

115TH CONGRESS
2D SESSION

H. R. 6157

AN ACT

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

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

1 That the following sums are appropriated, out of any
2 money in the Treasury not otherwise appropriated, for the
3 fiscal year ending September 30, 2019, for military func-
4 tions administered by the Department of Defense and for
5 other purposes, namely:

6 TITLE I

7 MILITARY PERSONNEL

8 MILITARY PERSONNEL, ARMY

9 For pay, allowances, individual clothing, subsistence,
10 interest on deposits, gratuities, permanent change of sta-
11 tion travel (including all expenses thereof for organiza-
12 tional movements), and expenses of temporary duty travel
13 between permanent duty stations, for members of the
14 Army on active duty (except members of reserve compo-
15 nents provided for elsewhere), cadets, and aviation cadets;
16 for members of the Reserve Officers' Training Corps; and
17 for payments pursuant to section 156 of Public Law 97-
18 377, as amended (42 U.S.C. 402 note), and to the Depart-
19 ment of Defense Military Retirement Fund,
20 \$43,093,752,000.

21 MILITARY PERSONNEL, NAVY

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

1 between permanent duty stations, for members of the
2 Navy on active duty (except members of the Reserve pro-
3 vided for elsewhere), midshipmen, and aviation cadets; for
4 members of the Reserve Officers' Training Corps; and for
5 payments pursuant to section 156 of Public Law 97-377,
6 as amended (42 U.S.C. 402 note), and to the Department
7 of Defense Military Retirement Fund, \$30,254,211,000
8 (reduced by \$2,000,000) (increased by \$2,000,000).

9 MILITARY PERSONNEL, MARINE CORPS

10 For pay, allowances, individual clothing, subsistence,
11 interest on deposits, gratuities, permanent change of sta-
12 tion travel (including all expenses thereof for organiza-
13 tional movements), and expenses of temporary duty travel
14 between permanent duty stations, for members of the Ma-
15 rine Corps on active duty (except members of the Reserve
16 provided for elsewhere); and for payments pursuant to sec-
17 tion 156 of Public Law 97-377, as amended (42 U.S.C.
18 402 note), and to the Department of Defense Military Re-
19 tirement Fund, \$13,770,968,000.

20 MILITARY PERSONNEL, AIR FORCE

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 Air

1 Force on active duty (except members of reserve compo-
2 nents provided for elsewhere), cadets, and aviation cadets;
3 for members of the Reserve Officers' Training Corps; and
4 for payments pursuant to section 156 of Public Law 97-
5 377, as amended (42 U.S.C. 402 note), and to the Depart-
6 ment of Defense Military Retirement Fund,
7 \$30,357,311,000.

8 RESERVE PERSONNEL, ARMY

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

21 RESERVE PERSONNEL, NAVY

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

1 section 12301(d) of title 10, United States Code, in con-
2 nection with performing duty specified in section 12310(a)
3 of title 10, United States Code, or while undergoing re-
4 serve training, or while performing drills or equivalent
5 duty, and expenses authorized by section 16131 of title
6 10, United States Code; and for payments to the Depart-
7 ment of Defense Military Retirement Fund,
8 \$2,055,221,000.

9 RESERVE PERSONNEL, MARINE CORPS

10 For pay, allowances, clothing, subsistence, gratuities,
11 travel, and related expenses for personnel of the Marine
12 Corps Reserve on active duty under section 10211 of title
13 10, United States Code, or while serving on active duty
14 under section 12301(d) of title 10, United States Code,
15 in connection with performing duty specified in section
16 12310(a) of title 10, United States Code, or while under-
17 going reserve training, or while performing drills or equiv-
18 alent duty, and for members of the Marine Corps platoon
19 leaders class, and expenses authorized by section 16131
20 of title 10, United States Code; and for payments to the
21 Department of Defense Military Retirement Fund,
22 \$777,390,000.

23 RESERVE PERSONNEL, AIR FORCE

24 For pay, allowances, clothing, subsistence, gratuities,
25 travel, and related expenses for personnel of the Air Force

1 Reserve on active duty under sections 10211, 10305, and
2 8038 of title 10, United States Code, or while serving on
3 active duty under section 12301(d) of title 10, 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 reserve training, or while performing
7 drills or equivalent duty or other duty, and expenses au-
8 thorized by section 16131 of title 10, United States Code;
9 and for payments to the Department of Defense Military
10 Retirement Fund, \$1,853,526,000.

11 NATIONAL GUARD PERSONNEL, ARMY

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

1 NATIONAL GUARD PERSONNEL, AIR FORCE

2 For pay, allowances, clothing, subsistence, gratuities,
3 travel, and related expenses for personnel of the Air Na-
4 tional Guard on duty under sections 10211, 10305, or
5 12402 of title 10 or section 708 of title 32, United States
6 Code, or while serving on duty under section 12301(d) of
7 title 10 or section 502(f) of title 32, United States Code,
8 in connection with performing duty specified in section
9 12310(a) of title 10, United States Code, or while under-
10 going training, or while performing drills or equivalent
11 duty or other duty, and expenses authorized by section
12 16131 of title 10, United States Code; and for payments
13 to the Department of Defense Military Retirement Fund,
14 \$3,707,240,000.

15 TITLE II

16 OPERATION AND MAINTENANCE

17 OPERATION AND MAINTENANCE, ARMY

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

1 OPERATION AND MAINTENANCE, NAVY

2 For expenses, not otherwise provided for, necessary
3 for the operation and maintenance of the Navy and the
4 Marine Corps, as authorized by law, \$48,963,337,000:
5 *Provided*, That not to exceed \$15,055,000 can be used for
6 emergencies and extraordinary expenses, to be expended
7 on the approval or authority of the Secretary of the Navy,
8 and payments may be made on his certificate of necessity
9 for confidential military purposes.

10 OPERATION AND MAINTENANCE, MARINE CORPS

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

14 OPERATION AND MAINTENANCE, AIR FORCE

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

1 OPERATION AND MAINTENANCE, DEFENSE-WIDE

2 (INCLUDING TRANSFER OF FUNDS)

3 For expenses, not otherwise provided for, necessary
4 for the operation and maintenance of activities and agen-
5 cies of the Department of Defense (other than the military
6 departments), as authorized by law, \$35,676,402,000 (in-
7 creased by \$5,000,000) (increased by \$6,000,000) (re-
8 duced by \$6,000,000) (reduced by \$250,000) (increased
9 by \$250,000) (reduced by \$10,000,000) (increased by
10 \$10,000,000) (reduced by \$65,000,000) (reduced by
11 \$5,000,000) (reduced by \$30,000,000) (reduced by
12 \$1,000,000) (reduced by \$4,000,000) (increased by
13 \$4,000,000) (reduced by \$5,000,000) (increased by
14 \$5,000,000) (reduced by \$10,000,000) (increased by
15 \$10,000,000) (increased by \$1,000,000) (increased by
16 \$5,000,000) (reduced by \$1,300,000) (reduced by
17 \$6,000,000) (reduced by \$1,000,000) (reduced by
18 \$8,300,000) (reduced by \$3,200,000): *Provided*, That not
19 more than \$7,503,000 may be used for the Combatant
20 Commander Initiative Fund authorized under section
21 166a of title 10, United States Code: *Provided further*,
22 That not to exceed \$36,000,000 can be used for emer-
23 gencies and extraordinary expenses, to be expended on the
24 approval or authority of the Secretary of Defense, and
25 payments may be made on his certificate of necessity for

1 confidential military purposes: *Provided further*, That of
2 the funds provided under this heading, not less than
3 \$42,300,000 shall be made available for the Procurement
4 Technical Assistance Cooperative Agreement Program, of
5 which not less than \$4,500,000 shall be available for cen-
6 ters defined in 10 U.S.C. 2411(1)(D): *Provided further*,
7 That none of the funds appropriated or otherwise made
8 available by this Act may be used to plan or implement
9 the consolidation of a budget or appropriations liaison of-
10 fice of the Office of the Secretary of Defense, the office
11 of the Secretary of a military department, or the service
12 headquarters of one of the Armed Forces into a legislative
13 affairs or legislative liaison office: *Provided further*, That
14 \$19,160,000, to remain available until September 30,
15 2020, is available only for expenses relating to certain
16 classified activities, and may be transferred as necessary
17 by the Secretary of Defense to operation and maintenance
18 appropriations or research, development, test and evalua-
19 tion appropriations, to be merged with and to be available
20 for the same time period as the appropriations to which
21 transferred: *Provided further*, That any ceiling on the in-
22 vestment item unit cost of items that may be purchased
23 with operation and maintenance funds shall not apply to
24 the funds described in the preceding proviso: *Provided fur-*
25 *ther*, That of the funds provided under this heading,

1 \$496,264,000, of which \$124,066,000, to remain available
2 until September 30, 2020, shall be available to provide
3 support and assistance to foreign security forces or other
4 groups or individuals to conduct, support or facilitate
5 counterterrorism, crisis response, or other Department of
6 Defense security cooperation programs: *Provided further*,
7 That the transfer authority provided under this heading
8 is in addition to any other transfer authority provided else-
9 where in this Act.

10 OPERATION AND MAINTENANCE, ARMY RESERVE

11 For expenses, not otherwise provided for, necessary
12 for the operation and maintenance, including training, or-
13 ganization, and administration, of the Army Reserve; re-
14 pair of facilities and equipment; hire of passenger motor
15 vehicles; travel and transportation; care of the dead; re-
16 cruiting; procurement of services, supplies, and equip-
17 ment; and communications, \$2,877,402,000.

18 OPERATION AND MAINTENANCE, NAVY RESERVE

19 For expenses, not otherwise provided for, necessary
20 for the operation and maintenance, including training, or-
21 ganization, and administration, of the Navy Reserve; re-
22 pair of facilities and equipment; hire of passenger motor
23 vehicles; travel and transportation; care of the dead; re-
24 cruiting; procurement of services, supplies, and equip-
25 ment; and communications, \$1,019,966,000.

1 OPERATION AND MAINTENANCE, MARINE CORPS

2 RESERVE

3 For expenses, not otherwise provided for, necessary
4 for the operation and maintenance, including training, or-
5 ganization, and administration, of the Marine Corps Re-
6 serve; repair of facilities and equipment; hire of passenger
7 motor vehicles; travel and transportation; care of the dead;
8 recruiting; procurement of services, supplies, and equip-
9 ment; and communications, \$281,570,000.

10 OPERATION AND MAINTENANCE, AIR FORCE RESERVE

11 For expenses, not otherwise provided for, necessary
12 for the operation and maintenance, including training, or-
13 ganization, and administration, of the Air Force Reserve;
14 repair of facilities and equipment; hire of passenger motor
15 vehicles; travel and transportation; care of the dead; re-
16 cruiting; procurement of services, supplies, and equip-
17 ment; and communications, \$3,212,234,000.

18 OPERATION AND MAINTENANCE, ARMY NATIONAL

19 GUARD

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

1 penses (other than mileage), as authorized by law for
2 Army personnel on active duty, for Army National Guard
3 division, regimental, and battalion commanders while in-
4 specting units in compliance with National Guard Bureau
5 regulations when specifically authorized by the Chief, Na-
6 tional Guard Bureau; supplying and equipping the Army
7 National Guard as authorized by law; and expenses of re-
8 pair, modification, maintenance, and issue of supplies and
9 equipment (including aircraft), \$7,329,771,000.

10 OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

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

1 Bureau regulations when specifically authorized by the
2 Chief, National Guard Bureau, \$6,438,162,000.

3 UNITED STATES COURT OF APPEALS FOR THE ARMED
4 FORCES

5 For salaries and expenses necessary for the United
6 States Court of Appeals for the Armed Forces,
7 \$14,662,000, of which not to exceed \$5,000 may be used
8 for official representation purposes.

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

11 For the Department of the Army, \$235,809,000, to
12 remain available until transferred: *Provided*, That the Sec-
13 retary of the Army shall, upon determining that such
14 funds are required for environmental restoration, reduc-
15 tion and recycling of hazardous waste, removal of unsafe
16 buildings and debris of the Department of the Army, or
17 for similar purposes, transfer the funds made available by
18 this appropriation to other appropriations made available
19 to the Department of the Army, to be merged with and
20 to be available for the same purposes and for the same
21 time period as the appropriations to which transferred:
22 *Provided further*, That upon a determination that all or
23 part of the funds transferred from this appropriation are
24 not necessary for the purposes provided herein, such
25 amounts may be transferred back to this appropriation:

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

4 ENVIRONMENTAL RESTORATION, NAVY

5 (INCLUDING TRANSFER OF FUNDS)

6 For the Department of the Navy, \$365,883,000, to
7 remain available until transferred: *Provided*, That the Sec-
8 retary of the Navy shall, upon determining that such
9 funds are required for environmental restoration, reduc-
10 tion and recycling of hazardous waste, removal of unsafe
11 buildings and debris of the Department of the Navy, or
12 for similar purposes, transfer the funds made available by
13 this appropriation to other appropriations made available
14 to the Department of the Navy, to be merged with and
15 to be available for the same purposes and for the same
16 time period as the appropriations to which transferred:
17 *Provided further*, That upon a determination that all or
18 part of the funds transferred from this appropriation are
19 not necessary for the purposes provided herein, such
20 amounts may be transferred back to this appropriation:
21 *Provided further*, That the transfer authority provided
22 under this heading is in addition to any other transfer au-
23 thority provided elsewhere in this Act.

1 ENVIRONMENTAL RESTORATION, AIR FORCE

2 (INCLUDING TRANSFER OF FUNDS)

3 For the Department of the Air Force, \$376,808,000,
4 to remain available until transferred: *Provided*, That the
5 Secretary of the Air Force shall, upon determining that
6 such funds are required for environmental restoration, re-
7 duction and recycling of hazardous waste, removal of un-
8 safe buildings and debris of the Department of the Air
9 Force, or for similar purposes, transfer the funds made
10 available by this appropriation to other appropriations
11 made available to the Department of the Air Force, to be
12 merged with and to be available for the same purposes
13 and for the same time period as the appropriations to
14 which transferred: *Provided further*, That upon a deter-
15 mination that all or part of the funds transferred from
16 this appropriation are not necessary for the purposes pro-
17 vided herein, such amounts may be transferred back to
18 this appropriation: *Provided further*, That the transfer au-
19 thority provided under this heading is in addition to any
20 other transfer authority provided elsewhere in this Act.

21 ENVIRONMENTAL RESTORATION, DEFENSE-WIDE

22 (INCLUDING TRANSFER OF FUNDS)

23 For the Department of Defense, \$19,002,000, to re-
24 main available until transferred: *Provided*, That the Sec-
25 retary of Defense shall, upon determining that such funds

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

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

19 For the Department of the Army, \$248,673,000, to
20 remain available until transferred: *Provided*, That the Sec-
21 retary of the Army shall, upon determining that such
22 funds are required for environmental restoration, reduc-
23 tion and recycling of hazardous waste, removal of unsafe
24 buildings and debris at sites formerly used by the Depart-
25 ment of Defense, transfer the funds made available by this

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

12 OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AID

13 For expenses relating to the Overseas Humanitarian,
14 Disaster, and Civic Aid programs of the Department of
15 Defense (consisting of the programs provided under sec-
16 tions 401, 402, 404, 407, 2557, and 2561 of title 10,
17 United States Code), \$117,663,000, to remain available
18 until September 30, 2020.

19 COOPERATIVE THREAT REDUCTION ACCOUNT

20 For assistance, including assistance provided by con-
21 tract or by grants, under programs and activities of the
22 Department of Defense Cooperative Threat Reduction
23 Program authorized under the Department of Defense Co-
24 operative Threat Reduction Act, \$350,240,000, to remain
25 available until September 30, 2021.

1 DEPARTMENT OF DEFENSE ACQUISITION WORKFORCE
2 DEVELOPMENT FUND

3 For the Department of Defense Acquisition Work-
4 force Development Fund, \$400,000,000 (reduced by
5 \$2,100,000), to remain available for obligation until Sep-
6 tember 30, 2020: *Provided*, That no other amounts may
7 be otherwise credited or transferred to the Fund, or depos-
8 ited into the Fund, in fiscal year 2019 pursuant to section
9 1705(d) of title 10, United States Code.

10 TITLE III
11 PROCUREMENT

12 AIRCRAFT PROCUREMENT, ARMY

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

1 foregoing purposes, \$4,103,942,000, to remain available
2 for obligation until September 30, 2021.

3 MISSILE PROCUREMENT, ARMY

4 For construction, procurement, production, modifica-
5 tion, and modernization of missiles, equipment, including
6 ordnance, ground handling equipment, spare parts, and
7 accessories therefor; specialized equipment and training
8 devices; expansion of public and private plants, including
9 the land necessary therefor, for the foregoing purposes,
10 and such lands and interests therein, may be acquired,
11 and construction prosecuted thereon prior to approval of
12 title; and procurement and installation of equipment, ap-
13 pliances, and machine tools in public and private plants;
14 reserve plant and Government and contractor-owned
15 equipment layaway; and other expenses necessary for the
16 foregoing purposes, \$3,074,502,000, to remain available
17 for obligation until September 30, 2021.

18 PROCUREMENT OF WEAPONS AND TRACKED COMBAT

19 VEHICLES, ARMY

20 For construction, procurement, production, and
21 modification of weapons and tracked combat vehicles,
22 equipment, including ordnance, spare parts, and acces-
23 sories therefor; specialized equipment and training devices;
24 expansion of public and private plants, including the land
25 necessary therefor, for the foregoing purposes, and such

1 lands and interests therein, may be acquired, and con-
2 struction prosecuted thereon prior to approval of title; and
3 procurement and installation of equipment, appliances,
4 and machine tools in public and private plants; reserve
5 plant and Government and contractor-owned equipment
6 layaway; and other expenses necessary for the foregoing
7 purposes, \$4,590,205,000, to remain available for obliga-
8 tion until September 30, 2021.

9 PROCUREMENT OF AMMUNITION, ARMY

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

1 OTHER PROCUREMENT, ARMY

2 For construction, procurement, production, and
3 modification of vehicles, including tactical, support, and
4 non-tracked combat vehicles; the purchase of passenger
5 motor vehicles for replacement only; communications and
6 electronic equipment; other support equipment; spare
7 parts, ordnance, and accessories therefor; specialized
8 equipment and training devices; expansion of public and
9 private plants, including the land necessary therefor, for
10 the foregoing purposes, and such lands and interests
11 therein, may be acquired, and construction prosecuted
12 thereon prior to approval of title; and procurement and
13 installation of equipment, appliances, and machine tools
14 in public and private plants; reserve plant and Govern-
15 ment and contractor-owned equipment layaway; and other
16 expenses necessary for the foregoing purposes,
17 \$7,683,632,000, to remain available for obligation until
18 September 30, 2021.

19 AIRCRAFT PROCUREMENT, NAVY

20 For construction, procurement, production, modifica-
21 tion, and modernization of aircraft, equipment, including
22 ordnance, spare parts, and accessories therefor; specialized
23 equipment; expansion of public and private plants, includ-
24 ing the land necessary therefor, and such lands and inter-
25 ests therein, may be acquired, and construction prosecuted

1 thereon prior to approval of title; and procurement and
2 installation of equipment, appliances, and machine tools
3 in public and private plants; reserve plant and Govern-
4 ment and contractor-owned equipment layaway,
5 \$20,107,195,000, to remain available for obligation until
6 September 30, 2021.

7 WEAPONS PROCUREMENT, NAVY

8 For construction, procurement, production, modifica-
9 tion, and modernization of missiles, torpedoes, other weap-
10 ons, and related support equipment including spare parts,
11 and accessories therefor; expansion of public and private
12 plants, including the land necessary therefor, and such
13 lands and interests therein, may be acquired, and con-
14 struction prosecuted thereon prior to approval of title; and
15 procurement and installation of equipment, appliances,
16 and machine tools in public and private plants; reserve
17 plant and Government and contractor-owned equipment
18 layaway, \$3,555,587,000, to remain available for obliga-
19 tion until September 30, 2021.

20 PROCUREMENT OF AMMUNITION, NAVY AND MARINE

21 CORPS

22 For construction, procurement, production, and
23 modification of ammunition, and accessories therefor; spe-
24 cialized equipment and training devices; expansion of pub-
25 lic and private plants, including ammunition facilities, au-

1 thorized by section 2854 of title 10, United States Code,
2 and the land necessary therefor, for the foregoing pur-
3 poses, and such lands and interests therein, may be ac-
4 quired, and construction prosecuted thereon prior to ap-
5 proval of title; and procurement and installation of equip-
6 ment, appliances, and machine tools in public and private
7 plants; reserve plant and Government and contractor-
8 owned equipment layaway; and other expenses necessary
9 for the foregoing purposes, \$973,556,000, to remain avail-
10 able for obligation until September 30, 2021.

11 SHIPBUILDING AND CONVERSION, NAVY

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

24 Columbia Class Submarine (AP), \$2,949,400,000;

25 Carrier Replacement Program, \$1,598,181,000;

1 Virginia Class Submarine, \$4,340,676,000;
2 Virginia Class Submarine (AP), \$2,796,401,000;
3 CVN Refueling Overhauls (AP), \$425,873,000;
4 DDG-1000 Program, \$270,965,000;
5 DDG-51 Destroyer, \$5,187,837,000;
6 DDG-51 Destroyer (AP), \$391,928,000;
7 Littoral Combat Ship, \$1,558,505,000;
8 Expeditionary Sea Base, \$647,000,000;
9 TAO Fleet Oiler, \$977,104,000;
10 TAO Fleet Oiler (AP), \$75,046,000;
11 Towing, Salvage, and Rescue Ship, \$80,517,000;
12 LCU 1700, \$41,520,000;
13 Ship to Shore Connector, \$507,875,000;
14 Service Craft, \$72,062,000;
15 LCAC SLEP, \$23,321,000;
16 For outfitting, post-delivery, conversions, and first
17 destination transportation, \$557,457,000; and
18 Completion of Prior Year Shipbuilding Programs,
19 \$207,099,000.
20 In all: \$22,708,767,000, to remain available for obli-
21 gation until September 30, 2023: *Provided*, That addi-
22 tional obligations may be incurred after September 30,
23 2023, for engineering services, tests, evaluations, and
24 other such budgeted work that must be performed in the
25 final stage of ship construction: *Provided further*, That

1 none of the funds provided under this heading for the con-
2 struction or conversion of any naval vessel to be con-
3 structed in shipyards in the United States shall be ex-
4 pended in foreign facilities for the construction of major
5 components of such vessel: *Provided further*, That none
6 of the funds provided under this heading shall be used
7 for the construction of any naval vessel in foreign ship-
8 yards: *Provided further*, That funds appropriated or other-
9 wise made available by this Act for production of the com-
10 mon missile compartment of nuclear-powered vessels may
11 be available for multiyear procurement of critical compo-
12 nents to support continuous production of such compart-
13 ments only in accordance with the provisions of subsection
14 (i) of section 2218a of title 10, United States Code (as
15 added by section 1023 of the National Defense Authoriza-
16 tion Act for Fiscal Year 2017 (Public Law 114–328)).

17 OTHER PROCUREMENT, NAVY

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

1 approval of title; and procurement and installation of
2 equipment, appliances, and machine tools in public and
3 private plants; reserve plant and Government and con-
4 tractor-owned equipment layaway, \$9,093,835,000, to re-
5 main available for obligation until September 30, 2021.

6 PROCUREMENT, MARINE CORPS

7 For expenses necessary for the procurement, manu-
8 facture, and modification of missiles, armament, military
9 equipment, spare parts, and accessories therefor; plant
10 equipment, appliances, and machine tools, and installation
11 thereof in public and private plants; reserve plant and
12 Government and contractor-owned equipment layaway; ve-
13 hicles for the Marine Corps, including the purchase of pas-
14 senger motor vehicles for replacement only; and expansion
15 of public and private plants, including land necessary
16 therefor, and such lands and interests therein, may be ac-
17 quired, and construction prosecuted thereon prior to ap-
18 proval of title, \$2,647,569,000, to remain available for ob-
19 ligation until September 30, 2021.

20 AIRCRAFT PROCUREMENT, AIR FORCE

21 For construction, procurement, and modification of
22 aircraft and equipment, including armor and armament,
23 specialized ground handling equipment, and training de-
24 vices, spare parts, and accessories therefor; specialized
25 equipment; expansion of public and private plants, Gov-

1 ernment-owned equipment and installation thereof in such
2 plants, erection of structures, and acquisition of land, for
3 the foregoing purposes, and such lands and interests
4 therein, may be acquired, and construction prosecuted
5 thereon prior to approval of title; reserve plant and Gov-
6 ernment and contractor-owned equipment layaway; and
7 other expenses necessary for the foregoing purposes in-
8 cluding rents and transportation of things,
9 \$17,118,921,000 (increased by \$65,000,000), to remain
10 available for obligation until September 30, 2021.

11 MISSILE PROCUREMENT, AIR FORCE

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

1 SPACE PROCUREMENT, AIR FORCE

2 For construction, procurement, and modification of
3 spacecraft, rockets, and related equipment, including
4 spare parts and accessories therefor; ground handling
5 equipment, and training devices; expansion of public and
6 private 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, \$2,388,642,000, to remain available for obligation
15 until September 30, 2021.

16 PROCUREMENT OF AMMUNITION, AIR FORCE

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

1 ment, appliances, and machine tools in public and private
2 plants; reserve plant and Government and contractor-
3 owned equipment layaway; and other expenses necessary
4 for the foregoing purposes, \$1,468,992,000, to remain
5 available for obligation until September 30, 2021.

6 OTHER PROCUREMENT, AIR FORCE

7 For procurement and modification of equipment (in-
8 cluding ground guidance and electronic control equipment,
9 and ground electronic and communication equipment),
10 and supplies, materials, and spare parts therefor, not oth-
11 erwise provided for; the purchase of passenger motor vehi-
12 cles for replacement only; lease of passenger motor vehi-
13 cles; and expansion of public and private plants, Govern-
14 ment-owned equipment and installation thereof in such
15 plants, erection of structures, and acquisition of land, 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; reserve plant and Gov-
19 ernment and contractor-owned equipment layaway,
20 \$20,597,574,000, to remain available for obligation until
21 September 30, 2021.

22 PROCUREMENT, DEFENSE-WIDE

23 For expenses of activities and agencies of the Depart-
24 ment of Defense (other than the military departments)
25 necessary for procurement, production, and modification

1 of equipment, supplies, materials, and spare parts there-
2 for, not otherwise provided for; the purchase of passenger
3 motor vehicles for replacement only; expansion of public
4 and private plants, equipment, and installation thereof in
5 such plants, erection of structures, and acquisition of land
6 for 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 \$6,711,225,000 (reduced by \$10,000,000), to remain
11 available for obligation until September 30, 2021.

12 NATIONAL GUARD AND RESERVE EQUIPMENT ACCOUNT

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

1 DEFENSE PRODUCTION ACT PURCHASES

2 For activities by the Department of Defense pursuant
 3 to sections 108, 301, 302, and 303 of the Defense Produc-
 4 tion Act of 1950 (50 U.S.C. 4518, 4531, 4532, and 4533),
 5 \$68,578,000, to remain available until expended.

6 TITLE IV

7 RESEARCH, DEVELOPMENT, TEST AND
 8 EVALUATION

9 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,
 10 ARMY

11 For expenses necessary for basic and applied sci-
 12 entific research, development, test and evaluation, includ-
 13 ing maintenance, rehabilitation, lease, and operation of fa-
 14 cilities and equipment, \$10,108,108,000 (increased by
 15 \$5,000,000) (reduced by \$5,000,000) (increased by
 16 \$5,000,000), to remain available for obligation until Sep-
 17 tember 30, 2020.

18 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,

19 NAVY

20 For expenses necessary for basic and applied sci-
 21 entific research, development, test and evaluation, includ-
 22 ing maintenance, rehabilitation, lease, and operation of fa-
 23 cilities and equipment, \$17,658,244,000, to remain avail-
 24 able for obligation until September 30, 2020: *Provided*,
 25 That funds appropriated in this paragraph which are

1 available for the V-22 may be used to meet unique oper-
 2 ational requirements of the Special Operations Forces.

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

5 For expenses necessary for basic and applied sci-
 6 entific research, development, test and evaluation, includ-
 7 ing maintenance, rehabilitation, lease, and operation of fa-
 8 cilities and equipment, \$40,939,500,000 (reduced by
 9 \$10,000,000), to remain available for obligation until Sep-
 10 tember 30, 2020.

11 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,
 12 DEFENSE-WIDE
 13 (INCLUDING TRANSFER OF FUNDS)

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

1 tember 30, 2020: *Provided*, That, of the funds made avail-
2 able in this paragraph, \$250,000,000 for the Defense
3 Rapid Innovation Program shall only be available for ex-
4 penses, not otherwise provided for, to include program
5 management and oversight, to conduct research, develop-
6 ment, test and evaluation to include proof of concept dem-
7 onstration; engineering, testing, and validation; and tran-
8 sition to full-scale production: *Provided further*, That the
9 Secretary of Defense may transfer funds provided herein
10 for the Defense Rapid Innovation Program to appropria-
11 tions for research, development, test and evaluation to ac-
12 complish the purpose provided herein: *Provided further*,
13 That this transfer authority is in addition to any other
14 transfer authority available to the Department of Defense:
15 *Provided further*, That the Secretary of Defense shall, not
16 fewer than 30 days prior to making transfers from this
17 appropriation, notify the congressional defense committees
18 in writing of the details of any such transfer.

19 OPERATIONAL TEST AND EVALUATION, DEFENSE

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

1 testing and evaluation; and administrative expenses in
 2 connection therewith, \$221,009,000, to remain available
 3 for obligation until September 30, 2020.

4 TITLE V

5 REVOLVING AND MANAGEMENT FUNDS

6 DEFENSE WORKING CAPITAL FUNDS

7 For the Defense Working Capital Funds,
 8 \$1,542,115,000.

9 TITLE VI

10 OTHER DEPARTMENT OF DEFENSE PROGRAMS

11 DEFENSE HEALTH PROGRAM

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

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

18 CHEMICAL AGENTS AND MUNITIONS DESTRUCTION,

19 DEFENSE

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

1 in the chemical weapon stockpile, \$993,816,000, of which
2 \$105,997,000 shall be for operation and maintenance, of
3 which no less than \$52,735,000 shall be for the Chemical
4 Stockpile Emergency Preparedness Program, consisting of
5 \$21,600,000 for activities on military installations and
6 \$31,135,000, to remain available until September 30,
7 2020, to assist State and local governments; \$1,091,000
8 shall be for procurement, to remain available until Sep-
9 tember 30, 2021, of which \$1,091,000 shall be for the
10 Chemical Stockpile Emergency Preparedness Program to
11 assist State and local governments; and \$886,728,000, to
12 remain available until September 30, 2020, shall be for
13 research, development, test and evaluation, of which
14 \$880,283,000 shall only be for the Assembled Chemical
15 Weapons Alternatives program.

16 DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES,
17 DEFENSE

18 (INCLUDING TRANSFER OF FUNDS)

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

1 creased by \$3,000,000), of which \$530,285,000 shall be
 2 for counter-narcotics support; \$121,900,000 shall be for
 3 the drug demand reduction program; \$197,353,000 (in-
 4 creased by \$3,000,000) shall be for the National Guard
 5 counter-drug program; and \$5,276,000 shall be for the
 6 National Guard counter-drug schools program: *Provided*,
 7 That the funds appropriated under this heading shall be
 8 available for obligation for the same time period and for
 9 the same purpose as the appropriation to which trans-
 10 ferred: *Provided further*, That upon a determination that
 11 all or part of the funds transferred from this appropriation
 12 are not necessary for the purposes provided herein, such
 13 amounts may be transferred back to this appropriation:
 14 *Provided further*, That the transfer authority provided
 15 under this heading is in addition to any other transfer au-
 16 thority contained elsewhere in this Act.

17 OFFICE OF THE INSPECTOR GENERAL

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

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

7 TITLE VII

8 RELATED AGENCIES

9 CENTRAL INTELLIGENCE AGENCY RETIREMENT AND

10 DISABILITY SYSTEM FUND

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

16 INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT

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

19 TITLE VIII

20 GENERAL PROVISIONS

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

24 SEC. 8002. During the current fiscal year, provisions
25 of law prohibiting the payment of compensation to, or em-

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

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

22 SEC. 8004. No more than 20 percent of the appro-
23 priations in this Act which are limited for obligation dur-
24 ing the current fiscal year shall be obligated during the
25 last 2 months of the fiscal year: *Provided*, That this sec-

tion shall not apply to obligations for support of active duty training of reserve components or summer camp training of the Reserve Officers' Training Corps.

(TRANSFER OF FUNDS)

SEC. 8005. Upon determination by the Secretary of Defense that such action is necessary in the national interest, he may, with the approval of the Office of Management and Budget, transfer not to exceed \$4,250,000,000 of working capital funds of the Department of Defense or funds made available in this Act to the Department of Defense for military functions (except military construction) between such appropriations or funds or any subdivision thereof, to be merged with and to be available for the same purposes, and for the same time period, as the appropriation or fund to which transferred: *Provided*, That such authority to transfer may not be used unless for higher priority items, based on unforeseen military requirements, than those for which originally appropriated and in no case where the item for which funds are requested has been denied by the Congress: *Provided further*, That the Secretary of Defense shall notify the Congress promptly of all transfers made pursuant to this authority or any other authority in this Act: *Provided further*, That no part of the funds in this Act shall be available to prepare or present a request to the Committees on Appropria-

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

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

1 (b) Amounts specified in the referenced tables de-
2 scribed in subsection (a) shall not be treated as subdivi-
3 sions of appropriations for purposes of section 8005 of this
4 Act: *Provided*, That section 8005 shall apply when trans-
5 fers of the amounts described in subsection (a) occur be-
6 tween appropriation accounts.

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

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

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

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

24 (b) Notwithstanding section 8005 of this Act, none
25 of the funds provided in this Act shall be available for

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

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

18 (TRANSFER OF FUNDS)

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

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

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

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

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

1 of a contract for procurement of aircraft, that in-
2 cludes, for any aircraft unit to be procured through
3 the contract for which procurement funds are re-
4 quested in that budget request for production be-
5 yond advance procurement activities in the fiscal
6 year covered by the budget, full funding of procure-
7 ment of such unit in that fiscal year;

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

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

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

24 SEC. 8011. Within the funds appropriated for the op-
25 eration and maintenance of the Armed Forces, funds are

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

1 SEC. 8012. (a) During the current fiscal year, the
2 civilian personnel of the Department of Defense may not
3 be managed on the basis of any end-strength, and the
4 management of such personnel during that fiscal year
5 shall not be subject to any constraint or limitation (known
6 as an end-strength) on the number of such personnel who
7 may be employed on the last day of such fiscal year.

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

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

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

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

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

16 SEC. 8015. Funds appropriated in title III of this Act
17 for the Department of Defense Pilot Mentor-Protégé Pro-
18 gram may be transferred to any other appropriation con-
19 tained in this Act solely for the purpose of implementing
20 a Mentor-Protégé Program developmental assistance
21 agreement pursuant to section 831 of the National De-
22 fense Authorization Act for Fiscal Year 1991 (Public Law
23 101–510; 10 U.S.C. 2302 note), as amended, under the
24 authority of this provision or any other transfer authority
25 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 \$25,000,000 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-

tion 1544 of title 25, United States Code, or a small business owned and controlled by an individual or individuals defined under section 4221(9) of title 25, United States Code, shall be considered a contractor for the purposes of being allowed additional compensation under section 504 of the Indian Financing Act of 1974 (25 U.S.C. 1544) whenever the prime contract or subcontract amount is over \$500,000 and involves the expenditure of funds appropriated by an Act making appropriations for the Department of Defense with respect to any fiscal year: *Provided further*, That notwithstanding section 1906 of title 41, United States Code, this section shall be applicable to any Department of Defense acquisition of supplies or services, including any contract and any subcontract at any tier for acquisition of commercial items produced or manufactured, in whole or in part, by any subcontractor or supplier defined in section 1544 of title 25, United States Code, or a small business owned and controlled by an individual or individuals defined under section 4221(9) of title 25, United States Code.

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

SEC. 8021. During the current fiscal year, the Department 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 \$46,100,000 shall be available for the
10 Civil Air Patrol Corporation, of which—

11 (1) \$33,600,000 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) \$10,800,000 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 2019, not more than 6,030 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 1,125 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 2020 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 \$179,000,000.

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 2019. 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
19 American Act” means chapter 83 of title 41, United
20 States Code.

21 SEC. 8028. During the current fiscal year, amounts
22 contained in the Department of Defense Overseas Military
23 Facility Investment Recovery Account established by sec-
24 tion 2921(c)(1) of the National Defense Authorization Act
25 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
4 any recognized Indian tribe included on the current list
5 published by the Secretary of the Interior under section
6 104 of the Federally Recognized Indian Tribe Act of 1994
7 (Public Law 103–454; 108 Stat. 4792; 25 U.S.C. 5131).

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

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

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

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

1 SEC. 8032. The Secretary of Defense shall issue reg-
2 ulations to prohibit the sale of any tobacco or tobacco-
3 related products in military resale outlets in the United
4 States, its territories and possessions at a price below the
5 most competitive price in the local community: *Provided*,
6 That such regulations shall direct that the prices of to-
7 bacco or tobacco-related products in overseas military re-
8 tail outlets shall be within the range of prices established
9 for military retail system stores located in the United
10 States.

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

24 (b) The fiscal year 2020 budget request for the De-
25 partment of Defense as well as all justification material

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

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

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

11 SEC. 8036. (a) None of the funds appropriated in this
12 Act may be expended by an entity of the Department of
13 Defense unless the entity, in expending the funds, com-
14 plies with the Buy American Act. For purposes of this
15 subsection, the term “Buy American Act” means chapter
16 83 of title 41, United States Code.

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

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

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

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

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

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

25 (c) This section does not apply to—

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

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

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

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

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

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

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

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

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

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

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

20 (B) offering to such workers an employer-
21 sponsored health benefits plan that requires the
22 employer to contribute less towards the pre-
23 mium or subscription share than the amount
24 that is paid by the Department of Defense for

1 health benefits for civilian employees under
2 chapter 89 of title 5, United States Code.

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

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

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

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

1 as defined in section 8(a)(15) of the Small
2 Business Act (15 U.S.C. 637(a)(15)).

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

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

16 (RESCISSIONS)

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

1 Budget or the Balanced Budget and Emergency Deficit

2 Control Act of 1985, as amended:

3 “Aircraft Procurement, Navy”, 2017/2019,

4 \$69,140,000;

5 “Aircraft Procurement, Air Force”, 2017/2019,

6 \$93,600,000;

7 “Aircraft Procurement, Navy”, 2018/2020,

8 \$11,761,000;

9 “Weapons Procurement, Navy”, 2018/2020,

10 \$115,657,000;

11 “Aircraft Procurement, Air Force”, 2018/2020,

12 \$134,900,000;

13 “Missile Procurement, Air Force”, 2018/2020,

14 \$5,200,000;

15 “Space Procurement, Air Force”, 2018/2020,

16 \$25,000,000;

17 “Procurement, Defense-Wide”, 2018/2020,

18 \$14,000,000;

19 “Research, Development, Test and Evaluation,

20 Navy”, 2018/2019, \$6,196,000; and

21 “Research, Development, Test and Evaluation, Air

22 Force”, 2018/2019, \$17,500,000.

23 SEC. 8040. None of the funds available in this Act

24 may be used to reduce the authorized positions for mili-

25 tary technicians (dual status) of the Army National

1 Guard, Air National Guard, Army Reserve and Air Force
2 Reserve for the purpose of applying any administratively
3 imposed civilian personnel ceiling, freeze, or reduction on
4 military technicians (dual status), unless such reductions
5 are a direct result of a reduction in military force struc-
6 ture.

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

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

1 SEC. 8043. (a) None of the funds available to the
2 Department of Defense for any fiscal year for drug inter-
3 diction or counter-drug activities may be transferred to
4 any other department or agency of the United States ex-
5 cept as specifically provided in an appropriations law.

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

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

1 United States Code, except that the restriction shall apply
2 to ball or roller bearings purchased as end items.

3 SEC. 8045. In addition to the amounts appropriated
4 or otherwise made available elsewhere in this Act,
5 \$44,000,000 is hereby appropriated to the Department of
6 Defense: *Provided*, That upon the determination of the
7 Secretary of Defense that it shall serve the national inter-
8 est, the Secretary shall make grants in the amounts speci-
9 fied as follows: \$20,000,000 to the United Service Organi-
10 zations and \$24,000,000 to the Red Cross.

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

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

24 SEC. 8048. None of the funds available to the De-
25 partment of Defense under this Act shall be obligated or

1 expended to pay a contractor under a contract with the
2 Department of Defense for costs of any amount paid by
3 the contractor to an employee when—

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

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

9 (INCLUDING TRANSFER OF FUNDS)

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

21 SEC. 8050. During the current fiscal year, in the case
22 of an appropriation account of the Department of Defense
23 for which the period of availability for obligation has ex-
24 pired or which has closed under the provisions of section
25 1552 of title 31, United States Code, and which has a

1 negative unliquidated or unexpended balance, an obliga-
2 tion or an adjustment of an obligation may be charged
3 to any current appropriation account for the same purpose
4 as the expired or closed account if—

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

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

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

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

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

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

16 (INCLUDING TRANSFER OF FUNDS)

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

1 same purposes and for the same time period as the appro-
2 priations to which the funds are transferred: *Provided fur-*
3 *ther*, That this transfer authority is in addition to any
4 other transfer authority provided in this Act.

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

1 SEC. 8054. (a) The Secretary of Defense may, on a
2 case-by-case basis, waive with respect to a foreign country
3 each limitation on the procurement of defense items from
4 foreign sources provided in law if the Secretary determines
5 that the application of the limitation with respect to that
6 country would invalidate cooperative programs entered
7 into between the Department of Defense and the foreign
8 country, or would invalidate reciprocal trade agreements
9 for the procurement of defense items entered into under
10 section 2531 of title 10, United States Code, and the
11 country does not discriminate against the same or similar
12 defense items produced in the United States for that coun-
13 try.

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

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

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

22 (c) Subsection (a) does not apply to a limitation re-
23 garding construction of public vessels, ball and roller bear-
24 ings, food, and clothing or textile materials as defined by
25 section XI (chapters 50–65) of the Harmonized Tariff

1 Schedule of the United States and products classified
2 under headings 4010, 4202, 4203, 6401 through 6406,
3 6505, 7019, 7218 through 7229, 7304.41 through
4 7304.49, 7306.40, 7502 through 7508, 8105, 8108, 8109,
5 8211, 8215, and 9404.

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

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

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

3 SEC. 8057. The Secretary of Defense shall continue
4 to provide a classified quarterly report to the House and
5 Senate Appropriations Committees, Subcommittees on
6 Defense on certain matters as directed in the classified
7 annex accompanying this Act.

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

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

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

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

17 (INCLUDING TRANSFER OF FUNDS)

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

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

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

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

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

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

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

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

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

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

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

22 (2) receive certification from all affected agen-
23 cies attesting that the proposed alternatives will help
24 achieve auditability, improve fiscal reporting, and
25 will not adversely affect counterintelligence; and

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

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

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

(INCLUDING TRANSFER OF FUNDS)

SEC. 8065. Of the amounts appropriated in this Act under the headings “Procurement, Defense-Wide” and “Research, Development, Test and Evaluation, Defense-Wide”, \$500,000,000 shall be for the Israeli Cooperative Programs: *Provided*, That of this amount, \$70,000,000 shall be for the Secretary of Defense to provide to the Government of Israel for the procurement of the Iron Dome defense system to counter short-range rocket threats, subject to the U.S.-Israel Iron Dome Procurement Agreement, as amended; \$187,000,000 shall be for the Short Range Ballistic Missile Defense (SRBMD) program, including cruise missile defense research and development under the SRBMD program, of which \$50,000,000 shall be for co-production activities of SRBMD systems in the United States and in Israel to meet Israel’s defense requirements consistent with each nation’s laws, regulations, and procedures, subject to the U.S.-Israeli co-production agreement for SRBMD, as amended; \$80,000,000 shall be for an upper-tier component to the Israeli Missile Defense Architecture, of which \$80,000,000 shall be for co-production activities of Arrow 3 Upper Tier systems in the United States and in Israel to meet Israel’s defense requirements consistent with each nation’s laws, regulations, and procedures, subject to the U.S.-Israeli co-pro-

1 duction agreement for Arrow 3 Upper Tier, as amended;
 2 and \$163,000,000 shall be for the Arrow System Improve-
 3 ment Program including development of a long range,
 4 ground and airborne, detection suite: *Provided further*,
 5 That the transfer authority provided under this provision
 6 is in addition to any other transfer authority contained
 7 in this Act.

8 (INCLUDING TRANSFER OF FUNDS)

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

19 (1) Under the heading “Shipbuilding and Con-
 20 version, Navy”, 2011/2019: LHA Replacement
 21 \$25,100,000;

22 (2) Under the heading “Shipbuilding and Con-
 23 version, Navy”, 2013/2019: DDG–51 Destroyer
 24 \$53,966,000;

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

4 (4) Under the heading “Shipbuilding and Con-
5 version, Navy”, 2015/2019: Littoral Combat Ship
6 \$83,686,000;

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

9 (6) Under the heading “Shipbuilding and Con-
10 version, Navy”, 2016/2019: TAO Fleet Oiler
11 \$15,449,000.

12 SEC. 8067. 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 2019 until the enactment of the Intelligence Author-
18 ization Act for Fiscal Year 2019.

19 SEC. 8068. 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. 8069. The budget of the President for fiscal
2 year 2020 submitted to the Congress pursuant to section
3 1105 of title 31, United States Code, shall include separate
4 budget justification documents for costs of United
5 States Armed Forces' participation in contingency operations
6 for the Military Personnel accounts, the Operation and Maintenance
7 accounts, the Procurement accounts, and the Research, Development,
8 Test and Evaluation accounts: *Provided*, That these documents shall
9 include a description of the funding requested for each contingency
10 operation, for each military service, to include all Active and
11 Reserve components, and for each appropriations account:
12 *Provided further*, That these documents shall include estimated
13 costs for each element of expense or object class, a reconciliation
14 of increases and decreases for each contingency operation, and
15 programmatic data including, but not limited to, troop strength
16 for each Active and Reserve component, and estimates of the major
17 weapons systems deployed in support of each contingency: *Provided further*,
18 That these documents shall include budget exhibits OP-
19 5 and OP-32 (as defined in the Department of Defense
20 Financial Management Regulation) for all contingency operations
21 for the budget year and the two preceding fiscal
22 years.

1 SEC. 8070. 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. 8071. 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 \$5,000,000.

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

19 SEC. 8073. None of the funds appropriated or made
20 available in this Act shall be used to reduce or disestablish
21 the operation of the 53rd Weather Reconnaissance Squad-
22 ron of the Air Force Reserve, if such action would reduce
23 the WC–130 Weather Reconnaissance mission below the
24 levels funded in this Act: *Provided*, That the Air Force
25 shall allow the 53rd Weather Reconnaissance Squadron to

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

3 SEC. 8074. None of the funds provided in this Act
4 shall be available for integration of foreign intelligence in-
5 formation unless the information has been lawfully col-
6 lected and processed during the conduct of authorized for-
7 eign intelligence activities: *Provided*, That information
8 pertaining to United States persons shall only be handled
9 in accordance with protections provided in the Fourth
10 Amendment of the United States Constitution as imple-
11 mented through Executive Order No. 12333.

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

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

22 SEC. 8076. None of the funds appropriated by this
23 Act for programs of the Office of the Director of National
24 Intelligence shall remain available for obligation beyond
25 the current fiscal year, except for funds appropriated for

1 research and technology, which shall remain available until
2 September 30, 2020.

3 SEC. 8077. For purposes of section 1553(b) of title
4 31, United States Code, any subdivision of appropriations
5 made in this Act under the heading “Shipbuilding and
6 Conversion, Navy” shall be considered to be for the same
7 purpose as any subdivision under the heading “Ship-
8 building and Conversion, Navy” appropriations in any
9 prior fiscal year, and the 1 percent limitation shall apply
10 to the total amount of the appropriation.

11 SEC. 8078. (a) Not later than 60 days after the date
12 of enactment of this Act, the Director of National Intel-
13 ligence shall submit a report to the congressional intel-
14 ligence committees to establish the baseline for application
15 of reprogramming and transfer authorities for fiscal year
16 2019: *Provided*, That the report shall include—

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

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

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

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

9 SEC. 8079. None of the funds made available by this
10 Act may be used to eliminate, restructure, or realign Army
11 Contracting Command—New Jersey or make dispropor-
12 tionate personnel reductions at any Army Contracting
13 Command—New Jersey sites without 30-day prior notifi-
14 cation to the congressional defense committees.

15 SEC. 8080. Notwithstanding any other provision of
16 law, any transfer of funds, appropriated or otherwise made
17 available by this Act, for support to friendly foreign coun-
18 tries in connection with the conduct of operations in which
19 the United States is not participating, pursuant to section
20 331(d) of Title 10, United States Code, shall be made in
21 accordance with sections 8005 or 9002 of this Act, as ap-
22 plicable.

23 SEC. 8081. Any transfer of amounts appropriated to,
24 credited to, or deposited in the Department of Defense Ac-
25 quisition Workforce Development Fund in or for fiscal

1 year 2019 to a military department or Defense Agency
2 pursuant to section 1705(e)(1) of title 10, United States
3 Code, shall be covered by and subject to sections 8005 or
4 9002 of this Act, as applicable.

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

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

22 (1) creates a new start effort;

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

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

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

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

19 SEC. 8084. The Director of National Intelligence
20 shall submit to Congress each year, at or about the time
21 that the President's budget is submitted to Congress that
22 year under section 1105(a) of title 31, United States
23 Code, a future-years intelligence program (including asso-
24 ciated annexes) reflecting the estimated expenditures and
25 proposed appropriations included in that budget. Any such

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

4 SEC. 8085. For the purposes of this Act, the term
5 “congressional intelligence committees” means the Perma-
6 nent Select Committee on Intelligence of the House of
7 Representatives, the Select Committee on Intelligence of
8 the Senate, the Subcommittee on Defense of the Com-
9 mittee on Appropriations of the House of Representatives,
10 and the Subcommittee on Defense of the Committee on
11 Appropriations of the Senate.

12 (INCLUDING TRANSFER OF FUNDS)

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

21 SEC. 8087. None of the funds appropriated by this
22 Act may be available for the purpose of making remit-
23 tances to the Department of Defense Acquisition Work-
24 force Development Fund in accordance with section 1705
25 of title 10, United States Code.

1 SEC. 8088. (a) Any agency receiving funds made
2 available in this Act, shall, subject to subsections (b) and
3 (c), post on the public Web site of that agency any report
4 required to be submitted by the Congress in this or any
5 other Act, upon the determination by the head of the agen-
6 cy that it shall serve the national interest.

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

8 (1) the public posting of the report com-
9 promises national security; or

10 (2) the report contains proprietary information.

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

15 SEC. 8089. (a) None of the funds appropriated or
16 otherwise made available by this Act may be expended for
17 any Federal contract for an amount in excess of
18 \$1,000,000, unless the contractor agrees not to—

19 (1) enter into any agreement with any of its
20 employees or independent contractors that requires,
21 as a condition of employment, that the employee or
22 independent contractor agree to resolve through ar-
23 bitration any claim under title VII of the Civil
24 Rights Act of 1964 or any tort related to or arising
25 out of sexual assault or harassment, including as-

1 sault and battery, intentional infliction of emotional
2 distress, false imprisonment, or negligent hiring, su-
3 pervision, or retention; or

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

14 (b) None of the funds appropriated or otherwise
15 made available by this Act may be expended for any Fed-
16 eral contract unless the contractor certifies that it requires
17 each covered subcontractor to agree not to enter into, and
18 not to take any action to enforce any provision of, any
19 agreement as described in paragraphs (1) and (2) of sub-
20 section (a), with respect to any employee or independent
21 contractor performing work related to such subcontract.
22 For purposes of this subsection, a “covered subcon-
23 tractor” is an entity that has a subcontract in excess of
24 \$1,000,000 on a contract subject to subsection (a).

1 (c) The prohibitions in this section do not apply with
2 respect to a contractor's or subcontractor's agreements
3 with employees or independent contractors that may not
4 be enforced in a court of the United States.

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

23 (INCLUDING TRANSFER OF FUNDS)

24 SEC. 8090. From within the funds appropriated for
25 operation and maintenance for the Defense Health Pro-

1 gram in this Act, up to \$113,000,000, shall be available
2 for transfer to the Joint Department of Defense-Depart-
3 ment of Veterans Affairs Medical Facility Demonstration
4 Fund in accordance with the provisions of section 1704
5 of the National Defense Authorization Act for Fiscal Year
6 2010, Public Law 111–84: *Provided*, That for purposes
7 of section 1704(b), the facility operations funded are oper-
8 ations of the integrated Captain James A. Lovell Federal
9 Health Care Center, consisting of the North Chicago Vet-
10 erans Affairs Medical Center, the Navy Ambulatory Care
11 Center, and supporting facilities designated as a combined
12 Federal medical facility as described by section 706 of
13 Public Law 110–417: *Provided further*, That additional
14 funds may be transferred from funds appropriated for op-
15 eration and maintenance for the Defense Health Program
16 to the Joint Department of Defense-Department of Vet-
17 erans Affairs Medical Facility Demonstration Fund upon
18 written notification by the Secretary of Defense to the
19 Committees on Appropriations of the House of Represent-
20 atives and the Senate.

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

1 SEC. 8092. Appropriations available to the Depart-
2 ment of Defense may be used for the purchase of heavy
3 and light armored vehicles for the physical security of per-
4 sonnel or for force protection purposes up to a limit of
5 \$450,000 per vehicle, notwithstanding price or other limi-
6 tations applicable to the purchase of passenger carrying
7 vehicles.

8 (INCLUDING TRANSFER OF FUNDS)

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

23 SEC. 8094. None of the funds appropriated or other-
24 wise made available in this or any other Act may be used
25 to transfer, release, or assist in the transfer or release to

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

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

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

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

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

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

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

24 (2) is—

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

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

5 SEC. 8096. None of the funds appropriated or other-
6 wise made available in this Act may be used to transfer
7 any individual detained at United States Naval Station
8 Guantánamo Bay, Cuba, to the custody or control of the
9 individual's country of origin, any other foreign country,
10 or any other foreign entity except in accordance with sec-
11 tion 1034 of the National Defense Authorization Act for
12 Fiscal Year 2016 (Public Law 114–92) and section 1034
13 of the National Defense Authorization Act for Fiscal Year
14 2017 (Public Law 114–328).

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

18 SEC. 8098. (a) None of the funds appropriated or
19 otherwise made available by this or any other Act may
20 be used by the Secretary of Defense, or any other official
21 or officer of the Department of Defense, to enter into a
22 contract, memorandum of understanding, or cooperative
23 agreement with, or make a grant to, or provide a loan
24 or loan guarantee to Rosoboronexport or any subsidiary
25 of Rosoboronexport.

1 (b) The Secretary of Defense may waive the limita-
2 tion in subsection (a) if the Secretary, in consultation with
3 the Secretary of State and the Director of National Intel-
4 ligence, determines that it is in the vital national security
5 interest of the United States to do so, and certifies in writ-
6 ing to the congressional defense committees that, to the
7 best of the Secretary's knowledge:

8 (1) Rosoboronexport has ceased the transfer of
9 lethal military equipment to, and the maintenance of
10 existing lethal military equipment for, the Govern-
11 ment of the Syrian Arab Republic.

12 (2) The armed forces of the Russian Federation
13 have withdrawn from Crimea, other than armed
14 forces present on military bases subject to agree-
15 ments in force between the Government of the Rus-
16 sian Federation and the Government of Ukraine.

17 (3) Agents of the Russian Federation have
18 ceased taking active measures to destabilize the con-
19 trol of the Government of Ukraine over eastern
20 Ukraine.

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

1 is issued by the Secretary of Defense, the Inspector Gen-
2 eral shall submit to the congressional defense committees
3 a report containing the results of the review conducted
4 with respect to such waiver.

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

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

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

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

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

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

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

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

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

1 (f) A written record of any ex gratia payment offered
2 or denied shall be kept by the local commander and on
3 a timely basis submitted to the appropriate office in the
4 Department of Defense as determined by the Secretary
5 of Defense.

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

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

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

23 SEC. 8103. The Secretary of each military depart-
24 ment, in reducing each research, development, test and
25 evaluation and procurement account of the military de-

1 partment as required under paragraph (1) of section
2 828(d) of the National Defense Authorization Act for Fis-
3 cal Year 2016 (Public Law 114–92; 10 U.S.C. 2430 note),
4 as amended by section 825(a)(3) of the National Defense
5 Authorization Act for Fiscal Year 2018, shall allocate the
6 percentage reduction determined under paragraph (2) of
7 such section 828(d) proportionally from all programs,
8 projects, or activities under such account: *Provided*, That
9 the authority under section 804(d)(2) of the National De-
10 fense Authorization Act for Fiscal Year 2016 (Public Law
11 114–92; 10 U.S.C. 2302 note) to transfer amounts avail-
12 able in the Rapid Prototyping Fund shall be subject to
13 section 8005 or 9002 of this Act, as applicable.

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

21 SEC. 8105. None of the funds made available by this
22 Act may be used by the National Security Agency to—
23 (1) conduct an acquisition pursuant to section
24 702 of the Foreign Intelligence Surveillance Act of

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

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

10 SEC. 8106. None of the funds made available by this
11 Act may be obligated or expended to implement the Arms
12 Trade Treaty until the Senate approves a resolution of
13 ratification for the Treaty.

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

1 SEC. 8108. None of the funds made available in this
2 Act may be obligated for activities authorized under sec-
3 tion 1208 of the Ronald W. Reagan National Defense Au-
4 thorization Act for Fiscal Year 2005 (Public Law 112–
5 81; 125 Stat. 1621) to initiate support for, or expand sup-
6 port to, foreign forces, irregular forces, groups, or individ-
7 uals unless the congressional defense committees are noti-
8 fied in accordance with the direction contained in the clas-
9 sified annex accompanying this Act, not less than 15 days
10 before initiating such support: *Provided*, That none of the
11 funds made available in this Act may be used under sec-
12 tion 1208 for any activity that is not in support of an
13 ongoing military operation being conducted by United
14 States Special Operations Forces to combat terrorism:
15 *Provided further*, That the Secretary of Defense may waive
16 the prohibitions in this section if the Secretary determines
17 that such waiver is required by extraordinary cir-
18 cumstances and, by not later than 72 hours after making
19 such waiver, notifies the congressional defense committees
20 of such waiver.

21 SEC. 8109. None of the funds made available by this
22 Act may be used with respect to Iraq in contravention of
23 the War Powers Resolution (50 U.S.C. 1541 et seq.), in-
24 cluding for the introduction of United States armed forces
25 into hostilities in Iraq, into situations in Iraq where immi-

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

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

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

19 SEC. 8112. None of the funds made available by this
20 Act may be used for Government Travel Charge Card ex-
21 penses by military or civilian personnel of the Department
22 of Defense for gaming, or for entertainment that includes
23 topless or nude entertainers or participants, as prohibited
24 by Department of Defense FMR, Volume 9, Chapter 3

1 and Department of Defense Instruction 1015.10 (enclo-
2 sure 3, 14a and 14b).

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

7 (INCLUDING TRANSFER OF FUNDS)

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

1 SEC. 8115. None of the funds made available by this
2 Act may be used to carry out the closure or realignment
3 of the United States Naval Station, Guantánamo Bay,
4 Cuba.

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

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

15 SEC. 8117. Notwithstanding any other provision of
16 law, any transfer of funds appropriated or otherwise made
17 available by this Act to the Global Engagement Center es-
18 tablished by section 1287 of the National Defense Author-
19 ization Act for Fiscal Year 2017 (Public Law 114–328;
20 130 Stat. 22 U.S.C. 2656 note) shall be made in accord-
21 ance with section 8005 or 9002 of this Act, as applicable.

22 SEC. 8118. In addition to amounts provided else-
23 where in this Act, there is appropriated \$270,000,000, for
24 an additional amount for “Operation and Maintenance,
25 Defense-Wide”, to remain available until expended: *Pro-*

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

1 pand elementary and secondary public schools on military
2 installations in order to address capacity or facility condi-
3 tion deficiencies at such schools to the extent such funds
4 remain unobligated on the date of enactment of this sec-
5 tion.

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

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

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

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

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

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

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

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

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

1 SEC. 8126. None of the funds provided for, or other-
2 wise made available, in this or any other Act, may be obli-
3 gated or expended by the Secretary of Defense to provide
4 motorized vehicles, aviation platforms, munitions other
5 than small arms and munitions appropriate for customary
6 ceremonial honors, operational military units, or oper-
7 ational military platforms if the Secretary determines that
8 providing such units, platforms, or equipment would un-
9 dermine the readiness of such units, platforms, or equip-
10 ment.

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

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

21 (2) the design of such Medical Center will uti-
22 lize a diversified energy supply from a mixed-fuel
23 system as the source of furnished energy to sustain
24 mission critical operations during any sustained en-

1 ergy supply disruption caused by the Russian Fed-
2 eration; and

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

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

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

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

1 able for obligation for such payments: *Provided*, That such
2 obligations may subsequently be recorded against appro-
3 priations available for “Military Personnel”.

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

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

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

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

7 TITLE IX

8 OVERSEAS CONTINGENCY OPERATIONS

9 MILITARY PERSONNEL

10 MILITARY PERSONNEL, ARMY

11 For an additional amount for “Military Personnel,
12 Army”, \$2,929,154,000: *Provided*, That such amount is
13 designated by the Congress for Overseas Contingency Op-
14 erations/Global War on Terrorism pursuant to section
15 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
16 Deficit Control Act of 1985.

17 MILITARY PERSONNEL, NAVY

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

1 MILITARY PERSONNEL, MARINE CORPS

2 For an additional amount for “Military Personnel,
3 Marine Corps”, \$109,232,000: *Provided*, That such
4 amount is designated by the Congress for Overseas Con-
5 tingency Operations/Global War on Terrorism pursuant to
6 section 251(b)(2)(A)(ii) of the Balanced Budget and
7 Emergency Deficit Control Act of 1985.

8 MILITARY PERSONNEL, AIR FORCE

9 For an additional amount for “Military Personnel,
10 Air Force”, \$964,508,000: *Provided*, That such amount
11 is designated by the Congress for Overseas Contingency
12 Operations/Global War on Terrorism pursuant to section
13 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
14 Deficit Control Act of 1985.

15 RESERVE PERSONNEL, ARMY

16 For an additional amount for “Reserve Personnel,
17 Army”, \$37,007,000: *Provided*, That such amount is des-
18 ignated by the Congress for Overseas Contingency Oper-
19 ations/Global War on Terrorism pursuant to section
20 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
21 Deficit Control Act of 1985.

22 RESERVE PERSONNEL, NAVY

23 For an additional amount for “Reserve Personnel,
24 Navy”, \$11,100,000: *Provided*, That such amount is des-
25 ignated by the Congress for Overseas Contingency Oper-

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

4 RESERVE PERSONNEL, MARINE CORPS

5 For an additional amount for “Reserve Personnel,
6 Marine Corps”, \$2,380,000: *Provided*, That such amount
7 is designated by the Congress for Overseas Contingency
8 Operations/Global War on Terrorism pursuant to section
9 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
10 Deficit Control Act of 1985.

11 RESERVE PERSONNEL, AIR FORCE

12 For an additional amount for “Reserve Personnel,
13 Air Force”, \$21,076,000: *Provided*, That such amount is
14 designated by the Congress for Overseas Contingency Op-
15 erations/Global War on Terrorism pursuant to section
16 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
17 Deficit Control Act of 1985.

18 NATIONAL GUARD PERSONNEL, ARMY

19 For an additional amount for “National Guard Per-
20 sonnel, Army”, \$195,283,000: *Provided*, That such
21 amount is designated by the Congress for Overseas Con-
22 tingency Operations/Global War on Terrorism pursuant to
23 section 251(b)(2)(A)(ii) of the Balanced Budget and
24 Emergency Deficit Control Act of 1985.

1 NATIONAL GUARD PERSONNEL, AIR FORCE

2 For an additional amount for “National Guard Per-
3 sonnel, Air Force”, \$5,460,000: *Provided*, That such
4 amount is designated by the Congress for Overseas Con-
5 tingency Operations/Global War on Terrorism pursuant to
6 section 251(b)(2)(A)(ii) of the Balanced Budget and
7 Emergency Deficit Control Act of 1985.

8 OPERATION AND MAINTENANCE

9 OPERATION AND MAINTENANCE, ARMY

10 For an additional amount for “Operation and Main-
11 tenance, Army”, \$18,125,500,000: *Provided*, That such
12 amount is designated by the Congress for Overseas Con-
13 tingency Operations/Global War on Terrorism pursuant to
14 section 251(b)(2)(A)(ii) of the Balanced Budget and
15 Emergency Deficit Control Act of 1985.

16 OPERATION AND MAINTENANCE, NAVY

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

1 OPERATION AND MAINTENANCE, MARINE CORPS

2 For an additional amount for “Operation and Main-
3 tenance, Marine Corps”, \$1,121,900,000: *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”, \$9,258,674,000: *Provided*, That such
11 amount is designated by the Congress for Overseas Con-
12 tingency Operations/Global War on Terrorism pursuant to
13 section 251(b)(2)(A)(ii) of the Balanced Budget and
14 Emergency Deficit Control Act of 1985.

15 OPERATION AND MAINTENANCE, DEFENSE-WIDE

16 For an additional amount for “Operation and Main-
17 tenance, Defense-Wide”, \$8,183,902,000: *Provided*, That
18 of the funds provided under this heading, not to exceed
19 \$900,000,000, to remain available until September 30,
20 2020, 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 Syria: *Provided further*, That such reim-
25 bursement payments under the preceding proviso may be

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

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

17 OPERATION AND MAINTENANCE, ARMY RESERVE

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

8 OPERATION AND MAINTENANCE, MARINE CORPS
9 RESERVE

16 OPERATION AND MAINTENANCE, AIR FORCE RESERVE

•HR 6157 EH

9 OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

16 AFGHANISTAN SECURITY FORCES FUND

•HR 6157 EH

1 frastructure repair, renovation, construction, and funding:
2 *Provided further*, That the Secretary of Defense may obli-
3 gate and expend funds made available to the Department
4 of Defense in this title for additional costs associated with
5 existing projects previously funded with amounts provided
6 under the heading “Afghanistan Infrastructure Fund” in
7 prior Acts: *Provided further*, That such costs shall be lim-
8 ited to contract changes resulting from inflation, market
9 fluctuation, rate adjustments, and other necessary con-
10 tract actions to complete existing projects, and associated
11 supervision and administration costs and costs for design
12 during construction: *Provided further*, That the Secretary
13 may not use more than \$50,000,000 under the authority
14 provided in this section: *Provided further*, That the Sec-
15 retary shall notify in advance such contract changes and
16 adjustments in annual reports to the congressional defense
17 committees: *Provided further*, That the authority to pro-
18 vide assistance under this heading is in addition to any
19 other authority to provide assistance to foreign nations:
20 *Provided further*, That contributions of funds for the pur-
21 poses provided herein from any person, foreign govern-
22 ment, or international organization may be credited to this
23 Fund, to remain available until expended, and used for
24 such purposes: *Provided further*, That the Secretary of De-
25 fense shall notify the congressional defense committees in

1 writing upon the receipt and upon the obligation of any
2 contribution, delineating the sources and amounts of the
3 funds received and the specific use of such contributions:
4 *Provided further*, That the Secretary of Defense shall, not
5 fewer than 15 days prior to obligating from this appro-
6 priation account, notify the congressional defense commit-
7 tees in writing of the details of any such obligation: *Pro-*
8 *vided further*, That the Secretary of Defense shall notify
9 the congressional defense committees of any proposed new
10 projects or transfer of funds between budget sub-activity
11 groups in excess of \$20,000,000: *Provided further*, That
12 the United States may accept equipment procured using
13 funds provided under this heading in this or prior Acts
14 that was transferred to the security forces of Afghanistan
15 and returned by such forces to the United States: *Provided*
16 *further*, That equipment procured using funds provided
17 under this heading in this or prior Acts, and not yet trans-
18 ferred to the security forces of Afghanistan or transferred
19 to the security forces of Afghanistan and returned by such
20 forces to the United States, may be treated as stocks of
21 the Department of Defense upon written notification to
22 the congressional defense committees: *Provided further*,
23 That of the funds provided under this heading, not less
24 than \$10,000,000 shall be for recruitment and retention
25 of women in the Afghanistan National Security Forces,

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

7 COUNTER-ISIS TRAIN AND EQUIP FUND

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

1 only for activities in a country designated by the Secretary
2 of Defense, in coordination with the Secretary of State,
3 as having a security mission to counter the Islamic State
4 of Iraq and Syria, and following written notification to the
5 congressional defense committees of such designation:
6 *Provided further*, That the Secretary of Defense shall en-
7 sure that prior to providing assistance to elements of any
8 forces or individuals, such elements or individuals are ap-
9 propriately vetted, including at a minimum, assessing such
10 elements for associations with terrorist groups or groups
11 associated with the Government of Iran; and receiving
12 commitments from such elements to promote respect for
13 human rights and the rule of law: *Provided further*, That
14 the Secretary of Defense shall, not fewer than 15 days
15 prior to obligating from this appropriation account, notify
16 the congressional defense committees in writing of the de-
17 tails of any such obligation: *Provided further*, That the
18 Secretary of Defense may accept and retain contributions,
19 including assistance in-kind, from foreign governments,
20 including the Government of Iraq and other entities, to
21 carry out assistance authorized under this heading: *Pro-*
22 *vided further*, That contributions of funds for the purposes
23 provided herein from any foreign government or other en-
24 tity may be credited to this Fund, to remain available until
25 expended, and used for such purposes: *Provided further*,

1 That the Secretary of Defense may waive a provision of
2 law relating to the acquisition of items and support serv-
3 ices or sections 40 and 40A of the Arms Export Control
4 Act (22 U.S.C. 2780 and 2785) if the Secretary deter-
5 mines that such provision of law would prohibit, restrict,
6 delay or otherwise limit the provision of such assistance
7 and a notice of and justification for such waiver is sub-
8 mitted to the congressional defense committees, the Com-
9 mittees on Appropriations and Foreign Relations of the
10 Senate and the Committees on Appropriations and For-
11 eign Affairs of the House of Representatives: *Provided fur-*
12 *ther*, That the United States may accept equipment pro-
13 cured using funds provided under this heading, or under
14 the heading, “Iraq Train and Equip Fund” in prior Acts,
15 that was transferred to security forces, irregular forces,
16 or groups participating, or preparing to participate in ac-
17 tivities to counter the Islamic State of Iraq and Syria and
18 returned by such forces or groups to the United States,
19 and such equipment may be treated as stocks of the De-
20 partment of Defense upon written notification to the con-
21 gressional defense committees: *Provided further*, That
22 equipment procured using funds provided under this head-
23 ing, or under the heading, “Iraq Train and Equip Fund”
24 in prior Acts, and not yet transferred to security forces,
25 irregular forces, or groups participating, or preparing to

1 participate in activities to counter the Islamic State of
 2 Iraq and Syria may be treated as stocks of the Depart-
 3 ment of Defense when determined by the Secretary to no
 4 longer be required for transfer to such forces or groups
 5 and upon written notification to the congressional defense
 6 committees: *Provided further*, That the Secretary of De-
 7 fense shall provide quarterly reports to the congressional
 8 defense committees on the use of funds provided under
 9 this heading, including, but not limited to, the number of
 10 individuals trained, the nature and scope of support and
 11 sustainment provided to each group or individual, the area
 12 of operations for each group, and the contributions of
 13 other countries, groups, or individuals: *Provided further*,
 14 That such amount is designated by the Congress for Over-
 15 seas Contingency Operations/Global War on Terrorism
 16 pursuant to section 251(b)(2)(A)(ii) of the Balanced
 17 Budget and Emergency Deficit Control Act of 1985.

18 PROCUREMENT

19 AIRCRAFT PROCUREMENT, ARMY

20 For an additional amount for “Aircraft Procurement,
 21 Army”, \$347,563,000, to remain available until Sep-
 22 tember 30, 2021: *Provided*, That such amount is des-
 23 ignated by the Congress for Overseas Contingency Oper-
 24 ations/Global War on Terrorism pursuant to section

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

3 MISSILE PROCUREMENT, ARMY

4 For an additional amount for “Missile Procurement,
5 Army”, \$1,770,270,000, to remain available until Sep-
6 tember 30, 2021: *Provided*, That such amount is des-
7 ignated by the Congress for Overseas Contingency Oper-
8 ations/Global War on Terrorism pursuant to section
9 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
10 Deficit Control Act of 1985.

11 PROCUREMENT OF WEAPONS AND TRACKED COMBAT

12 VEHICLES, ARMY

13 For an additional amount for “Procurement of Weap-
14 ons and Tracked Combat Vehicles, Army”,
15 \$1,102,108,000, to remain available until September 30,
16 2021: *Provided*, 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 OF AMMUNITION, ARMY

22 For an additional amount for “Procurement of Am-
23 munition, Army”, \$309,525,000, to remain available until
24 September 30, 2021: *Provided*, That such amount is des-
25 ignated by the Congress for Overseas Contingency Oper-

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

4 OTHER PROCUREMENT, ARMY

5 For an additional amount for “Other Procurement,
6 Army”, \$1,364,345,000, to remain available until Sep-
7 tember 30, 2021: *Provided*, That such amount is des-
8 ignated by the Congress for Overseas Contingency Oper-
9 ations/Global War on Terrorism pursuant to section
10 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
11 Deficit Control Act of 1985.

12 AIRCRAFT PROCUREMENT, NAVY

13 For an additional amount for “Aircraft Procurement,
14 Navy”, \$232,119,000, to remain available until September
15 30, 2021: *Provided*, That such amount is designated by
16 the Congress for Overseas Contingency Operations/Global
17 War on Terrorism pursuant to section 251(b)(2)(A)(ii) of
18 the Balanced Budget and Emergency Deficit Control Act
19 of 1985.

20 WEAPONS PROCUREMENT, NAVY

21 For an additional amount for “Weapons Procure-
22 ment, Navy”, \$14,134,000, to remain available until Sep-
23 tember 30, 2021: *Provided*, That such amount is des-
24 ignated by the Congress for Overseas Contingency Oper-
25 ations/Global War on Terrorism pursuant to section

3 PROCUREMENT OF AMMUNITION, NAVY AND MARINE
4 CORPS

12 OTHER PROCUREMENT, NAVY

20 PROCUREMENT, MARINE CORPS

For an additional amount for “Procurement, Marine Corps”, \$58,023,000, to remain available until September 30, 2021: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of

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

3 AIRCRAFT PROCUREMENT, AIR FORCE

4 For an additional amount for “Aircraft Procurement,
5 Air Force”, \$966,248,000, to remain available until Sep-
6 tember 30, 2021: *Provided*, That such amount is des-
7 ignated by the Congress for Overseas Contingency Oper-
8 ations/Global War on Terrorism pursuant to section
9 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
10 Deficit Control Act of 1985.

11 MISSILE PROCUREMENT, AIR FORCE

12 For an additional amount for “Missile Procurement,
13 Air Force”, \$493,526,000, to remain available until Sep-
14 tember 30, 2021: *Provided*, That such amount is des-
15 ignated by the Congress for Overseas Contingency Oper-
16 ations/Global War on Terrorism pursuant to section
17 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
18 Deficit Control Act of 1985.

19 PROCUREMENT OF AMMUNITION, AIR FORCE

20 For an additional amount for “Procurement of Am-
21 munition, Air Force”, \$1,421,516,000, to remain available
22 until September 30, 2021: *Provided*, That such amount
23 is designated by the Congress for Overseas Contingency
24 Operations/Global War on Terrorism pursuant to section

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

3 OTHER PROCUREMENT, AIR FORCE

4 For an additional amount for “Other Procurement,
5 Air Force”, \$3,665,336,000, to remain available until
6 September 30, 2021: *Provided*, That such amount is des-
7 ignated by the Congress for Overseas Contingency Oper-
8 ations/Global War on Terrorism pursuant to section
9 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
10 Deficit Control Act of 1985.

11 PROCUREMENT, DEFENSE-WIDE

12 For an additional amount for “Procurement, De-
13 fense-Wide”, \$572,135,000, to remain available until Sep-
14 tember 30, 2021: *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 RESEARCH, DEVELOPMENT, TEST AND
20 EVALUATION

21 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,

22 ARMY

23 For an additional amount for “Research, Develop-
24 ment, Test and Evaluation, Army”, \$300,604,000, to re-
25 main available until September 30, 2020: *Provided*, That

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

5 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,
6 NAVY

7 For an additional amount for “Research, Develop-
8 ment, Test and Evaluation, Navy”, \$167,812,000, to re-
9 main available until September 30, 2020: *Provided*, That
10 such amount is designated by the Congress for Overseas
11 Contingency Operations/Global War on Terrorism pursu-
12 ant to section 251(b)(2)(A)(ii) of the Balanced Budget
13 and Emergency Deficit Control Act of 1985.

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

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

1 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,
2 DEFENSE-WIDE

3 For an additional amount for “Research, Develop-
4 ment, Test and Evaluation, Defense-Wide”,
5 \$410,544,000, to remain available until September 30,
6 2020: *Provided*, That such amount is designated by the
7 Congress for Overseas Contingency Operations/Global
8 War on Terrorism pursuant to section 251(b)(2)(A)(ii) of
9 the Balanced Budget and Emergency Deficit Control Act
10 of 1985.

11 REVOLVING AND MANAGEMENT FUNDS

12 DEFENSE WORKING CAPITAL FUNDS

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

19 OTHER DEPARTMENT OF DEFENSE PROGRAMS

20 DEFENSE HEALTH PROGRAM

21 For an additional amount for “Defense Health Pro-
22 gram”, \$352,068,000, which shall be for operation and
23 maintenance: *Provided*, That such amount is designated
24 by the Congress for Overseas Contingency Operations/
25 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 DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES,
 4 DEFENSE

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

11 OFFICE OF THE INSPECTOR GENERAL

12 For an additional amount for the “Office of the In-
 13 spector General”, \$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 2019.

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 \$2,250,000,000 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
25 the United States Central Command area of responsi-

1 bility: (1) passenger motor vehicles up to a limit of
2 \$75,000 per vehicle; and (2) heavy and light armored vehi-
3 cles for the physical security of personnel or for force pro-
4 tection purposes up to a limit of \$450,000 per vehicle, not-
5 withstanding price or other limitations applicable to the
6 purchase of passenger carrying vehicles.

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

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

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

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

21 (3) A plan for the sustainment of the proposed
22 project, including the agreement with either the host
23 nation, a non-Department of Defense agency of the
24 United States Government or a third-party contrib-
25 utor to finance the sustainment of the activities and

1 maintenance of any equipment or facilities to be pro-
2 vided through the proposed project.

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

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

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

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

24 (3) To establish any military installation or
25 base for the purpose of providing for the permanent

1 stationing of United States Armed Forces in Af-
2 ghanistan.

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

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

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

18 (3) Sections 1002 and 1003 of the Department
19 of Defense, Emergency Supplemental Appropriations
20 to Address Hurricanes in the Gulf of Mexico, and
21 Pandemic Influenza Act, 2006 (Public Law 109–
22 148).

23 SEC. 9009. None of the funds provided for the “Af-
24 ghanistan Security Forces Fund” (ASFF) may be obli-
25 gated prior to the approval of a financial and activity plan

1 by the Afghanistan Resources Oversight Council (AROC)
2 of the Department of Defense: *Provided*, That the AROC
3 must approve the requirement and acquisition plan for any
4 service requirements in excess of \$50,000,000 annually
5 and any non-standard equipment requirements in excess
6 of \$100,000,000 using ASFF: *Provided further*, That the
7 Department of Defense must certify to the congressional
8 defense committees that the AROC has convened and ap-
9 proved a process for ensuring compliance with the require-
10 ments in the preceding proviso and accompanying report
11 language for the ASFF.

12 SEC. 9010. Funds made available in this title to the
13 Department of Defense for operation and maintenance
14 may be used to purchase items having an investment unit
15 cost of not more than \$250,000: *Provided*, That, upon de-
16 termination by the Secretary of Defense that such action
17 is necessary to meet the operational requirements of a
18 Commander of a Combatant Command engaged in contin-
19 uous operations overseas, such funds may be used to pur-
20 chase items having an investment item unit cost of not
21 more than \$500,000.

22 SEC. 9011. Up to \$500,000,000 of funds appro-
23 priated by this Act for the Defense Security Cooperation
24 Agency in “Operation and Maintenance, Defense-Wide”
25 may be used to provide assistance to the Government of

1 Jordan to support the armed forces of Jordan and to en-
2 hance security along its borders.

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

7 SEC. 9013. For the “Ukraine Security Assistance Ini-
8 tiative”, \$250,000,000 is hereby appropriated, to remain
9 available until September 30, 2019: *Provided*, That such
10 funds shall be available to the Secretary of Defense, in
11 coordination with the Secretary of State, to provide assist-
12 ance, including training; equipment; lethal assistance; lo-
13 gistics support, supplies and services; sustainment; and in-
14 telligence support to the military and national security
15 forces of Ukraine, and for replacement of any weapons
16 or articles provided to the Government of Ukraine from
17 the inventory of the United States: *Provided further*, That
18 of the amounts made available in this section,
19 \$50,000,000 shall be available only for lethal assistance
20 described in paragraphs (2) and (3) of section 1250(b)
21 of the National Defense Authorization Act for Fiscal Year
22 2016 (Public Law 114–92; 129 Stat. 1068): *Provided fur-*
23 *ther*, That the Secretary of Defense shall, not less than
24 15 days prior to obligating funds provided under this
25 heading, notify the congressional defense committees in

1 writing of the details of any such obligation: *Provided fur-*
2 *ther*, That the United States may accept equipment pro-
3 cured using funds provided under this heading in this or
4 prior Acts that was transferred to the security forces of
5 Ukraine and returned by such forces to the United States:
6 *Provided further*, That equipment procured using funds
7 provided under this heading in this or prior Acts, and not
8 yet transferred to the military or National Security Forces
9 of Ukraine or returned by such forces to the United
10 States, may be treated as stocks of the Department of De-
11 fense upon written notification to the congressional de-
12 fense committees: *Provided further*, That amounts made
13 available by this section are designated by the Congress
14 for Overseas Contingency Operations/Global War on Ter-
15 rorism pursuant to section 251(b)(2)(A)(ii) of the Bal-
16 anced Budget and Emergency Deficit Control Act of 1985.

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

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

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

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

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

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

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

3 (5) implementing policies to protect judicial
4 independence and due process of law;

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

8 (7) providing humanitarian organizations access
9 to detainees, internally displaced persons, and other
10 Pakistani civilians affected by the conflict.

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

23 (INCLUDING TRANSFER OF FUNDS)

24 SEC. 9017. In addition to amounts otherwise made
25 available in this Act, \$770,000,000 is hereby appropriated

1 to the Department of Defense and made available for
2 transfer only to the operation and maintenance, military
3 personnel, and procurement accounts, to improve the intel-
4 ligence, surveillance, and reconnaissance capabilities of the
5 Department of Defense: *Provided*, That the transfer au-
6 thority provided in this section is in addition to any other
7 transfer authority provided elsewhere in this Act: *Provided*
8 *further*, That not later than 30 days prior to exercising
9 the transfer authority provided in this section, the Sec-
10 retary of Defense shall submit a report to the congres-
11 sional defense committees on the proposed uses of these
12 funds: *Provided further*, That the funds provided in this
13 section may not be transferred to any program, project,
14 or activity specifically limited or denied by this Act: *Pro-*
15 *vided further*, That amounts made available by this section
16 are designated by the Congress for Overseas Contingency
17 Operations/Global War on Terrorism pursuant to section
18 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
19 Deficit Control Act of 1985: *Provided further*, That the
20 authority to provide funding under this section shall termi-
21 nate on September 30, 2019.

22 SEC. 9018. None of the funds made available by this
23 Act may be used with respect to Syria in contravention
24 of the War Powers Resolution (50 U.S.C. 1541 et seq.),
25 including for the introduction of United States armed or

SEC. 9019. None of the funds in this Act may be made available for the transfer of additional C-130 cargo aircraft to the Afghanistan National Security Forces or the Afghanistan Air Force until the Department of Defense provides a report to the congressional defense committees of the Afghanistan Air Force's medium airlift requirements. The report should identify Afghanistan's ability to utilize and maintain existing medium lift aircraft in the inventory and the best alternative platform, if necessary, to provide additional support to the Afghanistan Air Force's current medium airlift capacity.

19 (RESCISSIONS)

SEC. 9020. Of the funds appropriated in Department of Defense Appropriations Acts, the following funds are hereby rescinded from the following accounts and programs in the specified amounts: *Provided*, That such amounts are designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursu-

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

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

5 “Counter-ISIS Train and Equip Fund”, 2018/2019,
6 \$25,000,000; and

7 “Coalition Support Fund”, 2018/2019,
8 \$350,000,000.

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

1 and the assistance withheld; and (5) the corrective steps
2 to be taken by the Government of Afghanistan: *Provided*
3 *further*, That every 120 days after the initial report an
4 additional report shall be submitted detailing the status
5 of any corrective steps taken by the Government of Af-
6 ghanistan: *Provided further*, That if the Government of Af-
7 ghanistan has not initiated necessary corrective steps
8 within one year of the certification, the authority under
9 this section to provide assistance to such unit shall no
10 longer apply: *Provided further*, That the Secretary shall
11 submit a report to such committees detailing the final dis-
12 position of the case by the Government of Afghanistan.

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

20 TITLE X

21 ADDITIONAL GENERAL PROVISIONS

22 SPENDING REDUCTION ACCOUNT

23 SEC. 10001. The amount by which the applicable al-
24 location of new budget authority made by the Committee
25 on Appropriations of the House of Representatives under

1 section 302(b) of the Congressional Budget Act of 1974
2 exceeds the amount of proposed new budget authority is
3 \$0.

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

6 (1) Executive Order No. 13175 (65 Fed. Reg.
7 67249; relating to consultation and coordination
8 with Indian Tribal governments); or

9 (2) section 1501.2(d)(2) of title 40, Code of
10 Federal Regulations.

11 SEC. 10003. None of the funds made available by this
12 Act may be used to transfer the information technology
13 contracting and acquisition services or the Senior Leader
14 Communications functions of the Defense Information
15 Systems Agency.

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

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

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

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

3 SEC. 10005. None of the funds made available by this
4 Act may be used to procure, or to extend or renew a con-
5 tract to procure, any good or service from Zhongxing Tele-
6 communications Equipment Corporation, ZTE Kangxun
7 Telecommunications Ltd., or Huawei Technologies Co.,
8 Ltd.

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

 Passed the House of Representatives June 28, 2018.

Attest:

Clerk.

115TH CONGRESS
2^D SESSION

H. R. 6157

AN ACT

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