise permitted under section 404 of the Child Soldiers  
2 Prevention Act of 2008.

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

9 (1) creates a new start effort;

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

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

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

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

1 accompanying the Act unless the congressional intelligence  
2 committees are notified 30 days in advance of such re-  
3 programming of funds; this notification period may be re-  
4 duced for urgent national security requirements.

5       SEC. 8084. The Director of National Intelligence  
6 shall submit to Congress each year, at or about the time  
7 that the President's budget is submitted to Congress that  
8 year under section 1105(a) of title 31, United States  
9 Code, a future-years intelligence program (including asso-  
10 ciated annexes) reflecting the estimated expenditures and  
11 proposed appropriations included in that budget. Any such  
12 future-years intelligence program shall cover the fiscal  
13 year with respect to which the budget is submitted and  
14 at least the four succeeding fiscal years.

15       SEC. 8085. For the purposes of this Act, the term  
16 "congressional intelligence committees" means the Perma-  
17 nent Select Committee on Intelligence of the House of  
18 Representatives, the Select Committee on Intelligence of  
19 the Senate, the Subcommittee on Defense of the Com-  
20 mittee on Appropriations of the House of Representatives,  
21 and the Subcommittee on Defense of the Committee on  
22 Appropriations of the Senate.

23                                   (INCLUDING TRANSFER OF FUNDS)

24       SEC. 8086. During the current fiscal year, not to ex-  
25 ceed \$11,000,000 from each of the appropriations made

1 in title II of this Act for “Operation and Maintenance,  
2 Army”, “Operation and Maintenance, Navy”, and “Oper-  
3 ation and Maintenance, Air Force” may be transferred by  
4 the military department concerned to its central fund es-  
5 tablished for Fisher Houses and Suites pursuant to sec-  
6 tion 2493(d) of title 10, United States Code.

7 (INCLUDING TRANSFER OF FUNDS)

8 SEC. 8087. Not to exceed \$500,000,000 appropriated  
9 by this Act for operation and maintenance may be avail-  
10 able for the purpose of making remittances and transfer  
11 to the Defense Acquisition Workforce Development Fund  
12 in accordance with section 1705 of title 10, United States  
13 Code.

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

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

21 (1) the public posting of the report com-  
22 promises national security; or

23 (2) the report contains proprietary information.

24 (c) The head of the agency posting such report shall  
25 do so only after such report has been made available to

1 the requesting Committee or Committees of Congress for  
2 no less than 45 days.

3 SEC. 8089. (a) None of the funds appropriated or  
4 otherwise made available by this Act may be expended for  
5 any Federal contract for an amount in excess of  
6 \$1,000,000, unless the contractor agrees not to—

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

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

1 false imprisonment, or negligent hiring, supervision,  
2 or retention.

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

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

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

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

11 (INCLUDING TRANSFER OF FUNDS)

12 SEC. 8090. From within the funds appropriated for  
13 operation and maintenance for the Defense Health Pro-  
14 gram in this Act, up to \$115,519,000, shall be available  
15 for transfer to the Joint Department of Defense-Depart-  
16 ment of Veterans Affairs Medical Facility Demonstration  
17 Fund in accordance with the provisions of section 1704  
18 of the National Defense Authorization Act for Fiscal Year  
19 2010, Public Law 111–84: *Provided*, That for purposes  
20 of section 1704(b), the facility operations funded are oper-  
21 ations of the integrated Captain James A. Lovell Federal  
22 Health Care Center, consisting of the North Chicago Vet-  
23 erans Affairs Medical Center, the Navy Ambulatory Care  
24 Center, and supporting facilities designated as a combined  
25 Federal medical facility as described by section 706 of



1 exceed \$1,500,000,000 of the funds made available in this  
2 Act for the National Intelligence Program: *Provided*, That  
3 such authority to transfer may not be used unless for  
4 higher priority items, based on unforeseen intelligence re-  
5 quirements, than those for which originally appropriated  
6 and in no case where the item for which funds are re-  
7 quested has been denied by the Congress: *Provided further*,  
8 That a request for multiple reprogrammings of funds  
9 using authority provided in this section shall be made  
10 prior to June 30, 2017.

11 SEC. 8094. None of the funds appropriated or other-  
12 wise made available in this or any other Act may be used  
13 to transfer, release, or assist in the transfer or release to  
14 or within the United States, its territories, or possessions  
15 Khalid Sheikh Mohammed or any other detainee who—

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

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

21 SEC. 8095. (a) None of the funds appropriated or  
22 otherwise made available in this or any other Act may be  
23 used to construct, acquire, or modify any facility in the  
24 United States, its territories, or possessions to house any  
25 individual described in subsection (c) for the purposes of



1 detention or imprisonment in the custody or under the ef-  
2 fective control of the Department of Defense.

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

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

9 (1) is not a citizen of the United States or a  
10 member of the Armed Forces of the United States;  
11 and

12 (2) is—

13 (A) in the custody or under the effective  
14 control of the Department of Defense; or

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

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

1 of the National Defense Authorization Act for Fiscal Year  
2 2017 (Public Law 114–328).

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

6 SEC. 8098. (a) None of the funds appropriated or  
7 otherwise made available by this or any other Act may  
8 be used by the Secretary of Defense, or any other official  
9 or officer of the Department of Defense, to enter into a  
10 contract, memorandum of understanding, or cooperative  
11 agreement with, or make a grant to, or provide a loan  
12 or loan guarantee to Rosoboronexport or any subsidiary  
13 of Rosoboronexport.

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

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

1           (2) The armed forces of the Russian Federation  
2           have withdrawn from Crimea, other than armed  
3           forces present on military bases subject to agree-  
4           ments in force between the Government of the Rus-  
5           sian Federation and the Government of Ukraine;  
6           and

7           (3) Agents of the Russian Federation have  
8           ceased taking active measures to destabilize the con-  
9           trol of the Government of Ukraine over eastern  
10          Ukraine.

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

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

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

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

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

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

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

22       (c) NATURE OF PAYMENTS.—Any payments provided  
23 under a program under subsection (a) shall not be consid-  
24 ered an admission or acknowledgement of any legal obliga-

1 tion to compensate for any damage, personal injury, or  
2 death.

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

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

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

24 (g) REPORT.—The Secretary of Defense shall report  
25 to the congressional defense committees on an annual

1 basis the efficacy of the ex gratia payment program in-  
2 cluding the number of types of cases considered, amounts  
3 offered, the response from ex gratia payment recipients,  
4 and any recommended modifications to the program.

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

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

16       SEC. 8103. None of the funds made available by this  
17 Act may be used to fund the performance of a flight dem-  
18 onstration team at a location outside of the United States:  
19 *Provided*, That this prohibition applies only if a perform-  
20 ance of a flight demonstration team at a location within  
21 the United States was canceled during the current fiscal  
22 year due to insufficient funding.

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

1           (1) conduct an acquisition pursuant to section  
2           702 of the Foreign Intelligence Surveillance Act of  
3           1978 for the purpose of targeting a United States  
4           person; or

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

12          SEC. 8105. None of the funds made available by this  
13          Act may be obligated or expended to implement the Arms  
14          Trade Treaty until the Senate approves a resolution of  
15          ratification for the Treaty.

16          SEC. 8106. None of the funds made available in this  
17          or any other Act may be used to pay the salary of any  
18          officer or employee of any agency funded by this Act who  
19          approves or implements the transfer of administrative re-  
20          sponsibilities or budgetary resources of any program,  
21          project, or activity financed by this Act to the jurisdiction  
22          of another Federal agency not financed by this Act unless  
23          explicitly provided for in a Defense Appropriations Act:  
24          *Provided*, That this limitation shall not apply to transfers  
25          of funds expressly provided for in Defense Appropriations

1 Acts, or provisions of Acts providing supplemental appro-  
2 priations for the Department of Defense.

3 SEC. 8107. None of the funds made available in this  
4 Act may be obligated for activities authorized under sec-  
5 tion 1208 of the Ronald W. Reagan National Defense Au-  
6 thorization Act for Fiscal Year 2005 (Public Law 112-  
7 81; 125 Stat. 1621) to initiate support for, or expand sup-  
8 port to, foreign forces, irregular forces, groups, or individ-  
9 uals unless the congressional defense committees are noti-  
10 fied in accordance with the direction contained in the clas-  
11 sified annex accompanying this Act, not less than 15 days  
12 before initiating such support: *Provided*, That none of the  
13 funds made available in this Act may be used under sec-  
14 tion 1208 for any activity that is not in support of an  
15 ongoing military operation being conducted by United  
16 States Special Operations Forces to combat terrorism:  
17 *Provided further*, That the Secretary of Defense may waive  
18 the prohibitions in this section if the Secretary determines  
19 that such waiver is required by extraordinary cir-  
20 cumstances and, by not later than 72 hours after making  
21 such waiver, notifies the congressional defense committees  
22 of such waiver.

23 SEC. 8108. None of the funds made available by this  
24 Act may be used with respect to Iraq in contravention of  
25 the War Powers Resolution (50 U.S.C. 1541 et seq.), in-



1 cluding for the introduction of United States armed forces  
2 into hostilities in Iraq, into situations in Iraq where immi-  
3 nent involvement in hostilities is clearly indicated by the  
4 circumstances, or into Iraqi territory, airspace, or waters  
5 while equipped for combat, in contravention of the con-  
6 gressional consultation and reporting requirements of sec-  
7 tions 3 and 4 of such Resolution (50 U.S.C. 1542 and  
8 1543).

9       SEC. 8109. None of the funds provided in this Act  
10 for the T-AO Fleet Oiler or the Towing, Salvage, and Res-  
11 cue Ship programs shall be used to award a new contract  
12 that provides for the acquisition of the following compo-  
13 nents unless those components are manufactured in the  
14 United States: Auxiliary equipment (including pumps) for  
15 shipboard services; propulsion equipment (including en-  
16 gines, reduction gears, and propellers); shipboard cranes;  
17 and spreaders for shipboard cranes.

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

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

1       SEC. 8112. None of the funds made available by this  
2 Act may be used for Government Travel Charge Card ex-  
3 penses by military or civilian personnel of the Department  
4 of Defense for gaming, or for entertainment that includes  
5 topless or nude entertainers or participants, as prohibited  
6 by Department of Defense FMR, Volume 9, Chapter 3  
7 and Department of Defense Instruction 1015.10 (enclo-  
8 sure 3, 14a and 14b).

9       SEC. 8113. None of the funds made available by this  
10 Act may be used to propose, plan for, or execute a new  
11 or additional Base Realignment and Closure (BRAC)  
12 round.

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

24       SEC. 8115. None of the funds made available by this  
25 Act for the Joint Surveillance Target Attack Radar Sys-

1 tem recapitalization program may be obligated or ex-  
2 pended for pre-milestone B activities after March 31,  
3 2018, except for source selection and other activities nec-  
4 essary to enter the engineering and manufacturing devel-  
5 opment phase.

6 SEC. 8116. None of the funds made available by this  
7 Act may be used to carry out the closure or realignment  
8 of the United States Naval Station, Guantánamo Bay,  
9 Cuba.

10 (INCLUDING TRANSFER OF FUNDS)

11 SEC. 8117. Additional readiness funds made available  
12 in title II of this Act for “Operation and Maintenance,  
13 Army”, “Operation and Maintenance, Navy”, “Operation  
14 and Maintenance, Marine Corps”, and “Operation and  
15 Maintenance, Air Force” may be transferred to and  
16 merged with any appropriation of the Department of De-  
17 fense for activities related to the Zika virus in order to  
18 provide health support for the full range of military oper-  
19 ations and sustain the health of the members of the Armed  
20 Forces, civilian employees of the Department of Defense,  
21 and their families, to include: research and development,  
22 disease surveillance, vaccine development, rapid detection,  
23 vector controls and surveillance, training, and outbreak re-  
24 sponse: *Provided*, That the authority provided in this sec-

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

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

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

13 SEC. 8119. Notwithstanding any other provision of  
14 law, any transfer of funds appropriated or otherwise made  
15 available by this Act to the Global Engagement Center  
16 pursuant to section 1287 of the National Defense Author-  
17 ization Act for Fiscal Year 2017 (Public Law 114–328)  
18 shall be made in accordance with section 8005 or 9002  
19 of this Act, as applicable.

20 SEC. 8120. No amounts credited or otherwise made  
21 available in this or any other Act to the Department of  
22 Defense Acquisition Workforce Development Fund may be  
23 transferred to:

24 (1) the Rapid Prototyping Fund established  
25 under section 804(d) of the National Defense Au-

1 authorization Act for Fiscal Year 2016 (10 U.S.C.  
2 2302 note); or

3 (2) credited to a military-department specific  
4 fund established under section 804(d)(2) of the Na-  
5 tional Defense Authorization Act for Fiscal Year  
6 2016 (as amended by section 897 of the National  
7 Defense Authorization Act for Fiscal Year 2017).

8 (INCLUDING TRANSFER FUND)

9 SEC. 8121. In addition to amounts provided else-  
10 where in this Act for military personnel pay, including ac-  
11 tive duty, reserve and National Guard personnel,  
12 \$206,400,000 is hereby appropriated to the Department  
13 of Defense and made available for transfer only to military  
14 personnel accounts: *Provided*, That the transfer authority  
15 provided under this heading is in addition to any other  
16 transfer authority provided elsewhere in this Act.

17 SEC. 8122. In addition to amounts provided else-  
18 where in this Act, there is appropriated \$235,000,000, for  
19 an additional amount for “Operation and Maintenance,  
20 Defense-Wide”, to remain available until expended: *Pro-*  
21 *vided*, That such funds shall only be available to the Sec-  
22 retary of Defense, acting through the Office of Economic  
23 Adjustment of the Department of Defense, or for transfer  
24 to the Secretary of Education, notwithstanding any other  
25 provision of law, to make grants, conclude cooperative

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

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

8       SEC. 8124. In carrying out the program described in  
9 the memorandum on the subject of “Policy for Assisted  
10 Reproductive Services for the Benefit of Seriously or Se-  
11 verely Ill/Injured (Category II or III) Active Duty Service  
12 Members” issued by the Assistant Secretary of Defense  
13 for Health Affairs on April 3, 2012, and the guidance  
14 issued to implement such memorandum, the Secretary of  
15 Defense shall apply such policy and guidance, except  
16 that—

17           (1) the limitation on periods regarding embryo  
18 cryopreservation and storage set forth in part III(G)  
19 and in part IV(H) of such memorandum shall not  
20 apply; and

21           (2) the term “assisted reproductive technology”  
22 shall include embryo cryopreservation and storage  
23 without limitation on the duration of such  
24 cryopreservation and storage.

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

6 For an additional amount for “Military Personnel,  
7 Army”, \$2,635,317,000: *Provided*, That such amount is  
8 designated by the Congress for Overseas Contingency Op-  
9 erations/Global War on Terrorism pursuant to section  
10 251(b)(2)(A)(ii) of the Balanced Budget and Emergency  
11 Deficit Control Act of 1985.

12 MILITARY PERSONNEL, NAVY

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

19 MILITARY PERSONNEL, MARINE CORPS

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



## 1                   MILITARY PERSONNEL, AIR FORCE

2           For an additional amount for “Military Personnel,  
3 Air Force”, \$912,779,000: *Provided*, That such amount  
4 is designated by the Congress for Overseas Contingency  
5 Operations/Global War on Terrorism pursuant to section  
6 251(b)(2)(A)(ii) of the Balanced Budget and Emergency  
7 Deficit Control Act of 1985.

## 8                   RESERVE PERSONNEL, ARMY

9           For an additional amount for “Reserve Personnel,  
10 Army”, \$24,942,000: *Provided*, That such amount is des-  
11 ignated by the Congress for Overseas Contingency Oper-  
12 ations/Global War on Terrorism pursuant to section  
13 251(b)(2)(A)(ii) of the Balanced Budget and Emergency  
14 Deficit Control Act of 1985.

## 15                   RESERVE PERSONNEL, NAVY

16           For an additional amount for “Reserve Personnel,  
17 Navy”, \$9,091,000: *Provided*, That such amount is des-  
18 ignated by the Congress for Overseas Contingency Oper-  
19 ations/Global War on Terrorism pursuant to section  
20 251(b)(2)(A)(ii) of the Balanced Budget and Emergency  
21 Deficit Control Act of 1985.

## 22                   RESERVE PERSONNEL, MARINE CORPS

23           For an additional amount for “Reserve Personnel,  
24 Marine Corps”, \$2,328,000: *Provided*, That such amount  
25 is designated by the Congress for Overseas Contingency

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

4 RESERVE PERSONNEL, AIR FORCE

5 For an additional amount for “Reserve Personnel,  
6 Air Force”, \$20,569,000: *Provided*, That such amount is  
7 designated by the Congress for Overseas Contingency Op-  
8 erations/Global War on Terrorism pursuant to section  
9 251(b)(2)(A)(ii) of the Balanced Budget and Emergency  
10 Deficit Control Act of 1985.

11 NATIONAL GUARD PERSONNEL, ARMY

12 For an additional amount for “National Guard Per-  
13 sonnel, Army”, \$184,589,000: *Provided*, That such  
14 amount is designated by the Congress for Overseas Con-  
15 tingency Operations/Global War on Terrorism pursuant to  
16 section 251(b)(2)(A)(ii) of the Balanced Budget and  
17 Emergency Deficit Control Act of 1985.

18 NATIONAL GUARD PERSONNEL, AIR FORCE

19 For an additional amount for “National Guard Per-  
20 sonnel, Air Force”, \$5,004,000: *Provided*, That such  
21 amount is designated by the Congress for Overseas Con-  
22 tingency Operations/Global War on Terrorism pursuant to  
23 section 251(b)(2)(A)(ii) of the Balanced Budget and  
24 Emergency Deficit Control Act of 1985.

1           MILITARY PERSONNEL, NATIONAL DEFENSE  
2                           RESTORATION FUND  
3                           (INCLUDING TRANSFER OF FUNDS)

4           In addition to amounts provided elsewhere in this  
5 Act, there is appropriated \$1,000,000,000, for the “Mili-  
6 tary Personnel, National Defense Restoration Fund”: *Pro-*  
7 *vided*, That such funds provided under this heading shall  
8 only be available for programs, projects and activities nec-  
9 essary to implement the 2018 National Defense Strategy:  
10 *Provided further*, That such funds shall not be available  
11 for transfer until 30 days after the Secretary has sub-  
12 mitted, and the congressional defense committees have ap-  
13 proved, the proposed allocation plan for the use of such  
14 funds to implement such strategy: *Provided further*, That  
15 such allocation plan shall include a detailed justification  
16 for the use of such funds and a description of how such  
17 investments are necessary to implement the strategy: *Pro-*  
18 *vided further*, That the Secretary of Defense may transfer  
19 these funds only to military personnel accounts: *Provided*  
20 *further*, That the funds transferred shall be merged with  
21 and shall be available for the same purposes and for the  
22 same time period, as the appropriation to which trans-  
23 ferred: *Provided further*, That none of the funds made  
24 available under this heading may be transferred to any  
25 program, project, or activity specifically limited or denied

1 by this Act: *Provided further*, That the transfer authority  
2 provided under this heading is in addition to any other  
3 transfer authority available to the Department of Defense:  
4 *Provided further*, That such amount is designated by the  
5 Congress for Overseas Contingency Operations/Global  
6 War on Terrorism pursuant to section 251(b)(2)(A)(ii) of  
7 the Balanced Budget and Emergency Deficit Control Act  
8 of 1985.

9 OPERATION AND MAINTENANCE

10 OPERATION AND MAINTENANCE, ARMY

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

17 OPERATION AND MAINTENANCE, NAVY

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

1 OPERATION AND MAINTENANCE, MARINE CORPS

2 For an additional amount for “Operation and Main-  
3 tenance, Marine Corps”, \$1,116,640,000: *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, AIR FORCE

9 For an additional amount for “Operation and Main-  
10 tenance, Air Force”, \$10,266,295,000: *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, DEFENSE-WIDE

16 For an additional amount for “Operation and Main-  
17 tenance, Defense-Wide”, \$6,944,201,000: *Provided*, That  
18 of the funds provided under this heading, not to exceed  
19 \$900,000,000, to remain available until September 30,  
20 2019, shall be for payments to reimburse key cooperating  
21 nations for logistical, military, and other support, includ-  
22 ing access, provided to United States military and stability  
23 operations in Afghanistan and to counter the Islamic  
24 State of Iraq and the Levant: *Provided further*, That such  
25 reimbursement payments may be made in such amounts

1 as the Secretary of Defense, with the concurrence of the  
2 Secretary of State, and in consultation with the Director  
3 of the Office of Management and Budget, may determine,  
4 based on documentation determined by the Secretary of  
5 Defense to adequately account for the support provided,  
6 and such determination is final and conclusive upon the  
7 accounting officers of the United States, and 15 days fol-  
8 lowing notification to the appropriate congressional com-  
9 mittees: *Provided further*, That funds provided under this  
10 heading may be used for the purpose of providing special-  
11 ized training and procuring supplies and specialized equip-  
12 ment and providing such supplies and loaning such equip-  
13 ment on a non-reimbursable basis to coalition forces sup-  
14 porting United States military and stability operations in  
15 Afghanistan and to counter the Islamic State of Iraq and  
16 the Levant, and 15 days following notification to the ap-  
17 propriate congressional committees: *Provided further*,  
18 That funds provided under this heading may be used to  
19 support the Government of Jordan, in such amounts as  
20 the Secretary of Defense may determine, to enhance the  
21 ability of the armed forces of Jordan to increase or sustain  
22 security along its borders, upon 15 days prior written noti-  
23 fication to the congressional defense committees outlining  
24 the amounts intended to be provided and the nature of  
25 the expenses incurred: *Provided further*, That of the funds

1 provided under this heading, not to exceed \$750,000,000,  
2 to remain available until September 30, 2019, shall be  
3 available to provide support and assistance to foreign secu-  
4 rity forces or other groups or individuals to conduct, sup-  
5 port, or facilitate counterterrorism, crisis response, or  
6 other Department of Defense security cooperation pro-  
7 grams: *Provided further*, That such amount is designated  
8 by the Congress for Overseas Contingency Operations/  
9 Global War on Terrorism pursuant to section  
10 251(b)(2)(A)(ii) of the Balanced Budget and Emergency  
11 Deficit Control Act of 1985.

12 OPERATION AND MAINTENANCE, ARMY RESERVE

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

19 OPERATION AND MAINTENANCE, NAVY RESERVE

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





1 OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

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

8 OPERATION AND MAINTENANCE, NATIONAL DEFENSE

9 RESTORATION FUND

10 (INCLUDING TRANSFER OF FUNDS)

11 In addition to amounts provided elsewhere in this  
12 Act, there is appropriated \$2,000,000,000, for the “Oper-  
13 ation and Maintenance, National Defense Restoration  
14 Fund”: *Provided*, That such funds provided under this  
15 heading shall only be available for programs, projects and  
16 activities necessary to implement the 2018 National De-  
17 fense Strategy: *Provided further*, That such funds shall not  
18 be available for transfer until 30 days after the Secretary  
19 has submitted, and the congressional defense committees  
20 have approved, the proposed allocation plan for the use  
21 of such funds to implement such strategy: *Provided fur-*  
22 *ther*, That such allocation plan shall include a detailed jus-  
23 tification for the use of such funds and a description of  
24 how such investments are necessary to implement the  
25 strategy: *Provided further*, That the Secretary of Defense

1 may transfer these funds only to operation and mainte-  
2 nance accounts: *Provided further*, That the funds trans-  
3 ferred shall be merged with and shall be available for the  
4 same purposes and for the same time period, as the appro-  
5 priation to which transferred: *Provided further*, That none  
6 of the funds made available under this heading may be  
7 transferred to any program, project, or activity specifically  
8 limited or denied by this Act: *Provided further*, That the  
9 transfer authority provided under this heading is in addi-  
10 tion to any other transfer authority available to the De-  
11 partment of Defense: *Provided further*, That such amount  
12 is designated by the Congress for Overseas Contingency  
13 Operations/Global War on Terrorism pursuant to section  
14 251(b)(2)(A)(ii) of the Balanced Budget and Emergency  
15 Deficit Control Act of 1985.

16 AFGHANISTAN SECURITY FORCES FUND

17 For the “Afghanistan Security Forces Fund”,  
18 \$4,937,515,000 (reduced by \$12,000,000), to remain  
19 available until September 30, 2019: *Provided*, That such  
20 funds shall be available to the Secretary of Defense, not-  
21 withstanding any other provision of law, for the purpose  
22 of allowing the Commander, Combined Security Transi-  
23 tion Command—Afghanistan, or the Secretary’s designee,  
24 to provide assistance, with the concurrence of the Sec-  
25 retary of State, to the security forces of Afghanistan, in-

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

1 *Provided further*, That the Secretary of Defense shall no-  
2 tify the congressional defense committees in writing upon  
3 the receipt and upon the obligation of any contribution,  
4 delineating the sources and amounts of the funds received  
5 and the specific use of such contributions: *Provided fur-*  
6 *ther*, That the Secretary of Defense shall, not fewer than  
7 15 days prior to obligating from this appropriation ac-  
8 count, notify the congressional defense committees in writ-  
9 ing of the details of any such obligation: *Provided further*,  
10 That the Secretary of Defense shall notify the congress-  
11 sional defense committees of any proposed new projects  
12 or transfer of funds between budget sub-activity groups  
13 in excess of \$20,000,000: *Provided further*, That the  
14 United States may accept equipment procured using funds  
15 provided under this heading in this or prior Acts that was  
16 transferred to the security forces of Afghanistan and re-  
17 turned by such forces to the United States: *Provided fur-*  
18 *ther*, That equipment procured using funds provided under  
19 this heading in this or prior Acts, and not yet transferred  
20 to the security forces of Afghanistan or transferred to the  
21 security forces of Afghanistan and returned by such forces  
22 to the United States, may be treated as stocks of the De-  
23 partment of Defense upon written notification to the con-  
24 gressional defense committees: *Provided further*, That of  
25 the funds provided under this heading, not less than

1 \$10,000,000 shall be for recruitment and retention of  
2 women in the Afghanistan National Security Forces, and  
3 the recruitment and training of female security personnel:  
4 *Provided further*, That such amount is designated by the  
5 Congress for Overseas Contingency Operations/Global  
6 War on Terrorism pursuant to section 251(b)(2)(A)(ii) of  
7 the Balanced Budget and Emergency Deficit Control Act  
8 of 1985.

9 COUNTER-ISIL TRAIN AND EQUIP FUND

10 For the “Counter-Islamic State of Iraq and the Le-  
11 vant Train and Equip Fund”, \$1,769,000,000, to remain  
12 available until September 30, 2019: *Provided*, That such  
13 funds shall be available to the Secretary of Defense in co-  
14 ordination with the Secretary of State, to provide assist-  
15 ance, including training; equipment; logistics support, sup-  
16 plies, and services; stipends; infrastructure repair and ren-  
17 ovation; and sustainment, to foreign security forces, irreg-  
18 ular forces, groups, or individuals participating, or pre-  
19 paring to participate in activities to counter the Islamic  
20 State of Iraq and the Levant, and their affiliated or asso-  
21 ciated groups: *Provided further*, That these funds may be  
22 used in such amounts as the Secretary of Defense may  
23 determine to enhance the border security of nations adja-  
24 cent to conflict areas including Jordan, Lebanon, Egypt,  
25 and Tunisia resulting from actions of the Islamic State

1 of Iraq and the Levant: *Provided further*, That amounts  
2 made available under this heading shall be available to  
3 provide assistance only for activities in a country des-  
4 ignated by the Secretary of Defense, in coordination with  
5 the Secretary of State, as having a security mission to  
6 counter the Islamic State of Iraq and the Levant, and fol-  
7 lowing written notification to the congressional defense  
8 committees of such designation: *Provided further*, That the  
9 Secretary of Defense shall ensure that prior to providing  
10 assistance to elements of any forces or individuals, such  
11 elements or individuals are appropriately vetted, including  
12 at a minimum, assessing such elements for associations  
13 with terrorist groups or groups associated with the Gov-  
14 ernment of Iran; and receiving commitments from such  
15 elements to promote respect for human rights and the rule  
16 of law: *Provided further*, That the Secretary of Defense  
17 shall, not fewer than 15 days prior to obligating from this  
18 appropriation account, notify the congressional defense  
19 committees in writing of the details of any such obligation:  
20 *Provided further*, That the Secretary of Defense may ac-  
21 cept and retain contributions, including assistance in-kind,  
22 from foreign governments, including the Government of  
23 Iraq and other entities, to carry out assistance authorized  
24 under this heading: *Provided further*, That contributions  
25 of funds for the purposes provided herein from any foreign

1 government or other entity may be credited to this Fund,  
2 to remain available until expended, and used for such pur-  
3 poses: *Provided further*, That the Secretary of Defense  
4 may waive a provision of law relating to the acquisition  
5 of items and support services or sections 40 and 40A of  
6 the Arms Export Control Act (22 U.S.C. 2780 and 2785)  
7 if the Secretary determines that such provision of law  
8 would prohibit, restrict, delay or otherwise limit the provi-  
9 sion of such assistance and a notice of and justification  
10 for such waiver is submitted to the congressional defense  
11 committees, the Committees on Appropriations and For-  
12 eign Relations of the Senate and the Committees on Ap-  
13 propriations and Foreign Affairs of the House of Rep-  
14 resentatives: *Provided further*, That the United States may  
15 accept equipment procured using funds provided under  
16 this heading, or under the heading, “Iraq Train and Equip  
17 Fund” in prior Acts, that was transferred to security  
18 forces, irregular forces, or groups participating, or pre-  
19 paring to participate in activities to counter the Islamic  
20 State of Iraq and the Levant and returned by such forces  
21 or groups to the United States, may be treated as stocks  
22 of the Department of Defense upon written notification  
23 to the congressional defense committees: *Provided further*,  
24 That equipment procured using funds provided under this  
25 heading, or under the heading, “Iraq Train and Equip

1 Fund” in prior Acts, and not yet transferred to security  
2 forces, irregular forces, or groups participating, or pre-  
3 paring to participate in activities to counter the Islamic  
4 State of Iraq and the Levant may be treated as stocks  
5 of the Department of Defense when determined by the  
6 Secretary to no longer be required for transfer to such  
7 forces or groups and upon written notification to the con-  
8 gressional defense committees: *Provided further*, That the  
9 Secretary of Defense shall provide quarterly reports to the  
10 congressional defense committees on the use of funds pro-  
11 vided under this heading, including, but not limited to,  
12 the number of individuals trained, the nature and scope  
13 of support and sustainment provided to each group or in-  
14 dividual, the area of operations for each group, and the  
15 contributions of other countries, groups, or individuals:  
16 *Provided further*, That such amount is designated by the  
17 Congress for Overseas Contingency Operations/ Global  
18 War on Terrorism pursuant to section 251(b)(2)(A)(ii) of  
19 the Balanced Budget and Emergency Deficit Control Act  
20 of 1985.

## 21 PROCUREMENT

### 22 AIRCRAFT PROCUREMENT, ARMY

23 For an additional amount for “Aircraft Procurement,  
24 Army”, \$424,686,000, to remain available until Sep-  
25 tember 30, 2020: *Provided*, That such amount is des-



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

5 MISSILE PROCUREMENT, ARMY

6 For an additional amount for “Missile Procurement,  
7 Army”, \$557,583,000, to remain available until Sep-  
8 tember 30, 2020: *Provided*, That such amount is des-  
9 ignated by the Congress for Overseas Contingency Oper-  
10 ations/Global War on Terrorism pursuant to section  
11 251(b)(2)(A)(ii) of the Balanced Budget and Emergency  
12 Deficit Control Act of 1985.

13 PROCUREMENT OF WEAPONS AND TRACKED COMBAT  
14 VEHICLES, ARMY

15 For an additional amount for “Procurement of Weap-  
16 ons and Tracked Combat Vehicles, Army”,  
17 \$1,191,139,000, to remain available until September 30,  
18 2020: *Provided*, That such amount is designated by the  
19 Congress for Overseas Contingency Operations/Global  
20 War on Terrorism pursuant to section 251(b)(2)(A)(ii) of  
21 the Balanced Budget and Emergency Deficit Control Act  
22 of 1985.

23 PROCUREMENT OF AMMUNITION, ARMY

24 For an additional amount for “Procurement of Am-  
25 muniton, Army”, \$193,436,000, to remain available until

1 September 30, 2020: *Provided*, That such amount is des-  
2 ignated by the Congress for Overseas Contingency Oper-  
3 ations/Global War on Terrorism pursuant to section  
4 251(b)(2)(A)(ii) of the Balanced Budget and Emergency  
5 Deficit Control Act of 1985.

6 OTHER PROCUREMENT, ARMY

7 For an additional amount for “Other Procurement,  
8 Army”, \$405,575,000, to remain available until Sep-  
9 tember 30, 2020: *Provided*, That such amount is des-  
10 ignated by the Congress for Overseas Contingency Oper-  
11 ations/Global War on Terrorism pursuant to section  
12 251(b)(2)(A)(ii) of the Balanced Budget and Emergency  
13 Deficit Control Act of 1985.

14 AIRCRAFT PROCUREMENT, NAVY

15 For an additional amount for “Aircraft Procurement,  
16 Navy”, \$157,300,000, to remain available until September  
17 30, 2020: *Provided*, That such amount is designated by  
18 the Congress for Overseas Contingency Operations/Global  
19 War on Terrorism pursuant to section 251(b)(2)(A)(ii) of  
20 the Balanced Budget and Emergency Deficit Control Act  
21 of 1985.

22 WEAPONS PROCUREMENT, NAVY

23 For an additional amount for “Weapons Procure-  
24 ment, Navy”, \$130,994,000, to remain available until  
25 September 30, 2020: *Provided*, That such amount is des-



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

5 AIRCRAFT PROCUREMENT, AIR FORCE

6 For an additional amount for “Aircraft Procurement,  
7 Air Force”, \$510,836,000, to remain available until Sep-  
8 tember 30, 2020: *Provided*, That such amount is des-  
9 ignated by the Congress for Overseas Contingency Oper-  
10 ations/Global War on Terrorism pursuant to section  
11 251(b)(2)(A)(ii) of the Balanced Budget and Emergency  
12 Deficit Control Act of 1985.

13 MISSILE PROCUREMENT, AIR FORCE

14 For an additional amount for “Missile Procurement,  
15 Air Force”, \$381,700,000, to remain available until Sep-  
16 tember 30, 2020: *Provided*, That such amount is des-  
17 ignated by the Congress for Overseas Contingency Oper-  
18 ations/Global War on Terrorism pursuant to section  
19 251(b)(2)(A)(ii) of the Balanced Budget and Emergency  
20 Deficit Control Act of 1985.

21 SPACE PROCUREMENT, AIR FORCE

22 For an additional amount for “Space Procurement,  
23 Air Force”, \$2,256,000, to remain available until Sep-  
24 tember 30, 2020: *Provided*, That such amount is des-  
25 ignated by the Congress for Overseas Contingency Oper-

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

4           PROCUREMENT OF AMMUNITION, AIR FORCE

5           For an additional amount for “Procurement of Am-  
6 munition, Air Force”, \$501,509,000, to remain available  
7 until September 30, 2020: *Provided*, That such amount  
8 is designated by the Congress for Overseas Contingency  
9 Operations/Global War on Terrorism pursuant to section  
10 251(b)(2)(A)(ii) of the Balanced Budget and Emergency  
11 Deficit Control Act of 1985.

12           OTHER PROCUREMENT, AIR FORCE

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

21           For an additional amount for “Procurement, De-  
22 fense-Wide”, \$510,741,000, to remain available until Sep-  
23 tember 30, 2020: *Provided*, That such amount is des-  
24 ignated by the Congress for Overseas Contingency Oper-  
25 ations/Global War on Terrorism pursuant to section

1 251(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 rotary-wing aircraft; combat, tac-  
5 tical and support vehicles; other weapons; and other pro-  
6 curement items for the reserve components of the Armed  
7 Forces, \$1,000,000,000, to remain available for obligation  
8 until September 30, 2020: *Provided*, That the Chiefs of  
9 National Guard and Reserve components shall, not later  
10 than 30 days after enactment of this Act, individually sub-  
11 mit to the congressional defense committees the mod-  
12 ernization priority assessment for their respective Na-  
13 tional Guard or Reserve component: *Provided further*,  
14 That none of the funds made available by this paragraph  
15 may be used to procure manned fixed wing aircraft, or  
16 procure or modify missiles, munitions, or ammunition:  
17 *Provided further*, That such amount is designated by the  
18 Congress for Overseas Contingency Operations/Global  
19 War on Terrorism pursuant to section 251(b)(2)(A)(ii) of  
20 the Balanced Budget and Emergency Deficit Control Act  
21 of 1985.



1 *further*, That the transfer authority provided under this  
2 heading is in addition to any other transfer authority  
3 available to the Department of Defense: *Provided further*,  
4 That such amount is designated by the Congress for Over-  
5 seas Contingency Operations/Global War on Terrorism  
6 pursuant to section 251(b)(2)(A)(ii) of the Balanced  
7 Budget and Emergency Deficit Control Act of 1985.

8 RESEARCH, DEVELOPMENT, TEST AND  
9 EVALUATION

10 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,  
11 ARMY

12 For an additional amount for “Research, Develop-  
13 ment, Test and Evaluation, Army”, \$119,368,000 (in-  
14 creased by \$6,000,000), to remain available until Sep-  
15 tember 30, 2019: *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 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,  
21 NAVY

22 For an additional amount for “Research, Develop-  
23 ment, Test and Evaluation, Navy”, \$124,865,000, to re-  
24 main available until September 30, 2019: *Provided*, That  
25 such amount is designated by the Congress for Overseas



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

4 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,  
5 AIR FORCE

6 For an additional amount for “Research, Develop-  
7 ment, Test and Evaluation, Air Force”, \$144,508,000, to  
8 remain available until September 30, 2019: *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 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,  
14 DEFENSE-WIDE

15 For an additional amount for “Research, Develop-  
16 ment, Test and Evaluation, Defense-Wide”,  
17 \$226,096,000, to remain available until September 30,  
18 2019: *Provided*, That such amount is designated by the  
19 Congress for Overseas Contingency Operations/Global  
20 War on Terrorism pursuant to section 251(b)(2)(A)(ii) of  
21 the Balanced Budget and Emergency Deficit Control Act  
22 of 1985.

1 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,  
2 NATIONAL DEFENSE RESTORATION FUND  
3 (INCLUDING TRANSFER OF FUNDS)

4 In addition to amounts provided elsewhere in this  
5 Act, there is appropriated \$1,000,000,000, for the “Re-  
6 search, Development, Test and Evaluation, National De-  
7 fense Restoration Fund”: *Provided*, That such funds pro-  
8 vided under this heading shall only be available for pro-  
9 grams, projects and activities necessary to implement the  
10 2018 National Defense Strategy: *Provided further*, That  
11 such funds shall not be available for transfer until 30 days  
12 after the Secretary has submitted, and the congressional  
13 defense committees have approved, the proposed allocation  
14 plan for the use of such funds to implement such strategy:  
15 *Provided further*, That such allocation plan shall include  
16 a detailed justification for the use of such funds and a  
17 description of how such investments are necessary to im-  
18 plement the strategy: *Provided further*, That the Secretary  
19 of Defense may transfer these funds only to research, de-  
20 velopment, test and evaluation accounts: *Provided further*,  
21 That the funds transferred shall be merged with and shall  
22 be available for the same purposes and for the same time  
23 period, as the appropriation to which transferred: *Pro-*  
24 *vided further*, That none of the funds made available under  
25 this heading may be transferred to any program, project,

1 or activity specifically limited or denied by this Act: *Pro-*  
2 *vided further*, That the transfer authority provided under  
3 this heading is in addition to any other transfer authority  
4 available to the Department of Defense: *Provided further*,  
5 That such amount is designated by the Congress for Over-  
6 seas Contingency Operations/Global War on Terrorism  
7 pursuant to section 251(b)(2)(A)(ii) of the Balanced  
8 Budget and Emergency Deficit Control Act of 1985.

9 REVOLVING AND MANAGEMENT FUNDS

10 DEFENSE WORKING CAPITAL FUNDS

11 For an additional amount for “Defense Working  
12 Capital Funds”, \$148,956,000: *Provided*, That such  
13 amount is designated by the Congress for Overseas Con-  
14 tingency Operations/Global War on Terrorism pursuant to  
15 section 251(b)(2)(A)(ii) of the Balanced Budget and  
16 Emergency Deficit Control Act of 1985.

17 OTHER DEPARTMENT OF DEFENSE PROGRAMS

18 DEFENSE HEALTH PROGRAM

19 For an additional amount for “Defense Health Pro-  
20 gram”, \$395,805,000, which shall be for operation and  
21 maintenance: *Provided*, That such amount is designated  
22 by the Congress for Overseas Contingency Operations/  
23 Global War on Terrorism pursuant to section  
24 251(b)(2)(A)(ii) of the Balanced Budget and Emergency  
25 Deficit Control Act of 1985.

1 DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES,  
2 DEFENSE

3 For an additional amount for “Drug Interdiction and  
4 Counter-Drug Activities, Defense”, \$196,300,000: *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-THREAT DEFEAT FUND  
10 (INCLUDING TRANSFER OF FUNDS)

11 For the “Joint Improvised-Threat Defeat Fund”,  
12 \$483,058,000, to remain available until September 30,  
13 2020: *Provided*, That such funds shall be available to the  
14 Secretary of Defense, notwithstanding any other provision  
15 of law, for the purpose of allowing the Director of the  
16 Joint Improvised-Threat Defeat Organization to inves-  
17 tigate, develop and provide equipment, supplies, services,  
18 training, facilities, personnel and funds to assist United  
19 States forces in the defeat of improvised explosive devices:  
20 *Provided further*, That the Secretary of Defense may  
21 transfer funds provided herein to appropriations for mili-  
22 tary personnel; operation and maintenance; procurement;  
23 research, development, test and evaluation; and defense  
24 working capital funds to accomplish the purpose provided  
25 herein: *Provided further*, That this transfer authority is

1 in addition to any other transfer authority available to the  
2 Department of Defense: *Provided further*, That the Sec-  
3 retary of Defense shall, not fewer than 5 days prior to  
4 making transfers from this appropriation, notify the con-  
5 gressional defense committees in writing of the details of  
6 any such transfer: *Provided further*, 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 OFFICE OF THE INSPECTOR GENERAL

12 For an additional amount for the “Office of the In-  
13 spector General”, \$24,692,000: *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. Notwithstanding any other provision of  
20 law, funds made available in this title are in addition to  
21 amounts appropriated or otherwise made available for the  
22 Department of Defense for fiscal year 2018.

23 (INCLUDING TRANSFER OF FUNDS)

24 SEC. 9002. Upon the determination of the Secretary  
25 of Defense that such action is necessary in the national

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

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

22 SEC. 9004. From funds made available in this title,  
23 the Secretary of Defense may purchase for use by military  
24 and civilian employees of the Department of Defense in

1 the United States Central Command area of responsi-  
2 bility:

3 (1) passenger motor vehicles up to a limit of  
4 \$75,000 per vehicle; and

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

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

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

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

19 (2) The budget, implementation timeline with  
20 milestones, and completion date for the proposed  
21 project, including any other CERP funding that has  
22 been or is anticipated to be contributed to the com-  
23 pletion of the project.

24 (3) A plan for the sustainment of the proposed  
25 project, including the agreement with either the host



1 nation, a non-Department of Defense agency of the  
2 United States Government or a third-party contrib-  
3 utor to finance the sustainment of the activities and  
4 maintenance of any equipment or facilities to be pro-  
5 vided through the proposed project.

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

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

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

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

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

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

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

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

22           (3) Sections 1002 and 1003 of the Department  
23 of Defense, Emergency Supplemental Appropriations  
24 to Address Hurricanes in the Gulf of Mexico, and

1 Pandemic Influenza Act, 2006 (Public Law 109–  
2 148).

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

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

1 chase items having an investment item unit cost of not  
2 more than \$500,000.

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

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

13 SEC. 9013. For the “Ukraine Security Assistance Ini-  
14 tiative”, \$150,000,000 is hereby appropriated, to remain  
15 available until September 30, 2018: *Provided*, That such  
16 funds shall be available to the Secretary of Defense, in  
17 coordination with the Secretary of State, to provide assist-  
18 ance, including training; equipment; lethal weapons of a  
19 defensive nature; logistics support, supplies and services;  
20 sustainment; and intelligence support to the military and  
21 national security forces of Ukraine, and for replacement  
22 of any weapons or defensive articles provided to the Gov-  
23 ernment of Ukraine from the inventory of the United  
24 States: *Provided further*, That the Secretary of Defense  
25 shall, not less than 15 days prior to obligating funds pro-

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

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

23 SEC. 9015. None of the funds made available by this  
24 Act under section 9013 for “Assistance and Sustainment  
25 to the Military and National Security Forces of Ukraine”

1 may be used to procure or transfer man-portable air de-  
2 fense systems.

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

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

20 (2) not supporting terrorist activities against  
21 United States or coalition forces in Afghanistan, and  
22 Pakistan’s military and intelligence agencies are not  
23 intervening extra-judicially into political and judicial  
24 processes in Pakistan;

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

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

6           (5) implementing policies to protect judicial  
7           independence and due process of law;

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

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

14          (b) The Secretary of Defense, in coordination with  
15          the Secretary of State, may waive the restriction in sub-  
16          section (a) on a case-by-case basis by certifying in writing  
17          to the congressional defense committees that it is in the  
18          national security interest to do so: *Provided*, That if the  
19          Secretary of Defense, in coordination with the Secretary  
20          of State, exercises such waiver authority, the Secretaries  
21          shall report to the congressional defense committees on  
22          both the justification for the waiver and on the require-  
23          ments of this section that the Government of Pakistan was  
24          not able to meet: *Provided further*, That such report may  
25          be submitted in classified form if necessary.

1 (INCLUDING TRANSFER OF FUNDS)

2 SEC. 9017. In addition to amounts otherwise made  
3 available in this Act, \$500,000,000 is hereby appropriated  
4 to the Department of Defense and made available for  
5 transfer only to the operation and maintenance, military  
6 personnel, and procurement accounts, to improve the intel-  
7 ligence, surveillance, and reconnaissance capabilities of the  
8 Department of Defense: *Provided*, That the transfer au-  
9 thority provided in this section is in addition to any other  
10 transfer authority provided elsewhere in this Act: *Provided*  
11 *further*, That not later than 30 days prior to exercising  
12 the transfer authority provided in this section, the Sec-  
13 retary of Defense shall submit a report to the congres-  
14 sional defense committees on the proposed uses of these  
15 funds: *Provided further*, That the funds provided in this  
16 section may not be transferred to any program, project,  
17 or activity specifically limited or denied by this Act: *Pro-*  
18 *vided further*, That amounts made available by this section  
19 are designated by the Congress for Overseas Contingency  
20 Operations/Global War on Terrorism pursuant to section  
21 251(b)(2)(A)(ii) of the Balanced Budget and Emergency  
22 Deficit Control Act of 1985: *Provided further*, That the  
23 authority to provide funding under this section shall termi-  
24 nate on September 30, 2018.





1           “Counter-ISIL Train and Equip Fund”, 2017/  
2           2018, \$112,513,000.

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

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

13          SEC. 9021. (a) Not later than 30 days after the date  
14 of the enactment of this Act, the President shall submit  
15 to Congress a report on the United States strategy to de-  
16 feat Al-Qaeda, the Taliban, the Islamic State of Iraq and  
17 Syria (ISIS), and their associated forces and co-belliger-  
18 ents.

19          (b) The report required under subsection (a) shall in-  
20 clude the following:

21               (1) An analysis of the adequacy of the existing  
22               legal framework to accomplish the strategy described  
23               in subsection (a), particularly with respect to the  
24               Authorization for Use of Military Force (Public Law  
25               107–40; 50 U.S.C. 1541 note) and the Authoriza-

1       tion for Use of Military Force Against Iraq Resolu-  
2       tion of 2002 (Public Law 107–243; 50 U.S.C. 1541  
3       note).

4           (2) An analysis of the budgetary resources nec-  
5       essary to accomplish the strategy described in sub-  
6       section (a).

7       (c) Not later than 30 days after the date on which  
8       the President submits to the appropriate congressional  
9       committees the report required by subsection (a), the Sec-  
10      retary of State and the Secretary of Defense shall testify  
11      at any hearing held by any of the appropriate congres-  
12      sional committees on the report and to which the Sec-  
13      retary is invited.

14      (d) In this section, the term “appropriate congres-  
15      sional committees” means—

16           (1) the Committee on Foreign Relations and  
17      the Committee on Armed Services of the Senate; and

18           (2) the Committee on Foreign Affairs and the  
19      Committee on Armed Services of the House of Rep-  
20      resentatives.

21      SEC. 9022. (a) In addition to amounts provided else-  
22      where in this Act, there is hereby appropriated  
23      \$1,184,112,000, for the following accounts and programs  
24      in the specified amounts for costs associated with Oper-  
25      ation Freedom’s Sentinel:

- 1 (1) “Military Personnel, Army”, \$48,377,000;
- 2 (2) “Military Personnel, Marine Corps”,  
3 \$179,000;
- 4 (3) “Military Personnel, Air Force”,  
5 \$1,340,000;
- 6 (4) “Operation and Maintenance, Army”,  
7 \$872,491,000;
- 8 (5) “Operation and Maintenance, Navy”,  
9 \$76,274,000;
- 10 (6) “Operation and Maintenance, Marine  
11 Corps”, \$24,734,000;
- 12 (7) “Operation and Maintenance, Defense-  
13 Wide”, \$81,164,000;
- 14 (8) “Procurement of Ammunition, Navy and  
15 Marine Corps”, \$10,853,000, to remain available  
16 until September 30, 2020;
- 17 (9) “Other Procurement, Navy”, \$31,500,000,  
18 to remain available until September 30, 2020; and
- 19 (10) “Research, Development, Test and Evalua-  
20 tion, Navy”, \$37,200,000, to remain available until  
21 September 30, 2019.
- 22 (b) Amounts provided pursuant to this section are  
23 hereby designated by the Congress for Overseas Contin-  
24 gency Operations/Global War on Terrorism pursuant to

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

3 TITLE X—ADDITIONAL GENERAL PROVISIONS

4 REFERENCES TO REPORT

5 SEC. 10001. Any reference to a “report accom-  
6 panying this Act” contained in this Act shall be treated  
7 as a reference to House Report 115–219. Such report  
8 shall apply for purposes of determining the allocation of  
9 funds provided by, and the implementation of, this Act.

10 SPENDING REDUCTION ACCOUNT

11 SEC. 10002. \$0.

12 SEC. 10003. None of the funds appropriated or other-  
13 wise made available under the heading “Afghanistan Secu-  
14 rity Forces Fund” may be used to procure uniforms for  
15 the Afghan National Army.

16 SEC. 10004. None of the funds made available in this  
17 Act may be used for the closure of a biosafety level 4 lab-  
18 oratory.

19 SEC. 10005. None of the funds made available by this  
20 Act may be used to provide arms, training, or other assist-  
21 ance to the Azov Battalion.

22 SEC. 10006. None of the finds made available by this  
23 Act may be used to purchase heavy water from Iran.

24 SEC. 10007. None of the funds appropriated by this  
25 Act may be used to plan for, begin, continue, complete,

1 process, or approve a public-private competition under the  
2 Office of Management and Budget Circular A-76.

3 SEC. 10008. Notwithstanding any other provision of  
4 law, with respect to the revised security category (as that  
5 term is defined in section 250(c)(4)(D) of the Balanced  
6 Budget and Emergency Deficit Control Act of 1985), any  
7 sequestration order issued under such Act for fiscal year  
8 2018 shall have no force or effect.

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

