

## Union Calendar No. 59

116TH CONGRESS  
1ST SESSION

# H. R. 2968

[Report No. 116–84]

Making appropriations for the Department of Defense for the fiscal year ending September 30, 2020, and for other purposes.

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### IN THE HOUSE OF REPRESENTATIVES

MAY 23, 2019

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

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## A BILL

Making appropriations for the Department of Defense for the fiscal year ending September 30, 2020, and for other purposes.

## MILITARY PERSONNEL

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Army on active duty (except members of reserve components provided for elsewhere), cadets, and aviation cadets; for members of the Reserve Officers' Training Corps; and for payments pursuant to section 156 of Public Law 97-377, as amended (42 U.S.C. 402 note), and to the Department of Defense Military Retirement Fund, \$42,314,762,000.

24 For pay, allowances, individual clothing, subsistence,  
25 interest on deposits, gratuities, permanent change of sta-

1 tion travel (including all expenses thereof for organiza-  
2 tional movements), and expenses of temporary duty travel  
3 between permanent duty stations, for members of the  
4 Navy on active duty (except members of the Reserve pro-  
5 vided for elsewhere), midshipmen, and aviation cadets; for  
6 members of the Reserve Officers' Training Corps; and for  
7 payments pursuant to section 156 of Public Law 97-377,  
8 as amended (42 U.S.C. 402 note), and to the Department  
9 of Defense Military Retirement Fund, \$31,679,229,000.

10           MILITARY PERSONNEL, MARINE CORPS

11       For pay, allowances, individual clothing, subsistence,  
12 interest on deposits, gratuities, permanent change of sta-  
13 tion travel (including all expenses thereof for organiza-  
14 tional movements), and expenses of temporary duty travel  
15 between permanent duty stations, for members of the Ma-  
16 rine Corps on active duty (except members of the Reserve  
17 provided for elsewhere); and for payments pursuant to sec-  
18 tion 156 of Public Law 97-377, as amended (42 U.S.C.  
19 402 note), and to the Department of Defense Military Re-  
20 tirement Fund, \$14,064,751,000.

21           MILITARY PERSONNEL, AIR FORCE

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

1 between permanent duty stations, for members of the Air  
2 Force on active duty (except members of reserve compo-  
3 nents provided for elsewhere), cadets, and aviation cadets;  
4 for members of the Reserve Officers' Training Corps; and  
5 for payments pursuant to section 156 of Public Law 97-  
6 377, as amended (42 U.S.C. 402 note), and to the Depart-  
7 ment of Defense Military Retirement Fund,  
8 \$31,082,769,000.

9 RESERVE PERSONNEL, ARMY

10 For pay, allowances, clothing, subsistence, gratuities,  
11 travel, and related expenses for personnel of the Army Re-  
12 serve on active duty under sections 10211, 10302, and  
13 7038 of title 10, United States Code, or while serving on  
14 active duty under section 12301(d) of title 10, United  
15 States Code, in connection with performing duty specified  
16 in section 12310(a) of title 10, United States Code, or  
17 while undergoing reserve training, or while performing  
18 drills or equivalent duty or other duty, and expenses au-  
19 thorized by section 16131 of title 10, United States Code;  
20 and for payments to the Department of Defense Military  
21 Retirement Fund, \$4,847,321,000.

22 RESERVE PERSONNEL, NAVY

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

1 United States Code, or while serving on active duty under  
2 section 12301(d) of title 10, United States Code, in con-  
3 nection with performing duty specified in section 12310(a)  
4 of title 10, United States Code, or while undergoing re-  
5 serve training, or while performing drills or equivalent  
6 duty, and expenses authorized by section 16131 of title  
7 10, United States Code; and for payments to the Depart-  
8 ment of Defense Military Retirement Fund,  
9 \$2,113,357,000.

10 RESERVE PERSONNEL, MARINE CORPS

11 For pay, allowances, clothing, subsistence, gratuities,  
12 travel, and related expenses for personnel of the Marine  
13 Corps Reserve on active duty under section 10211 of title  
14 10, United States Code, or while serving on active duty  
15 under section 12301(d) of title 10, United States Code,  
16 in connection with performing duty specified in section  
17 12310(a) of title 10, United States Code, or while under-  
18 going reserve training, or while performing drills or equiv-  
19 alent duty, and for members of the Marine Corps platoon  
20 leaders class, and expenses authorized by section 16131  
21 of title 10, United States Code; and for payments to the  
22 Department of Defense Military Retirement Fund,  
23 \$829,124,000.

1                   RESERVE PERSONNEL, AIR FORCE

2           For pay, allowances, clothing, subsistence, gratuities,  
3 travel, and related expenses for personnel of the Air Force  
4 Reserve on active duty under sections 10211, 10305, and  
5 9038 of title 10, United States Code, or while serving on  
6 active duty under section 12301(d) of title 10, United  
7 States Code, in connection with performing duty specified  
8 in section 12310(a) of title 10, United States Code, or  
9 while undergoing reserve training, or while performing  
10 drills or equivalent duty or other duty, and expenses au-  
11 thorized by section 16131 of title 10, United States Code;  
12 and for payments to the Department of Defense Military  
13 Retirement Fund, \$1,993,280,000.

14                   NATIONAL GUARD PERSONNEL, ARMY

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

1 ments to the Department of Defense Military Retirement  
2 Fund, \$8,664,535,000.

3 NATIONAL GUARD PERSONNEL, AIR FORCE

4 For pay, allowances, clothing, subsistence, gratuities,  
5 travel, and related expenses for personnel of the Air Na-  
6 tional Guard on duty under sections 10211, 10305, or  
7 12402 of title 10 or section 708 of title 32, United States  
8 Code, or while serving on duty under section 12301(d) of  
9 title 10 or section 502(f) of title 32, United States Code,  
10 in connection with performing duty specified in section  
11 12310(a) of title 10, United States Code, or while under-  
12 going training, or while performing drills or equivalent  
13 duty or other duty, and expenses authorized by section  
14 16131 of title 10, United States Code; and for payments  
15 to the Department of Defense Military Retirement Fund,  
16 \$4,032,521,000.

17 TITLE II

18 OPERATION AND MAINTENANCE

19 OPERATION AND MAINTENANCE, ARMY

20 For expenses, not otherwise provided for, necessary  
21 for the operation and maintenance of the Army, as author-  
22 ized by law, \$41,449,293,000: *Provided*, That not to ex-  
23 ceed \$12,478,000 can be used for emergencies and ex-  
24 traordinary expenses, to be expended upon the approval  
25 or authority of the Secretary of the Army, and payments

1 may be made on his certificate of necessity for confidential  
2 military purposes.

3 OPERATION AND MAINTENANCE, NAVY

4 For expenses, not otherwise provided for, necessary  
5 for the operation and maintenance of the Navy and the  
6 Marine Corps, as authorized by law, \$51,417,389,000:  
7 *Provided*, That not to exceed \$15,055,000 can be used for  
8 emergencies and extraordinary expenses, to be expended  
9 upon the approval or authority of the Secretary of the  
10 Navy, and payments may be made on his certificate of  
11 necessity for confidential military purposes.

12 OPERATION AND MAINTENANCE, MARINE CORPS

13 For expenses, not otherwise provided for, necessary  
14 for the operation and maintenance of the Marine Corps,  
15 as authorized by law, \$7,945,854,000.

16 OPERATION AND MAINTENANCE, AIR FORCE

17 For expenses, not otherwise provided for, necessary  
18 for the operation and maintenance of the Air Force, as  
19 authorized by law, \$44,662,729,000: *Provided*, That not  
20 to exceed \$7,699,000 can be used for emergencies and ex-  
21 traordinary expenses, to be expended upon the approval  
22 or authority of the Secretary of the Air Force, and pay-  
23 ments may be made on his certificate of necessity for con-  
24 fidential military purposes.



1        OPERATION AND MAINTENANCE, SPACE FORCE

2        For expenses, not otherwise provided for, necessary  
3 to study and refine plans for the potential establishment  
4 of a Space Force as a branch of the Armed Forces,  
5 \$15,000,000: *Provided*, That nothing in this provision  
6 shall be construed to authorize the establishment of a  
7 Space Force.

8        OPERATION AND MAINTENANCE, DEFENSE-WIDE

9                    (INCLUDING TRANSFER OF FUNDS)

10       For expenses, not otherwise provided for, necessary  
11 for the operation and maintenance of activities and agen-  
12 cies of the Department of Defense (other than the military  
13 departments), as authorized by law, \$37,238,522,000:  
14 *Provided*, That not more than \$6,859,000 may be used  
15 for the Combatant Commander Initiative Fund authorized  
16 under section 166a of title 10, United States Code: *Pro-*  
17 *vided further*, That not to exceed \$36,000,000 can be used  
18 for emergencies and extraordinary expenses, to be ex-  
19 pended on the approval or authority of the Secretary of  
20 Defense, and payments may be made on his certificate of  
21 necessity for confidential military purposes: *Provided fur-*  
22 *ther*, That of the funds provided under this heading, not  
23 less than \$44,500,000 shall be made available for the Pro-  
24 curement Technical Assistance Cooperative Agreement  
25 Program, of which not less than \$4,500,000 shall be avail-

1 able for centers defined in 10 U.S.C. 2411(1)(D): *Pro-*  
2 *vided further*, That none of the funds appropriated or oth-  
3 erwise made available by this Act may be used to plan  
4 or implement the consolidation of a budget or appropria-  
5 tions liaison office of the Office of the Secretary of De-  
6 fense, the office of the Secretary of a military department,  
7 or the service headquarters of one of the Armed Forces  
8 into a legislative affairs or legislative liaison office: *Pro-*  
9 *vided further*, That \$17,732,000, to remain available until  
10 expended, is available only for expenses relating to certain  
11 classified activities, and may be transferred as necessary  
12 by the Secretary of Defense to operation and maintenance  
13 appropriations or research, development, test and evalua-  
14 tion appropriations, to be merged with and to be available  
15 for the same time period as the appropriations to which  
16 transferred: *Provided further*, That any ceiling on the in-  
17 vestment item unit cost of items that may be purchased  
18 with operation and maintenance funds shall not apply to  
19 the funds described in the preceding proviso: *Provided fur-*  
20 *ther*, That of the funds provided under this heading,  
21 \$623,073,000, of which \$155,768,000, to remain available  
22 until September 30, 2021, shall be available to provide  
23 support and assistance to foreign security forces or other  
24 groups or individuals to conduct, support or facilitate  
25 counterterrorism, crisis response, or other Department of

1 Defense security cooperation programs: *Provided further*,  
2 That the transfer authority provided under this heading  
3 is in addition to any other transfer authority provided else-  
4 where in this Act: *Provided further*, That of the funds  
5 made available under this heading for the Office of the  
6 Secretary of Defense, Policy, 10 percent shall be withheld  
7 from obligation until the Secretary of Defense submits the  
8 reports required under the heading “Counter-ISIS Train  
9 and Equip Fund” in the Department of Defense Appro-  
10 priations Act, 2018 (Division C of Public Law 115–141)  
11 and the Department of Defense Appropriations Act, 2019  
12 (Division A of Public Law 115–245).

13 OPERATION AND MAINTENANCE, ARMY RESERVE

14 For expenses, not otherwise provided for, necessary  
15 for the operation and maintenance, including training, or-  
16 ganization, and administration, of the Army Reserve; re-  
17 pair of facilities and equipment; hire of passenger motor  
18 vehicles; travel and transportation; care of the dead; re-  
19 cruiting; procurement of services, supplies, and equip-  
20 ment; and communications, \$3,009,594,000.

21 OPERATION AND MAINTENANCE, NAVY RESERVE

22 For expenses, not otherwise provided for, necessary  
23 for the operation and maintenance, including training, or-  
24 ganization, and administration, of the Navy Reserve; re-  
25 pair of facilities and equipment; hire of passenger motor

1 vehicles; travel and transportation; care of the dead; re-  
2 cruiting; procurement of services, supplies, and equip-  
3 ment; and communications, \$1,110,116,000.

4 OPERATION AND MAINTENANCE, MARINE CORPS  
5 RESERVE

6 For expenses, not otherwise provided for, necessary  
7 for the operation and maintenance, including training, or-  
8 ganization, and administration, of the Marine Corps Re-  
9 serve; repair of facilities and equipment; hire of passenger  
10 motor vehicles; travel and transportation; care of the dead;  
11 recruiting; procurement of services, supplies, and equip-  
12 ment; and communications, \$294,076,000.

13 OPERATION AND MAINTENANCE, AIR FORCE RESERVE

14 For expenses, not otherwise provided for, necessary  
15 for the operation and maintenance, including training, or-  
16 ganization, and administration, of the Air Force Reserve;  
17 repair of facilities and equipment; hire of passenger motor  
18 vehicles; travel and transportation; care of the dead; re-  
19 cruiting; procurement of services, supplies, and equip-  
20 ment; and communications, \$3,356,685,000.

21 OPERATION AND MAINTENANCE, ARMY NATIONAL  
22 GUARD

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

1 hospitals; maintenance, operation, and repairs to struc-  
2 tures and facilities; hire of passenger motor vehicles; per-  
3 sonnel services in the National Guard Bureau; travel ex-  
4 penses (other than mileage), as authorized by law for  
5 Army personnel on active duty, for Army National Guard  
6 division, regimental, and battalion commanders while in-  
7 specting units in compliance with National Guard Bureau  
8 regulations when specifically authorized by the Chief, Na-  
9 tional Guard Bureau; supplying and equipping the Army  
10 National Guard as authorized by law; and expenses of re-  
11 pair, modification, maintenance, and issue of supplies and  
12 equipment (including aircraft), \$7,448,536,000.

13 OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

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

1 active Federal duty, for Air National Guard commanders  
2 while inspecting units in compliance with National Guard  
3 Bureau regulations when specifically authorized by the  
4 Chief, National Guard Bureau, \$6,592,589,000.

5 UNITED STATES COURT OF APPEALS FOR THE ARMED  
6 FORCES

7 For salaries and expenses necessary for the United  
8 States Court of Appeals for the Armed Forces,  
9 \$14,771,000, of which not to exceed \$5,000 may be used  
10 for official representation purposes.

11 ENVIRONMENTAL RESTORATION, ARMY  
12 (INCLUDING TRANSFER OF FUNDS)

13 For the Department of the Army, \$235,809,000, to  
14 remain available until transferred: *Provided*, That the Sec-  
15 retary of the Army shall, upon determining that such  
16 funds are required for environmental restoration, reduc-  
17 tion and recycling of hazardous waste, removal of unsafe  
18 buildings and debris of the Department of the Army, or  
19 for similar purposes, transfer the funds made available by  
20 this appropriation to other appropriations made available  
21 to the Department of the Army, to be merged with and  
22 to be available for the same purposes and for the same  
23 time period as the appropriations to which transferred:  
24 *Provided further*, That upon a determination that all or  
25 part of the funds transferred from this appropriation are

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

6 ENVIRONMENTAL RESTORATION, NAVY

7 (INCLUDING TRANSFER OF FUNDS)

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

## 1 ENVIRONMENTAL RESTORATION, AIR FORCE

## 2 (INCLUDING TRANSFER OF FUNDS)

3 For the Department of the Air Force, \$365,808,000,  
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, \$260,499,000, 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, 2021.

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, \$353,700,000, to remain  
25 available until September 30, 2022.

1 DEPARTMENT OF DEFENSE ACQUISITION WORKFORCE  
2 DEVELOPMENT FUND

3 For the Department of Defense Acquisition Work-  
4 force Development Fund, \$400,000,000, to remain avail-  
5 able for obligation until September 30, 2020: *Provided*,  
6 That no other amounts may be otherwise credited or  
7 transferred to the Fund, or deposited into the Fund, in  
8 fiscal year 2019 pursuant to section 1705(d) of title 10,  
9 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, \$3,689,720,000, to remain available  
2 for obligation until September 30, 2022.

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, \$3,218,272,000, to remain available  
17 for obligation until September 30, 2022.

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, \$4,849,373,000, to remain available for obliga-  
8 tion until September 30, 2022.

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, \$2,583,895,000, to remain  
23 available for obligation until September 30, 2022.

## 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 \$7,583,678,000, to remain available for obligation until  
18 September 30, 2022.

## 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 \$18,971,913,000, to remain available for obligation until  
6 September 30, 2022.

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, \$4,061,797,000, to remain available for obliga-  
19 tion until September 30, 2022.

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, \$848,782,000, to remain avail-  
10 able for obligation until September 30, 2022.

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 Ohio Replacement Submarine (AP), \$1,611,989,000;

25 Carrier Replacement Program, \$2,066,000,000;



1 Virginia Class Submarine, \$4,192,346,000;  
2 Virginia Class Submarine (AP), \$4,266,552,000;  
3 CVN Refueling Overhauls, \$667,926,000;  
4 CVN Refueling Overhauls (AP), \$16,900,000;  
5 DDG-1000 Program, \$155,944,000;  
6 DDG-51 Destroyer, \$5,015,295,000;  
7 DDG-51 Destroyer (AP), \$224,028,000;  
8 FFG-Frigate, \$1,281,177,000;  
9 TAO Fleet Oiler, \$981,215,000;  
10 TAO Fleet Oiler (AP), \$73,000,000;  
11 Towing, Salvage, and Rescue Ship, \$150,282,000;  
12 LCU 1700, \$83,670,000;  
13 Ship to Shore Connector, \$65,000,000;  
14 Service Craft, \$56,289,000;  
15 For outfitting, post delivery, conversions, and first  
16 destination transportation, \$736,243,000; and  
17 Completion of Prior Year Shipbuilding Programs,  
18 \$55,700,000.  
19 In all: \$21,699,556,000, to remain available for obli-  
20 gation until September 30, 2024: *Provided*, That addi-  
21 tional obligations may be incurred after September 30,  
22 2024, for engineering services, tests, evaluations, and  
23 other such budgeted work that must be performed in the  
24 final stage of ship construction: *Provided further*, That  
25 none of the funds provided under this heading for the con-

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

16 OTHER PROCUREMENT, NAVY

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

1 equipment, appliances, and machine tools in public and  
2 private plants; reserve plant and Government and con-  
3 tractor-owned equipment layaway, \$9,123,068,000, to re-  
4 main available for obligation until September 30, 2022.

5                   PROCUREMENT, MARINE CORPS

6           For expenses necessary for the procurement, manu-  
7 facture, and modification of missiles, armament, military  
8 equipment, spare parts, and accessories therefor; plant  
9 equipment, appliances, and machine tools, and installation  
10 thereof in public and private plants; reserve plant and  
11 Government and contractor-owned equipment layaway; ve-  
12 hicles for the Marine Corps, including the purchase of pas-  
13 senger motor vehicles for replacement only; and expansion  
14 of public and private plants, including land necessary  
15 therefor, and such lands and interests therein, may be ac-  
16 quired, and construction prosecuted thereon prior to ap-  
17 proval of title, \$2,838,151,000, to remain available for ob-  
18 ligation until September 30, 2022.

19                   AIRCRAFT PROCUREMENT, AIR FORCE

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

1 plants, erection of structures, and acquisition of land, for  
2 the foregoing purposes, and such lands and interests  
3 therein, may be acquired, and construction prosecuted  
4 thereon prior to approval of title; reserve plant and Gov-  
5 ernment and contractor-owned equipment layaway; and  
6 other expenses necessary for the foregoing purposes in-  
7 cluding rents and transportation of things,  
8 \$18,082,933,000, to remain available for obligation until  
9 September 30, 2022.

10 MISSILE PROCUREMENT, AIR FORCE

11 For construction, procurement, and modification of  
12 missiles, rockets, and related equipment, including spare  
13 parts and accessories therefor; ground handling equip-  
14 ment, and training devices; expansion of public and pri-  
15 vate plants, Government-owned equipment and installa-  
16 tion thereof in such plants, erection of structures, and ac-  
17 quisition of land, for the foregoing purposes, and such  
18 lands and interests therein, may be acquired, and con-  
19 struction prosecuted thereon prior to approval of title; re-  
20 serve plant and Government and contractor-owned equip-  
21 ment layaway; and other expenses necessary for the fore-  
22 going purposes including rents and transportation of  
23 things, \$2,789,287,000, to remain available for obligation  
24 until September 30, 2022.

## 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, \$2,368,443,000, to remain available for obligation  
15 until September 30, 2022.

## 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, \$1,602,761,000, to remain  
5 available for obligation until September 30, 2022.

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 \$21,067,888,000, to remain available for obligation until  
21 September 30, 2022.

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 \$5,100,866,000, to remain available for obligation until  
 11 September 30, 2022.

#### 12 DEFENSE PRODUCTION ACT PURCHASES

13 For activities by the Department of Defense pursuant  
 14 to sections 108, 301, 302, and 303 of the Defense Produc-  
 15 tion Act of 1950 (50 U.S.C. 4518, 4531, 4532, and 4533),  
 16 \$64,393,000, to remain available until expended.

#### 17 TITLE IV

#### 18 RESEARCH, DEVELOPMENT, TEST AND

#### 19 EVALUATION

#### 20 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,

#### 21 ARMY

22 For expenses necessary for basic and applied sci-  
 23 entific research, development, test and evaluation, includ-  
 24 ing maintenance, rehabilitation, lease, and operation of fa-

1 cilities and equipment, \$12,046,783,000, to remain avail-  
2 able for obligation until September 30, 2021.

3 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,

4 NAVY

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, \$19,140,865,000, to remain avail-  
9 able for obligation until September 30, 2021. *Provided,*  
10 That funds appropriated in this paragraph which are  
11 available for the V-22 may be used to meet unique oper-  
12 ational requirements of the Special Operations Forces.

13 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,

14 AIR FORCE

15 For expenses necessary for basic and applied sci-  
16 entific research, development, test and evaluation, includ-  
17 ing maintenance, rehabilitation, lease, and operation of fa-  
18 cilities and equipment, \$44,554,256,000, to remain avail-  
19 able for obligation until September 30, 2021.

20 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,

21 DEFENSE-WIDE

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



1 as may be designated and determined by the Secretary  
 2 of Defense, pursuant to law; maintenance, rehabilitation,  
 3 lease, and operation of facilities and equipment,  
 4 \$24,492,308,000, to remain available for obligation until  
 5 September 30, 2021.

## 6 OPERATIONAL TEST AND EVALUATION, DEFENSE

7 For expenses, not otherwise provided for, necessary  
 8 for the independent activities of the Director, Operational  
 9 Test and Evaluation, in the direction and supervision of  
 10 operational test and evaluation, including initial oper-  
 11 ational test and evaluation which is conducted prior to,  
 12 and in support of, production decisions; joint operational  
 13 testing and evaluation; and administrative expenses in  
 14 connection therewith, \$221,200,000, to remain available  
 15 for obligation until September 30, 2021.

## 16 TITLE V

### 17 REVOLVING AND MANAGEMENT FUNDS

#### 18 DEFENSE WORKING CAPITAL FUNDS

19 For the Defense Working Capital Funds,  
 20 \$1,226,211,000.

#### 21 DEFENSE COUNTERINTELLIGENCE AND SECURITY

##### 22 AGENCY WORKING CAPITAL FUND

23 For the Defense Counterintelligence and Security  
 24 Agency Working Capital Fund, \$200,000,000.

1 TITLE VI  
2 OTHER DEPARTMENT OF DEFENSE PROGRAMS  
3 DEFENSE HEALTH PROGRAM  
4 For expenses, not otherwise provided for, for medical  
5 and health care programs of the Department of Defense  
6 as authorized by law, \$33,476,039,000; of which  
7 \$31,359,442,000, shall be for operation and maintenance,  
8 of which not to exceed one percent shall remain available  
9 for obligation until September 30, 2021, and of which up  
10 to \$15,176,945,000 may be available for contracts entered  
11 into under the TRICARE program; of which  
12 \$454,324,000, to remain available for obligation until Sep-  
13 tember 30, 2022, shall be for procurement; and of which  
14 \$1,662,273,000, to remain available for obligation until  
15 September 30, 2021, shall be for research, development,  
16 test and evaluation: *Provided*, That, notwithstanding any  
17 other provision of law, of the amount made available under  
18 this heading for research, development, test and evalua-  
19 tion, not less than \$8,000,000 shall be available for HIV  
20 prevention educational activities undertaken in connection  
21 with United States military training, exercises, and hu-  
22 manitarian assistance activities conducted primarily in Af-  
23 rican nations: *Provided further*, That of the funds provided  
24 under this heading for research, development, test and  
25 evaluation, not less than \$930,000,000 shall be made

1 available to the United States Army Medical Research and  
2 Materiel Command to carry out the congressionally di-  
3 rected medical research programs: *Provided further*, That  
4 the Secretary of Defense shall submit to the House and  
5 Senate Appropriations Committees quarterly reports on  
6 the current status of the deployment of the electronic  
7 health record: *Provided further*, That the Secretary of De-  
8 fense shall provide notice to the House and Senate Appro-  
9 priations Committees not later than 10 business days after  
10 delaying the proposed timeline of such deployment if such  
11 delay is longer than one week: *Provided further*, That the  
12 Comptroller General of the United States shall perform  
13 quarterly performance reviews of such deployment.

14 CHEMICAL AGENTS AND MUNITIONS DESTRUCTION,  
15 DEFENSE

16 For expenses, not otherwise provided for, necessary  
17 for the destruction of the United States stockpile of lethal  
18 chemical agents and munitions in accordance with the pro-  
19 visions of section 1412 of the Department of Defense Au-  
20 thorization Act, 1986 (50 U.S.C. 1521), and for the de-  
21 struction of other chemical warfare materials that are not  
22 in the chemical weapon stockpile, \$985,499,000, of which  
23 \$107,351,000 shall be for operation and maintenance, of  
24 which no less than \$52,452,000 shall be for the Chemical  
25 Stockpile Emergency Preparedness Program, consisting of

1 \$22,444,000 for activities on military installations and  
2 \$30,008,000, to remain available until September 30,  
3 2021, to assist State and local governments; \$2,218,000  
4 shall be for procurement, to remain available until Sep-  
5 tember 30, 2022, of which not less than \$2,218,000 shall  
6 be for the Chemical Stockpile Emergency Preparedness  
7 Program to assist State and local governments; and  
8 \$875,930,000, to remain available until September 30,  
9 2021, shall be for research, development, test and evalua-  
10 tion, of which \$869,430,000 shall only be for the Assem-  
11 bled Chemical Weapons Alternatives program.

12 DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES,

13 DEFENSE

14 (INCLUDING TRANSFER OF FUNDS)

15 For drug interdiction and counter-drug activities of  
16 the Department of Defense, for transfer to appropriations  
17 available to the Department of Defense for military per-  
18 sonnel of the reserve components serving under the provi-  
19 sions of title 10 and title 32, United States Code; for oper-  
20 ation and maintenance; for procurement; and for research,  
21 development, test and evaluation, \$816,755,000, of which  
22 \$517,171,000 shall be for counter-narcotics support;  
23 \$121,922,000 shall be for the drug demand reduction pro-  
24 gram; \$172,291,000 shall be for the National Guard  
25 counter-drug program; and \$5,371,000 shall be for the

1 National Guard counter-drug schools program: *Provided*,  
2 That the funds appropriated under this heading shall be  
3 available for obligation for the same time period and for  
4 the same purpose as the appropriation to which trans-  
5 ferred: *Provided further*, That upon a determination that  
6 all or part of the funds transferred from this appropriation  
7 are not necessary for the purposes provided herein, such  
8 amounts may be transferred back to this appropriation:  
9 *Provided further*, That the transfer authority provided  
10 under this heading is in addition to any other transfer au-  
11 thority contained elsewhere in this Act: *Provided further*,  
12 That section 284 of title 10, United States Code, may only  
13 be carried out using amounts appropriated under this  
14 heading for counter-narcotics support: *Provided further*,  
15 That amounts appropriated under this heading for  
16 counter-narcotics support may not be used for the con-  
17 struction of fences pursuant to subsection (b)(7) of such  
18 section: *Provided further*, That the transfer authority con-  
19 tained in section 8005 in title VIII of this Act shall not  
20 apply to amounts made available under this heading: *Pro-*  
21 *vided further*, That funds appropriated under this heading  
22 for counter-narcotics support may only be transferred 15  
23 days following written notification to the congressional de-  
24 fense committees.

## 1                   OFFICE OF THE INSPECTOR GENERAL

2           For expenses and activities of the Office of the In-  
3   specter General in carrying out the provisions of the In-  
4   specter General Act of 1978, as amended, \$363,499,000,  
5   of which \$360,201,000 shall be for operation and mainte-  
6   nance, of which not to exceed \$700,000 is available for  
7   emergencies and extraordinary expenses to be expended on  
8   the approval or authority of the Inspector General, and  
9   payments may be made on the Inspector General's certifi-  
10   cate of necessity for confidential military purposes; of  
11   which \$333,000 to remain available for obligation until  
12   September 30, 2022, shall be for procurement; and of  
13   which \$2,965,000, to remain available until September 30,  
14   2021, shall be for research, development, test and evalua-  
15   tion.

## 16                   TITLE VII

## 17                   RELATED AGENCIES

## 18           CENTRAL INTELLIGENCE AGENCY RETIREMENT AND

## 19                   DISABILITY SYSTEM FUND

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

## 1 INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT

2 For necessary expenses of the Intelligence Commu-  
3 nity Management Account, \$558,000,000.

## 4 TITLE VIII

## 5 GENERAL PROVISIONS

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

9 SEC. 8002. During the current fiscal year, provisions  
10 of law prohibiting the payment of compensation to, or em-  
11 ployment of, any person not a citizen of the United States  
12 shall not apply to personnel of the Department of Defense:  
13 *Provided*, That salary increases granted to direct and indi-  
14 rect hire foreign national employees of the Department of  
15 Defense funded by this Act shall not be at a rate in excess  
16 of the percentage increase authorized by law for civilian  
17 employees of the Department of Defense whose pay is  
18 computed under the provisions of section 5332 of title 5,  
19 United States Code, or at a rate in excess of the percent-  
20 age increase provided by the appropriate host nation to  
21 its own employees, whichever is higher: *Provided further*,  
22 That this section shall not apply to Department of De-  
23 fense foreign service national employees serving at United  
24 States diplomatic missions whose pay is set by the Depart-  
25 ment of State under the Foreign Service Act of 1980: *Pro-*

1 *vided further*, That the limitations of this provision shall  
2 not apply to foreign national employees of the Department  
3 of Defense in the Republic of Turkey.

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

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

14 (TRANSFER OF FUNDS)

15 SEC. 8005. Upon determination by the Secretary of  
16 Defense that such action is necessary in the national inter-  
17 est, he may, with the approval of the Office of Manage-  
18 ment and Budget, transfer not to exceed a total of  
19 \$1,000,000,000 of working capital funds of the Depart-  
20 ment of Defense or funds made available in this Act to  
21 the Department of Defense for military functions (except  
22 military construction) between such appropriations or  
23 funds or any subdivision thereof, to be merged with and  
24 to be available for the same purposes, and for the same  
25 time period, as the appropriation or fund to which trans-



1 ferred: *Provided*, That such authority to transfer may not  
2 be used unless the Secretary of Defense and the head of  
3 each entity affected by such transfer certifies in writing  
4 to the congressional defense committees, as part of the  
5 applicable request for reprogramming required for such  
6 transfer, that the funds will be used for higher priority  
7 items, based on unforeseen military requirements, than  
8 those for which originally appropriated and in no case  
9 where the item for which funds are requested has been  
10 denied by the Congress: *Provided further*, That the Sec-  
11 retary of Defense shall notify the Congress promptly of  
12 all transfers made pursuant to this authority or any other  
13 authority in this Act: *Provided further*, That no part of  
14 the funds in this Act shall be available to prepare or  
15 present a request to the Committees on Appropriations for  
16 reprogramming of funds, unless for higher priority items,  
17 based on unforeseen military requirements, than those for  
18 which originally appropriated and in no case where the  
19 item for which reprogramming is requested has been de-  
20 nied by the Congress: *Provided further*, That a request for  
21 multiple reprogrammings of funds using authority pro-  
22 vided in this section shall be made prior to June 30, 2020.

23 SEC. 8006. (a) With regard to the list of specific pro-  
24 grams, projects, and activities (and the dollar amounts  
25 and adjustments to budget activities corresponding to

1 such programs, projects, and activities) contained in the  
2 tables titled Explanation of Project Level Adjustments in  
3 the explanatory statement regarding this Act, the obliga-  
4 tion and expenditure of amounts appropriated or other-  
5 wise made available in this Act for those programs,  
6 projects, and activities for which the amounts appro-  
7 priated exceed the amounts requested are hereby required  
8 by law to be carried out in the manner provided by such  
9 tables to the same extent as if the tables were included  
10 in the text of this Act.

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

17 SEC. 8007. (a) Not later than 60 days after enact-  
18 ment of this Act, the Department of Defense shall submit  
19 a report to the congressional defense committees to estab-  
20 lish the baseline for application of reprogramming and  
21 transfer authorities for fiscal year 2020: *Provided*, That  
22 the report shall include—

23 (1) a table for each appropriation with a sepa-  
24 rate column to display the President's budget re-  
25 quest, adjustments made by Congress, adjustments

1 due to enacted rescissions, if appropriate, and the  
2 fiscal year enacted level;

3 (2) a delineation in the table for each appro-  
4 priation both by budget activity and program,  
5 project, and activity as detailed in the Budget Ap-  
6 pendix; and

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

9 (b) Notwithstanding section 8005 of this Act, none  
10 of the funds provided in this Act shall be available for  
11 reprogramming or transfer until the report identified in  
12 subsection (a) is submitted to the congressional defense  
13 committees, unless the Secretary of Defense certifies in  
14 writing to the congressional defense committees that such  
15 reprogramming or transfer is necessary as an emergency  
16 requirement: *Provided*, That this subsection shall not  
17 apply to transfers from the following appropriations ac-  
18 counts:

19 (1) “Environmental Restoration, Army”;

20 (2) “Environmental Restoration, Navy”;

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

22 (4) “Environmental Restoration, Defense-  
23 Wide”

24 (5) “Environmental Restoration, Formerly  
25 Used Defense Sites”.

## (TRANSFER OF FUNDS)

1  
2 SEC. 8008. During the current fiscal year, cash bal-  
3 ances in working capital funds of the Department of De-  
4 fense established pursuant to section 2208 of title 10,  
5 United States Code, may be maintained in only such  
6 amounts as are necessary at any time for cash disburse-  
7 ments to be made from such funds: *Provided*, That trans-  
8 fers may be made between such funds: *Provided further*,  
9 That transfers may be made between working capital  
10 funds and the “Foreign Currency Fluctuations, Defense”  
11 appropriation and the “Operation and Maintenance” ap-  
12 propriation accounts in such amounts as may be deter-  
13 mined by the Secretary of Defense, with the approval of  
14 the Office of Management and Budget, except that such  
15 transfers may not be made unless the Secretary of Defense  
16 has notified the Congress of the proposed transfer: *Pro-*  
17 *vided further*, That except in amounts equal to the  
18 amounts appropriated to working capital funds in this Act,  
19 no obligations may be made against a working capital fund  
20 to procure or increase the value of war reserve material  
21 inventory, unless the Secretary of Defense has notified the  
22 Congress prior to any such obligation.

23 SEC. 8009. Funds appropriated by this Act may not  
24 be used to initiate a special access program without prior

1 notification 30 calendar days in advance to the congres-  
2 sional defense committees.

3       SEC. 8010. None of the funds provided in this Act  
4 shall be available to initiate: (1) a multiyear contract that  
5 employs economic order quantity procurement in excess of  
6 \$20,000,000 in any one year of the contract or that in-  
7 cludes an unfunded contingent liability in excess of  
8 \$20,000,000; or (2) a contract for advance procurement  
9 leading to a multiyear contract that employs economic  
10 order quantity procurement in excess of \$20,000,000 in  
11 any one year, unless the congressional defense committees  
12 have been notified at least 30 days in advance of the pro-  
13 posed contract award: *Provided*, That no part of any ap-  
14 propriation contained in this Act shall be available to ini-  
15 tiate a multiyear contract for which the economic order  
16 quantity advance procurement is not funded at least to  
17 the limits of the Government's liability: *Provided further*,  
18 That no part of any appropriation contained in this Act  
19 shall be available to initiate multiyear procurement con-  
20 tracts for any systems or component thereof if the value  
21 of the multiyear contract would exceed \$500,000,000 un-  
22 less specifically provided in this Act: *Provided further*,  
23 That no multiyear procurement contract can be termi-  
24 nated without 30-day prior notification to the congres-  
25 sional defense committees: *Provided further*, That the exe-

1 cution of multiyear authority shall require the use of a  
2 present value analysis to determine lowest cost compared  
3 to an annual procurement: *Provided further*, That none of  
4 the funds provided in this Act may be used for a multiyear  
5 contract executed after the date of the enactment of this  
6 Act unless in the case of any such contract—

7           (1) the Secretary of Defense has submitted to  
8 Congress a budget request for full funding of units  
9 to be procured through the contract and, in the case  
10 of a contract for procurement of aircraft, that in-  
11 cludes, for any aircraft unit to be procured through  
12 the contract for which procurement funds are re-  
13 quested in that budget request for production be-  
14 yond advance procurement activities in the fiscal  
15 year covered by the budget, full funding of procure-  
16 ment of such unit in that fiscal year;

17           (2) cancellation provisions in the contract do  
18 not include consideration of recurring manufacturing  
19 costs of the contractor associated with the produc-  
20 tion of unfunded units to be delivered under the con-  
21 tract;

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

1           (4) the contract does not provide for a price ad-  
2       justment based on a failure to award a follow-on  
3       contract.

4       SEC. 8011. Within the funds appropriated for the op-  
5       eration and maintenance of the Armed Forces, funds are  
6       hereby appropriated pursuant to section 401 of title 10,  
7       United States Code, for humanitarian and civic assistance  
8       costs under chapter 20 of title 10, United States Code.  
9       Such funds may also be obligated for humanitarian and  
10      civic assistance costs incidental to authorized operations  
11      and pursuant to authority granted in section 401 of chap-  
12      ter 20 of title 10, United States Code, and these obliga-  
13      tions shall be reported as required by section 401(d) of  
14      title 10, United States Code: *Provided*, That funds avail-  
15      able for operation and maintenance shall be available for  
16      providing humanitarian and similar assistance by using  
17      Civic Action Teams in the Trust Territories of the Pacific  
18      Islands and freely associated states of Micronesia, pursu-  
19      ant to the Compact of Free Association as authorized by  
20      Public Law 99–239: *Provided further*, That upon a deter-  
21      mination by the Secretary of the Army that such action  
22      is beneficial for graduate medical education programs con-  
23      ducted at Army medical facilities located in Hawaii, the  
24      Secretary of the Army may authorize the provision of med-  
25      ical services at such facilities and transportation to such

1 facilities, on a nonreimbursable basis, for civilian patients  
2 from American Samoa, the Commonwealth of the North-  
3 ern Mariana Islands, the Marshall Islands, the Federated  
4 States of Micronesia, Palau, and Guam.

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

12 (b) The fiscal year 2021 budget request for the De-  
13 partment of Defense as well as all justification material  
14 and other documentation supporting the fiscal year 2021  
15 Department of Defense budget request shall be prepared  
16 and submitted to the Congress as if subsections (a) and  
17 (b) of this provision were effective with regard to fiscal  
18 year 2021.

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



1 consistent with the budget available with respect to such  
2 Laboratories.

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

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

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

20 (TRANSFER OF FUNDS)

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

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

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

1 for the procurement may waive this restriction on a case-  
2 by-case basis by certifying in writing to the Committees  
3 on Appropriations that such an acquisition must be made  
4 in order to acquire capability for national security pur-  
5 poses.

6 SEC. 8017. None of the funds appropriated by this  
7 Act shall be used for the support of any nonappropriated  
8 funds activity of the Department of Defense that procures  
9 malt beverages and wine with nonappropriated funds for  
10 resale (including such alcoholic beverages sold by the  
11 drink) on a military installation located in the United  
12 States unless such malt beverages and wine are procured  
13 within that State, or in the case of the District of Colum-  
14 bia, within the District of Columbia, in which the military  
15 installation is located: *Provided*, That, in a case in which  
16 the military installation is located in more than one State,  
17 purchases may be made in any State in which the installa-  
18 tion is located: *Provided further*, That such local procure-  
19 ment requirements for malt beverages and wine shall  
20 apply to all alcoholic beverages only for military installa-  
21 tions in States which are not contiguous with another  
22 State: *Provided further*, That alcoholic beverages other  
23 than wine and malt beverages, in contiguous States and  
24 the District of Columbia shall be procured from the most  
25 competitive source, price and other factors considered.

1        SEC. 8018. 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. 8019. 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. 8020. 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. 8021. Funds appropriated by this Act for the Defense Media Activity shall not be used for any national or international political or psychological activities.

SEC. 8022. 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. 8023. (a) Of the funds made available in this  
9 Act, not less than \$51,800,000 shall be available for the  
10 Civil Air Patrol Corporation, of which—

11 (1) \$37,233,000 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) \$11,000,000 shall be available from “Air-  
17 craft Procurement, Air Force”; and

18 (3) \$3,567,000 shall be available from “Other  
19 Procurement, Air Force” for vehicle and commu-  
20 nication equipment procurement.

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

1        SEC. 8024. (a) None of the funds appropriated in this  
2 Act are available to establish a new Department of De-  
3 fense (department) federally funded research and develop-  
4 ment center (FFRDC), either as a new entity, or as a  
5 separate entity administrated by an organization man-  
6 aging another FFRDC, or as a nonprofit membership cor-  
7 poration consisting of a consortium of other FFRDCs and  
8 other nonprofit entities.

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

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

1 stallation, for payment of cost sharing for projects funded  
2 by Government grants, for absorption of contract over-  
3 runs, or for certain charitable contributions, not to include  
4 employee participation in community service and/or devel-  
5 opment.

6 (d) Notwithstanding any other provision of law, of  
7 the funds available to the department during fiscal year  
8 2020, not more than 6,100 staff years of technical effort  
9 (staff years) may be funded for defense FFRDCs: *Pro-*  
10 *vided*, That this subsection shall not apply to staff years  
11 funded in the National Intelligence Program (NIP) and  
12 the Military Intelligence Program (MIP).

13 (e) The Secretary of Defense shall, with the submis-  
14 sion of the Department's fiscal year 2021 budget request,  
15 submit a report presenting the specific amounts of staff  
16 years of technical effort to be allocated for each defense  
17 FFRDC during that fiscal year and the associated budget  
18 estimates.

19 (f) Notwithstanding any other provision of this Act,  
20 the total amount appropriated in this Act for FFRDCs  
21 is hereby increased by \$26,800,000: *Provided*, That this  
22 subsection shall not apply to appropriations for the Na-  
23 tional Intelligence Program (NIP) and the Military Intel-  
24 ligence Program (MIP).



1        SEC. 8025. None of the funds appropriated or made  
2 available in this Act shall be used to procure carbon, alloy,  
3 or armor steel plate for use in any Government-owned fa-  
4 cility or property under the control of the Department of  
5 Defense which were not melted and rolled in the United  
6 States or Canada: *Provided*, That these procurement re-  
7 strictions shall apply to any and all Federal Supply Class  
8 9515, American Society of Testing and Materials (ASTM)  
9 or American Iron and Steel Institute (AISI) specifications  
10 of carbon, alloy or armor steel plate: *Provided further*,  
11 That the Secretary of the military department responsible  
12 for the procurement may waive this restriction on a case-  
13 by-case basis by certifying in writing to the Committees  
14 on Appropriations of the House of Representatives and the  
15 Senate that adequate domestic supplies are not available  
16 to meet Department of Defense requirements on a timely  
17 basis and that such an acquisition must be made in order  
18 to acquire capability for national security purposes: *Pro-*  
19 *vided further*, That these restrictions shall not apply to  
20 contracts which are in being as of the date of the enact-  
21 ment of this Act.

22        SEC. 8026. For the purposes of this Act, the term  
23 “congressional defense committees” means the Armed  
24 Services Committee of the House of Representatives, the  
25 Armed Services Committee of the Senate, the Sub-

1 committee on Defense of the Committee on Appropriations  
2 of the Senate, and the Subcommittee on Defense of the  
3 Committee on Appropriations of the House of Representa-  
4 tives.

5 SEC. 8027. During the current fiscal year, the De-  
6 partment of Defense may acquire the modification, depot  
7 maintenance and repair of aircraft, vehicles and vessels  
8 as well as the production of components and other De-  
9 fense-related articles, through competition between De-  
10 partment of Defense depot maintenance activities and pri-  
11 vate firms: *Provided*, That the Senior Acquisition Execu-  
12 tive of the military department or Defense Agency con-  
13 cerned, with power of delegation, shall certify that success-  
14 ful bids include comparable estimates of all direct and in-  
15 direct costs for both public and private bids: *Provided fur-*  
16 *ther*, That Office of Management and Budget Circular A-  
17 76 shall not apply to competitions conducted under this  
18 section.

19 SEC. 8028. (a)(1) If the Secretary of Defense, after  
20 consultation with the United States Trade Representative,  
21 determines that a foreign country which is party to an  
22 agreement described in paragraph (2) has violated the  
23 terms of the agreement by discriminating against certain  
24 types of products produced in the United States that are  
25 covered by the agreement, the Secretary of Defense shall

1 rescind the Secretary’s blanket waiver of the Buy Amer-  
2 ican Act with respect to such types of products produced  
3 in that foreign country.

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

10 (b) The Secretary of Defense shall submit to the Con-  
11 gress a report on the amount of Department of Defense  
12 purchases from foreign entities in fiscal year 2020. Such  
13 report shall separately indicate the dollar value of items  
14 for which the Buy American Act was waived pursuant to  
15 any agreement described in subsection (a)(2), the Trade  
16 Agreement Act of 1979 (19 U.S.C. 2501 et seq.), or any  
17 international agreement to which the United States is a  
18 party.

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

22 SEC. 8029. During the current fiscal year, amounts  
23 contained in the Department of Defense Overseas Military  
24 Facility Investment Recovery Account established by sec-  
25 tion 2921(c)(1) of the National Defense Authorization Act

1 of 1991 (Public Law 101–510; 10 U.S.C. 2687 note) shall  
2 be available until expended for the payments specified by  
3 section 2921(c)(2) of that Act.

4 SEC. 8030. (a) Notwithstanding any other provision  
5 of law, the Secretary of the Air Force may convey at no  
6 cost to the Air Force, without consideration, to Indian  
7 tribes located in the States of Nevada, Idaho, North Da-  
8 kota, South Dakota, Montana, Oregon, Minnesota, and  
9 Washington relocatable military housing units located at  
10 Grand Forks Air Force Base, Malmstrom Air Force Base,  
11 Mountain Home Air Force Base, Ellsworth Air Force  
12 Base, and Minot Air Force Base that are excess to the  
13 needs of the Air Force.

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

24 (c) The Operation Walking Shield Program shall re-  
25 solve any conflicts among requests of Indian tribes for

1 housing units under subsection (a) before submitting re-  
2 quests to the Secretary of the Air Force under subsection  
3 (b).

4 (d) In this section, the term “Indian tribe” means  
5 any recognized Indian tribe included on the current list  
6 published by the Secretary of the Interior under section  
7 104 of the Federally Recognized Indian Tribe Act of 1994  
8 (Public Law 103–454; 108 Stat. 4792; 25 U.S.C. 5131).

9 SEC. 8031. During the current fiscal year, appropria-  
10 tions which are available to the Department of Defense  
11 for operation and maintenance may be used to purchase  
12 items having an investment item unit cost of not more  
13 than \$250,000.

14 SEC. 8032. None of the funds made available by this  
15 Act may be used to—

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

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

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

3 SEC. 8033. Up to \$14,000,000 of the funds appro-  
4 priated under the heading “Operation and Maintenance,  
5 Navy” may be made available for the Asia Pacific Re-  
6 gional Initiative Program for the purpose of enabling the  
7 Pacific Command to execute Theater Security Cooperation  
8 activities such as humanitarian assistance, and payment  
9 of incremental and personnel costs of training and exer-  
10 cising with foreign security forces: *Provided*, That funds  
11 made available for this purpose may be used, notwith-  
12 standing any other funding authorities for humanitarian  
13 assistance, security assistance or combined exercise ex-  
14 penses: *Provided further*, That funds may not be obligated  
15 to provide assistance to any foreign country that is other-  
16 wise prohibited from receiving such type of assistance  
17 under any other provision of law.

18 SEC. 8034. The Secretary of Defense shall issue reg-  
19 ulations to prohibit the sale of any tobacco or tobacco-  
20 related products in military resale outlets in the United  
21 States, its territories and possessions at a price below the  
22 most competitive price in the local community: *Provided*,  
23 That such regulations shall direct that the prices of to-  
24 bacco or tobacco-related products in overseas military re-  
25 tail outlets shall be within the range of prices established

1 for military retail system stores located in the United  
2 States.

3 SEC. 8035. (a) During the current fiscal year, none  
4 of the appropriations or funds available to the Department  
5 of Defense Working Capital Funds shall be used for the  
6 purchase of an investment item for the purpose of acquiring  
7 a new inventory item for sale or anticipated sale during  
8 the current fiscal year or a subsequent fiscal year to  
9 customers of the Department of Defense Working Capital  
10 Funds if such an item would not have been chargeable  
11 to the Department of Defense Business Operations Fund  
12 during fiscal year 1994 and if the purchase of such an  
13 investment item would be chargeable during the current  
14 fiscal year to appropriations made to the Department of  
15 Defense for procurement.

16 (b) The fiscal year 2021 budget request for the De-  
17 partment of Defense as well as all justification material  
18 and other documentation supporting the fiscal year 2021  
19 Department of Defense budget shall be prepared and sub-  
20 mitted to the Congress on the basis that any equipment  
21 which was classified as an end item and funded in a pro-  
22 curement appropriation contained in this Act shall be  
23 budgeted for in a proposed fiscal year 2021 procurement  
24 appropriation and not in the supply management business

1 area or any other area or category of the Department of  
2 Defense Working Capital Funds.

3 SEC. 8036. None of the funds appropriated by this  
4 Act for programs of the Central Intelligence Agency shall  
5 remain available for obligation beyond the current fiscal  
6 year, except for funds appropriated for the Reserve for  
7 Contingencies, which shall remain available until Sep-  
8 tember 30, 2021: *Provided*, That funds appropriated,  
9 transferred, or otherwise credited to the Central Intel-  
10 ligence Agency Central Services Working Capital Fund  
11 during this or any prior or subsequent fiscal year shall  
12 remain available until expended: *Provided further*, That  
13 any funds appropriated or transferred to the Central Intel-  
14 ligence Agency for advanced research and development ac-  
15 quisition, for agent operations, and for covert action pro-  
16 grams authorized by the President under section 503 of  
17 the National Security Act of 1947 (50 U.S.C. 3093) shall  
18 remain available until September 30, 2021.

19 SEC. 8037. Of the funds appropriated to the Depart-  
20 ment of Defense under the heading “Operation and Main-  
21 tenance, Defense-Wide”, not less than \$12,000,000 shall  
22 be made available only for the mitigation of environmental  
23 impacts, including training and technical assistance to  
24 tribes, related administrative support, the gathering of in-  
25 formation, documenting of environmental damage, and de-



1 veloping a system for prioritization of mitigation and cost  
2 to complete estimates for mitigation, on Indian lands re-  
3 sulting from Department of Defense activities.

4 SEC. 8038. (a) None of the funds appropriated in this  
5 Act may be expended by an entity of the Department of  
6 Defense unless the entity, in expending the funds, com-  
7 plies with the Buy American Act. For purposes of this  
8 subsection, the term “Buy American Act” means chapter  
9 83 of title 41, United States Code.

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

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

1       SEC. 8039. (a) Except as provided in subsections (b)  
2 and (c), none of the funds made available by this Act may  
3 be used—

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

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

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

17       (c) This section does not apply to—

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

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

24           (3) an Army field operating agency established  
25 to improve the effectiveness and efficiencies of bio-

1 metric activities and to integrate common biometric  
2 technologies throughout the Department of Defense;  
3 or

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

8 SEC. 8040. (a) None of the funds appropriated by  
9 this Act shall be available to convert to contractor per-  
10 formance an activity or function of the Department of De-  
11 fense that, on or after the date of the enactment of this  
12 Act, is performed by Department of Defense civilian em-  
13 ployees unless—

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

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

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

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

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

9 (A) not making an employer-sponsored  
10 health insurance plan available to the workers  
11 who are to be employed in the performance of  
12 that activity or function under the contract; or

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

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

1   mercial or industrial type function of the Department of  
2   Defense that—

3           (A) is included on the procurement list estab-  
4           lished pursuant to section 2 of the Javits-Wagner-  
5           O'Day Act (section 8503 of title 41, United States  
6           Code);

7           (B) is planned to be converted to performance  
8           by a qualified nonprofit agency for the blind or by  
9           a qualified nonprofit agency for other severely handi-  
10          capped individuals in accordance with that Act; or

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

18          (2) This section shall not apply to depot contracts  
19          or contracts for depot maintenance as provided in sections  
20          2469 and 2474 of title 10, United States Code.

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

1 to be awarded under the authority of, and in compliance  
2 with, subsection (h) of section 2304 of title 10, United  
3 States Code, for the competition or outsourcing of com-  
4 mercial activities.

5 (RESCISSIONS)

6 SEC. 8041. Of the funds appropriated in Department  
7 of Defense Appropriations Acts, the following funds are  
8 hereby rescinded from the following accounts and pro-  
9 grams in the specified amounts: *Provided*, That no  
10 amounts may be rescinded from amounts that were des-  
11 ignated by the Congress for Overseas Contingency Oper-  
12 ations/Global War on Terrorism or as an emergency re-  
13 quirement pursuant to the Concurrent Resolution on the  
14 Budget or the Balanced Budget and Emergency Deficit  
15 Control Act of 1985, as amended:

16 “Shipbuilding and Conversion, Navy: DDG–51 De-  
17 stroyer”, 2012/2020, \$86,000,000;

18 “Shipbuilding and Conversion, Navy: LCAC SLEP”,  
19 2013/2020, \$2,000,000;

20 “Missile Procurement, Army”, 2018/2020,  
21 \$14,056,000;

22 “Procurement of Weapons and Tracked Combat Ve-  
23 hicles, Army”, 2018/2020, \$97,000,000;

24 “Other Procurement, Army”, 2018/2020,  
25 \$10,685,000;

1       “Aircraft Procurement, Navy”, 2018/2020,  
2   \$126,079,000;  
3       “Other Procurement, Navy”, 2018/2020,  
4   \$34,087,000;  
5       “Procurement, Marine Corps”, 2018/2020,  
6   \$9,046,000;  
7       “Aircraft Procurement, Air Force”, 2018/2020,  
8   \$160,200,000;  
9       “Other Procurement, Air Force”, 2018/2020,  
10   \$26,000,000;  
11       “Operation and Maintenance, Defense-Wide: DSCA  
12   Security Cooperation Account”, 2019/2020, \$21,314,000;  
13       “Aircraft Procurement, Army”, 2019/2021,  
14   \$58,600,000;  
15       “Procurement of Weapons and Tracked Combat Ve-  
16   hicles”, 2019/2021, \$87,567,000;  
17       “Other Procurement, Army”, 2019/2021,  
18   \$75,173,000;  
19       “Aircraft Procurement, Navy”, 2019/2021,  
20   \$501,616,000;  
21       “Procurement of Ammunition, Navy and Marine  
22   Corps”, 2019/2021, \$22,000,000;  
23       “Other Procurement, Navy”, 2019/2021,  
24   \$44,964,000;

1 “Procurement, Marine Corps”, 2019/2021,  
2 \$74,456,000;

3 “Aircraft Procurement, Air Force”, 2019/2021,  
4 \$629,300,000;

5 “Missile Procurement, Air Force”, 2019/2021,  
6 \$76,000,000;

7 “Space Procurement, Air Force”, 2019/2021,  
8 \$214,509,000;

9 “Procurement of Ammunition, Air Force”, 2019/  
10 2021, \$236,100,000;

11 “Research, Development, Test and Evaluation,  
12 Army”, 2019/2020, \$65,933,000;

13 “Research, Development, Test and Evaluation,  
14 Navy”, 2019/2020, \$240,088,000; and

15 “Research, Development, Test and Evaluation, Air  
16 Force”, 2019/2020, \$131,200,000.

17 SEC. 8042. None of the funds available in this Act  
18 may be used to reduce the authorized positions for mili-  
19 tary technicians (dual status) of the Army National  
20 Guard, Air National Guard, Army Reserve and Air Force  
21 Reserve for the purpose of applying any administratively  
22 imposed civilian personnel ceiling, freeze, or reduction on  
23 military technicians (dual status), unless such reductions  
24 are a direct result of a reduction in military force struc-  
25 ture.



1       SEC. 8043. None of the funds appropriated or other-  
2 wise made available in this Act may be obligated or ex-  
3 pended for assistance to the Democratic People's Republic  
4 of Korea unless specifically appropriated for that purpose.

5       SEC. 8044. Funds appropriated in this Act for oper-  
6 ation and maintenance of the Military Departments, Com-  
7 batant Commands and Defense Agencies shall be available  
8 for reimbursement of pay, allowances and other expenses  
9 which would otherwise be incurred against appropriations  
10 for the National Guard and Reserve when members of the  
11 National Guard and Reserve provide intelligence or coun-  
12 terintelligence support to Combatant Commands, Defense  
13 Agencies and Joint Intelligence Activities, including the  
14 activities and programs included within the National Intel-  
15 ligence Program and the Military Intelligence Program:  
16 *Provided*, That nothing in this section authorizes deviation  
17 from established Reserve and National Guard personnel  
18 and training procedures.

19       SEC. 8045. (a) None of the funds available to the  
20 Department of Defense for any fiscal year for drug inter-  
21 diction or counter-drug activities may be transferred to  
22 any other department or agency of the United States.

23       (b) None of the funds available to the Central Intel-  
24 ligence Agency for any fiscal year for drug interdiction or

1 counter-drug activities may be transferred to any other de-  
2 partment or agency of the United States.

3 SEC. 8046. None of the funds appropriated by this  
4 Act may be used for the procurement of ball and roller  
5 bearings other than those produced by a domestic source  
6 and of domestic origin: *Provided*, That the Secretary of  
7 the military department responsible for such procurement  
8 may waive this restriction on a case-by-case basis by certi-  
9 fying in writing to the Committees on Appropriations of  
10 the House of Representatives and the Senate, that ade-  
11 quate domestic supplies are not available to meet Depart-  
12 ment of Defense requirements on a timely basis and that  
13 such an acquisition must be made in order to acquire ca-  
14 pability for national security purposes: *Provided further*,  
15 That this restriction shall not apply to the purchase of  
16 “commercial items”, as defined by section 103 of title 41,  
17 United States Code, except that the restriction shall apply  
18 to ball or roller bearings purchased as end items.

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

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

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

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

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

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

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

(INCLUDING TRANSFER OF FUNDS)

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

SEC. 8052. During the current fiscal year, in the case of an appropriation account of the Department of Defense for which the period of availability for obligation has expired or which has closed under the provisions of section 1552 of title 31, United States Code, and which has a negative unliquidated or unexpended balance, an obligation or an adjustment of an obligation may be charged to any current appropriation account for the same purpose as the expired or closed account if—

(1) the obligation would have been properly chargeable (except as to amount) to the expired or closed account before the end of the period of availability or closing of that account;

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

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

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

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

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

9 (INCLUDING TRANSFER OF FUNDS)

10 SEC. 8054. Of the funds appropriated in this Act  
11 under the heading “Operation and Maintenance, Defense-  
12 Wide”, \$35,000,000 shall be for continued implementation  
13 and expansion of the Sexual Assault Special Victims’  
14 Counsel Program: *Provided*, That the funds are made  
15 available for transfer to the Department of the Army, the  
16 Department of the Navy, and the Department of the Air  
17 Force: *Provided further*, That funds transferred shall be  
18 merged with and available for the same purposes and for  
19 the same time period as the appropriations to which the  
20 funds are transferred: *Provided further*, That this transfer  
21 authority is in addition to any other transfer authority  
22 provided in this Act.

23 SEC. 8055. None of the funds appropriated in title  
24 IV of this Act may be used to procure end-items for deliv-  
25 ery to military forces for operational training, operational

1 use or inventory requirements: *Provided*, That this restric-  
2 tion does not apply to end-items used in development,  
3 prototyping, and test activities preceding and leading to  
4 acceptance for operational use: *Provided further*, That the  
5 Secretary of Defense shall, with submission of the Depart-  
6 ment's fiscal year 2021 budget request, submit a report  
7 detailing the use of funds requested in research, develop-  
8 ment, test and evaluation accounts for end-items used in  
9 development, prototyping and test activities preceding and  
10 leading to acceptance for operational use: *Provided further*,  
11 That this restriction does not apply to programs funded  
12 within the National Intelligence Program: *Provided fur-*  
13 *ther*, That the Secretary of Defense may waive this restric-  
14 tion on a case-by-case basis by certifying in writing to the  
15 Committees on Appropriations of the House of Represent-  
16 atives and the Senate that it is in the national security  
17 interest to do so.

18 SEC. 8056. (a) The Secretary of Defense may, on a  
19 case-by-case basis, waive with respect to a foreign country  
20 each limitation on the procurement of defense items from  
21 foreign sources provided in law if the Secretary determines  
22 that the application of the limitation with respect to that  
23 country would invalidate cooperative programs entered  
24 into between the Department of Defense and the foreign  
25 country, or would invalidate reciprocal trade agreements

1 for the procurement of defense items entered into under  
2 section 2531 of title 10, United States Code, and the  
3 country does not discriminate against the same or similar  
4 defense items produced in the United States for that coun-  
5 try.

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

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

9 (2) options for the procurement of items that  
10 are exercised after such date under contracts that  
11 are entered into before such date if the option prices  
12 are adjusted for any reason other than the applica-  
13 tion of a waiver granted under subsection (a).

14 (c) Subsection (a) does not apply to a limitation re-  
15 garding construction of public vessels, ball and roller bear-  
16 ings, food, and clothing or textile materials as defined by  
17 section XI (chapters 50–65) of the Harmonized Tariff  
18 Schedule of the United States and products classified  
19 under headings 4010, 4202, 4203, 6401 through 6406,  
20 6505, 7019, 7218 through 7229, 7304.41 through  
21 7304.49, 7306.40, 7502 through 7508, 8105, 8108, 8109,  
22 8211, 8215, and 9404.

23 SEC. 8057. None of the funds appropriated or other-  
24 wise made available by this or other Department of De-  
25 fense Appropriations Acts may be obligated or expended



1 for the purpose of performing repairs or maintenance to  
2 military family housing units of the Department of De-  
3 fense, including areas in such military family housing  
4 units that may be used for the purpose of conducting offi-  
5 cial Department of Defense business.

6 SEC. 8058. Notwithstanding any other provision of  
7 law, funds appropriated in this Act under the heading  
8 “Research, Development, Test and Evaluation, Defense-  
9 Wide” for any new start advanced concept technology  
10 demonstration project or joint capability demonstration  
11 project may only be obligated 45 days after a report, in-  
12 cluding a description of the project, the planned acquisi-  
13 tion and transition strategy and its estimated annual and  
14 total cost, has been provided in writing to the congres-  
15 sional defense committees.

16 SEC. 8059. The Secretary of Defense shall continue  
17 to provide a classified quarterly report to the House and  
18 Senate Appropriations Committees, Subcommittees on  
19 Defense on certain matters as directed in the classified  
20 annex accompanying this Act.

21 SEC. 8060. Notwithstanding section 12310(b) of title  
22 10, United States Code, a Reserve who is a member of  
23 the National Guard serving on full-time National Guard  
24 duty under section 502(f) of title 32, United States Code,

1 may perform duties in support of the ground-based ele-  
2 ments of the National Ballistic Missile Defense System.

3 SEC. 8061. None of the funds provided in this Act  
4 may be used to transfer to any nongovernmental entity  
5 ammunition held by the Department of Defense that has  
6 a center-fire cartridge and a United States military no-  
7 menclature designation of “armor penetrator”, “armor  
8 piercing (AP)”, “armor piercing incendiary (API)”, or  
9 “armor-piercing incendiary tracer (API-T)”, except to an  
10 entity performing demilitarization services for the Depart-  
11 ment of Defense under a contract that requires the entity  
12 to demonstrate to the satisfaction of the Department of  
13 Defense that armor piercing projectiles are either: (1) ren-  
14 dered incapable of reuse by the demilitarization process;  
15 or (2) used to manufacture ammunition pursuant to a con-  
16 tract with the Department of Defense or the manufacture  
17 of ammunition for export pursuant to a License for Per-  
18 manent Export of Unclassified Military Articles issued by  
19 the Department of State.

20 SEC. 8062. Notwithstanding any other provision of  
21 law, the Chief of the National Guard Bureau, or his des-  
22 ignee, may waive payment of all or part of the consider-  
23 ation that otherwise would be required under section 2667  
24 of title 10, United States Code, in the case of a lease of  
25 personal property for a period not in excess of 1 year to

1 any organization specified in section 508(d) of title 32,  
2 United States Code, or any other youth, social, or fra-  
3 ternal nonprofit organization as may be approved by the  
4 Chief of the National Guard Bureau, or his designee, on  
5 a case-by-case basis.

6 (INCLUDING TRANSFER OF FUNDS)

7 SEC. 8063. Of the amounts appropriated in this Act  
8 under the heading “Operation and Maintenance, Army”,  
9 \$138,103,000 shall remain available until expended: *Pro-*  
10 *vided*, That, notwithstanding any other provision of law,  
11 the Secretary of Defense is authorized to transfer such  
12 funds to other activities of the Federal Government: *Pro-*  
13 *vided further*, That the Secretary of Defense is authorized  
14 to enter into and carry out contracts for the acquisition  
15 of real property, construction, personal services, and oper-  
16 ations related to projects carrying out the purposes of this  
17 section: *Provided further*, That contracts entered into  
18 under the authority of this section may provide for such  
19 indemnification as the Secretary determines to be nec-  
20 essary: *Provided further*, That projects authorized by this  
21 section shall comply with applicable Federal, State, and  
22 local law to the maximum extent consistent with the na-  
23 tional security, as determined by the Secretary of Defense.

1        SEC. 8064. (a) None of the funds appropriated in this  
2 or any other Act may be used to take any action to mod-  
3 ify—

4            (1) the appropriations account structure for the  
5 National Intelligence Program budget, including  
6 through the creation of a new appropriation or new  
7 appropriation account;

8            (2) how the National Intelligence Program  
9 budget request is presented in the unclassified P–1,  
10 R–1, and O–1 documents supporting the Depart-  
11 ment of Defense budget request;

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

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

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

23        (c) The Director of National Intelligence and the Sec-  
24 retary of Defense may jointly, only for the purposes of  
25 achieving auditable financial statements and improving

1 fiscal reporting, study and develop detailed proposals for  
2 alternative financial management processes. Such study  
3 shall include a comprehensive counterintelligence risk as-  
4 sessment to ensure that none of the alternative processes  
5 will adversely affect counterintelligence.

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

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

11 (2) receive certification from all affected agen-  
12 cies attesting that the proposed alternatives will help  
13 achieve auditability, improve fiscal reporting, and  
14 will not adversely affect counterintelligence; and

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

19 SEC. 8065. In addition to amounts provided else-  
20 where in this Act, \$5,000,000 is hereby appropriated to  
21 the Department of Defense, to remain available for obliga-  
22 tion until expended: *Provided*, That notwithstanding any  
23 other provision of law, that upon the determination of the  
24 Secretary of Defense that it shall serve the national inter-  
25 est, these funds shall be available only for a grant to the

1 Fisher House Foundation, Inc., only for the construction  
2 and furnishing of additional Fisher Houses to meet the  
3 needs of military family members when confronted with  
4 the illness or hospitalization of an eligible military bene-  
5 ficiary.

6 SEC. 8066. None of the funds available to the De-  
7 partment of Defense may be obligated to modify command  
8 and control relationships to give Fleet Forces Command  
9 operational and administrative control of United States  
10 Navy forces assigned to the Pacific fleet: *Provided*, That  
11 the command and control relationships which existed on  
12 October 1, 2004, shall remain in force until a written  
13 modification has been proposed to the House and Senate  
14 Appropriations Committees: *Provided further*, That the  
15 proposed modification may be implemented 30 days after  
16 the notification unless an objection is received from either  
17 the House or Senate Appropriations Committees: *Provided*  
18 *further*, That any proposed modification shall not preclude  
19 the ability of the commander of United States Indo-Pacific  
20 Command to meet operational requirements.

21 SEC. 8067. Any notice that is required to be sub-  
22 mitted to the Committees on Appropriations of the Senate  
23 and the House of Representatives under section 806(c)(4)  
24 of the Bob Stump National Defense Authorization Act for  
25 Fiscal Year 2003 (10 U.S.C. 2302 note) after the date

1 of the enactment of this Act shall be submitted pursuant  
2 to that requirement concurrently to the Subcommittees on  
3 Defense of the Committees on Appropriations of the Sen-  
4 ate and the House of Representatives.

5 (INCLUDING TRANSFER OF FUNDS)

6 SEC. 8068. Of the amounts appropriated in this Act  
7 under the headings “Procurement, Defense-Wide” and  
8 “Research, Development, Test and Evaluation, Defense-  
9 Wide”, \$500,000,000 shall be for the Israeli Cooperative  
10 Programs: *Provided*, That of this amount, \$95,000,000  
11 shall be for the Secretary of Defense to provide to the Gov-  
12 ernment of Israel for the procurement of the Iron Dome  
13 defense system to counter short-range rocket threats, sub-  
14 ject to the U.S.-Israel Iron Dome Procurement Agree-  
15 ment, as amended; \$191,000,000 shall be for the Short  
16 Range Ballistic Missile Defense (SRBMD) program, in-  
17 cluding cruise missile defense research and development  
18 under the SRBMD program, of which \$50,000,000 shall  
19 be for co-production activities of SRBMD systems in the  
20 United States and in Israel to meet Israel’s defense re-  
21 quirements consistent with each nation’s laws, regulations,  
22 and procedures, subject to the U.S.-Israeli co-production  
23 agreement for SRBMD, as amended; \$55,000,000 shall  
24 be for an upper-tier component to the Israeli Missile De-  
25 fense Architecture, of which \$55,000,000 shall be for co-

1 production activities of Arrow 3 Upper Tier systems in  
2 the United States and in Israel to meet Israel's defense  
3 requirements consistent with each nation's laws, regula-  
4 tions, and procedures, subject to the U.S.-Israeli co-pro-  
5 duction agreement for Arrow 3 Upper Tier, as amended;  
6 and \$159,000,000 shall be for the Arrow System Improve-  
7 ment Program including development of a long range,  
8 ground and airborne, detection suite: *Provided further*,  
9 That the transfer authority provided under this provision  
10 is in addition to any other transfer authority contained  
11 in this Act.

12 (INCLUDING TRANSFER OF FUNDS)

13 SEC. 8069. Of the amounts appropriated in this Act  
14 under the heading "Shipbuilding and Conversion, Navy",  
15 \$55,700,000 shall be available until September 30, 2020,  
16 to fund prior year shipbuilding cost increases: *Provided*,  
17 That upon enactment of this Act, the Secretary of the  
18 Navy shall transfer funds to the following appropriations  
19 in the amounts specified: *Provided further*, That the  
20 amounts transferred shall be merged with and be available  
21 for the same purposes as the appropriations to which  
22 transferred to:

23 (1) Under the heading "Shipbuilding and Con-  
24 version, Navy", 2016/2020: Littoral Combat Ship  
25 \$14,000,000;



1           (2) Under the heading “Shipbuilding and Con-  
2       version, Navy”, 2016/2020: Expeditionary Sea Base  
3       \$38,000,000; and

4           (3) Under the heading “Shipbuilding and Con-  
5       version, Navy”, 2018/2020: TAO Fleet Oiler  
6       \$3,700,000.

7       SEC. 8070. Funds appropriated by this Act, or made  
8       available by the transfer of funds in this Act, for intel-  
9       ligence activities are deemed to be specifically authorized  
10      by the Congress for purposes of section 504 of the Na-  
11      tional Security Act of 1947 (50 U.S.C. 3094) during fiscal  
12      year 2020 until the enactment of the Intelligence Author-  
13      ization Act for Fiscal Year 2020.

14      SEC. 8071. None of the funds provided in this Act  
15      shall be available for obligation or expenditure through a  
16      reprogramming of funds that creates or initiates a new  
17      program, project, or activity, unless the Secretary of De-  
18      fense notifies the congressional defense committees not  
19      less than 30 days in advance (or in an emergency, as far  
20      in advance as is practicable) that such program, project,  
21      or activity must be undertaken immediately to address a  
22      documented requirement in ongoing or anticipated contin-  
23      gency operations that if left unfulfilled could potentially  
24      result in loss of life.

1        SEC. 8072. The budget of the President for fiscal  
2 year 2021 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  
7 Maintenance accounts, the Procurement accounts,  
8 and the Research, Development, Test and Evaluation accounts:  
9 *Provided*, That these documents shall include a description  
10 of the funding requested for each contingency operation,  
11 for each military service, to include all Active and Reserve  
12 components, and for each appropriations account:  
13 *Provided further*, That these documents shall include estimated  
14 costs for each element of expense or object class,  
15 a reconciliation of increases and decreases for each contingency  
16 operation, and programmatic data including, but not limited to,  
17 troop strength for each Active and Reserve component, and  
18 estimates of the major weapons systems deployed in support of  
19 each contingency: *Provided further*,  
20 That these documents shall include budget exhibits OP-  
21 5 and OP-32 (as defined in the Department of Defense  
22 Financial Management Regulation) for all contingency operations  
23 for the budget year and the two preceding fiscal  
24 years.

1        SEC. 8073. 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. 8074. The Secretary of Defense may use up to  
6 \$500,000,000 of the amounts appropriated or otherwise  
7 made available in this Act to the Department of Defense  
8 for the rapid acquisition and deployment of supplies and  
9 associated support services pursuant to section 806 of the  
10 Bob Stump National Defense Authorization Act for Fiscal  
11 Year 2003 (Public Law 107–314; 10 U.S.C. 2302 note):  
12 *Provided*, That the Secretary of Defense shall notify the  
13 congressional defense committees promptly of all uses of  
14 this authority.

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

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

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

8       SEC. 8077. (a) None of the funds appropriated by  
9 this Act may be used to transfer research and develop-  
10 ment, acquisition, or other program authority relating to  
11 current tactical unmanned aerial vehicles (TUAVs) from  
12 the Army.

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

18       SEC. 8078. None of the funds appropriated by this  
19 Act for programs of the Office of the Director of National  
20 Intelligence shall remain available for obligation beyond  
21 the current fiscal year, except for funds appropriated for  
22 research and technology, which shall remain available until  
23 September 30, 2021.

24       SEC. 8079. For purposes of section 1553(b) of title  
25 31, United States Code, any subdivision of appropriations

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

7 SEC. 8080. (a) Not later than 60 days after the date  
8 of enactment of this Act, the Director of National Intel-  
9 ligence shall submit a report to the congressional intel-  
10 ligence committees to establish the baseline for application  
11 of reprogramming and transfer authorities for fiscal year  
12 2020: *Provided*, That the report shall include—

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

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

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

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

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

5       SEC. 8081. Notwithstanding any other provision of  
6 law, any transfer of funds, appropriated or otherwise made  
7 available by this Act, for support to friendly foreign coun-  
8 tries in connection with the conduct of operations in which  
9 the United States is not participating, pursuant to section  
10 331(d) of title 10, United States Code, shall be made in  
11 accordance with sections 8005 or 9002 of this Act, as ap-  
12 plicable.

13       SEC. 8082. Any transfer of amounts appropriated to,  
14 credited to, or deposited in the Department of Defense Ac-  
15 quisition Workforce Development Fund in or for fiscal  
16 year 2020 to a military department or Defense Agency  
17 pursuant to section 1705(e)(1) of title 10, United States  
18 Code, shall be covered by and subject to sections 8005 or  
19 9002 of this Act, as applicable.

20       SEC. 8083. None of the funds made available by this  
21 Act for excess defense articles, assistance under section  
22 333 of title 10, United States Code, or peacekeeping oper-  
23 ations for the countries designated annually to be in viola-  
24 tion of the standards of the Child Soldiers Prevention Act  
25 of 2008 (Public Law 110–457; 22 U.S.C. 2370c–1) may

1 be used to support any military training or operation that  
2 includes child soldiers, as defined by the Child Soldiers  
3 Prevention Act of 2008, unless such assistance is other-  
4 wise permitted under section 404 of the Child Soldiers  
5 Prevention Act of 2008.

6 SEC. 8084. (a) None of the funds provided for the  
7 National Intelligence Program in this or any prior appro-  
8 priations Act shall be available for obligation or expendi-  
9 ture through a reprogramming or transfer of funds in ac-  
10 cordance with section 102A(d) of the National Security  
11 Act of 1947 (50 U.S.C. 3024(d)) that—

12 (1) creates a new start effort;

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

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

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

22 (b) None of the funds provided for the National Intel-  
23 ligence Program in this or any prior appropriations Act  
24 shall be available for obligation or expenditure through a  
25 reprogramming or transfer of funds in accordance with

1 section 102A(d) of the National Security Act of 1947 (50  
2 U.S.C. 3024(d)) that results in a cumulative increase or  
3 decrease of the levels specified in the classified annex ac-  
4 companying the Act unless the congressional intelligence  
5 committees are notified 30 days in advance of such re-  
6 programming of funds; this notification period may be re-  
7 duced for urgent national security requirements.

8       SEC. 8085. The Director of National Intelligence  
9 shall submit to Congress each year, at or about the time  
10 that the President's budget is submitted to Congress that  
11 year under section 1105(a) of title 31, United States  
12 Code, a future-years intelligence program (including asso-  
13 ciated annexes) reflecting the estimated expenditures and  
14 proposed appropriations included in that budget. Any such  
15 future-years intelligence program shall cover the fiscal  
16 year with respect to which the budget is submitted and  
17 at least the four succeeding fiscal years.

18       SEC. 8086. For the purposes of this Act, the term  
19 "congressional intelligence committees" means the Perma-  
20 nent Select Committee on Intelligence of the House of  
21 Representatives, the Select Committee on Intelligence of  
22 the Senate, the Subcommittee on Defense of the Com-  
23 mittee on Appropriations of the House of Representatives,  
24 and the Subcommittee on Defense of the Committee on  
25 Appropriations of the Senate.



(INCLUDING TRANSFER OF FUNDS)

SEC. 8087. During the current fiscal year, not to exceed \$11,000,000 from each of the appropriations made in title II of this Act for “Operation and Maintenance, Army”, “Operation and Maintenance, Navy”, and “Operation and Maintenance, Air Force” may be transferred by the military department concerned to its central fund established for Fisher Houses and Suites pursuant to section 2493(d) of title 10, United States Code.

SEC. 8088. None of the funds appropriated by this Act may be available for the purpose of making remittances to the Department of Defense Acquisition Workforce Development Fund in accordance with section 1705 of title 10, United States Code.

SEC. 8089. (a) Any agency receiving funds made available in this Act, shall, subject to subsections (b) and (c), post on the public Web site of that agency any report required to be submitted by the Congress in this or any other Act, upon the determination by the head of the agency that it shall serve the national interest.

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

(1) the public posting of the report compromises national security; or

(2) the report contains proprietary information.

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

5       SEC. 8090. (a) None of the funds appropriated or  
6 otherwise made available by this Act may be expended for  
7 any Federal contract for an amount in excess of  
8 \$1,000,000, unless the contractor agrees not to—

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

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

1 battery, intentional infliction of emotional distress,  
2 false imprisonment, or negligent hiring, supervision,  
3 or retention.

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

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

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

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

12 (INCLUDING TRANSFER OF FUNDS)

13 SEC. 8091. From within the funds appropriated for  
14 operation and maintenance for the Defense Health Pro-  
15 gram in this Act, up to \$129,000,000, shall be available  
16 for transfer to the Joint Department of Defense-Depart-  
17 ment of Veterans Affairs Medical Facility Demonstration  
18 Fund in accordance with the provisions of section 1704  
19 of the National Defense Authorization Act for Fiscal Year  
20 2010, Public Law 111–84: *Provided*, That for purposes  
21 of section 1704(b), the facility operations funded are oper-  
22 ations of the integrated Captain James A. Lovell Federal  
23 Health Care Center, consisting of the North Chicago Vet-  
24 erans Affairs Medical Center, the Navy Ambulatory Care  
25 Center, and supporting facilities designated as a combined

1 Federal medical facility as described by section 706 of  
2 Public Law 110–417: *Provided further*, That additional  
3 funds may be transferred from funds appropriated for op-  
4 eration and maintenance for the Defense Health Program  
5 to the Joint Department of Defense-Department of Vet-  
6 erans Affairs Medical Facility Demonstration Fund upon  
7 written notification by the Secretary of Defense to the  
8 Committees on Appropriations of the House of Represent-  
9 atives and the Senate.

10 SEC. 8092. None of the funds appropriated or other-  
11 wise made available by this Act may be used by the De-  
12 partment of Defense or a component thereof in contraven-  
13 tion of the provisions of section 130h of title 10, United  
14 States Code.

15 SEC. 8093. Appropriations available to the Depart-  
16 ment of Defense may be used for the purchase of heavy  
17 and light armored vehicles for the physical security of per-  
18 sonnel or for force protection purposes up to a limit of  
19 \$450,000 per vehicle, notwithstanding price or other limi-  
20 tations applicable to the purchase of passenger carrying  
21 vehicles.

22 (INCLUDING TRANSFER OF FUNDS)

23 SEC. 8094. Upon a determination by the Director of  
24 National Intelligence that such action is necessary and in  
25 the national interest, the Director may, with the approval

1 of the Office of Management and Budget, transfer not to  
2 exceed \$1,000,000,000 of the funds made available in this  
3 Act for the National Intelligence Program: *Provided*, That  
4 such authority to transfer may not be used unless for  
5 higher priority items, based on unforeseen intelligence re-  
6 quirements, than those for which originally appropriated  
7 and in no case where the item for which funds are re-  
8 quested has been denied by the Congress: *Provided further*,  
9 That a request for multiple reprogrammings of funds  
10 using authority provided in this section shall be made  
11 prior to June 30, 2020.

12 SEC. 8095. None of the funds appropriated or other-  
13 wise made available in this or any other Act may be used  
14 to transfer, release, or assist in the transfer or release to  
15 or within the United States, its territories, or possessions  
16 Khalid Sheikh Mohammed or any other detainee who—

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

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

22 SEC. 8096. None of the funds appropriated or other-  
23 wise made available in this Act may be used to transfer  
24 any individual detained at United States Naval Station  
25 Guantánamo Bay, Cuba, to the custody or control of the

1 individual's country of origin, any other foreign country,  
2 or any other foreign entity except in accordance with sec-  
3 tion 1034 of the National Defense Authorization Act for  
4 Fiscal Year 2016 (Public Law 114–92) and section 1035  
5 of the National Defense Authorization Act for Fiscal Year  
6 2019 (Public Law 115–232).

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

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

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

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

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

11          (3) Agents of the Russian Federation have  
12      ceased taking active measures to destabilize the con-  
13      trol of the Government of Ukraine over eastern  
14      Ukraine.

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

24          SEC. 8099. None of the funds made available in this  
25      Act may be used for the purchase or manufacture of a



1 flag of the United States unless such flags are treated as  
2 covered items under section 2533a(b) of title 10, United  
3 States Code.

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

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

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

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

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

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

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

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

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

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

7 SEC. 8101. The Secretary of Defense shall post grant  
8 awards on a public website in a searchable format.

9 SEC. 8102. The Secretary of each military depart-  
10 ment, in reducing each research, development, test and  
11 evaluation and procurement account of the military de-  
12 partment as required under paragraph (1) of section  
13 828(d) of the National Defense Authorization Act for Fis-  
14 cal Year 2016 (Public Law 114–92; 10 U.S.C. 2430 note),  
15 as amended by section 825(a)(3) of the National Defense  
16 Authorization Act for Fiscal Year 2018, shall allocate the  
17 percentage reduction determined under paragraph (2) of  
18 such section 828(d) proportionally from all programs,  
19 projects, or activities under such account: *Provided*, That  
20 the authority under section 804(d)(2) of the National De-  
21 fense Authorization Act for Fiscal Year 2016 (Public Law  
22 114–92; 10 U.S.C. 2302 note) to transfer amounts avail-  
23 able in the Rapid Prototyping Fund shall be subject to  
24 section 8005 or 9002 of this Act, as applicable.

1       SEC. 8103. None of the funds made available by this  
2 Act may be used by the National Security Agency to—

3           (1) conduct an acquisition pursuant to section  
4       702 of the Foreign Intelligence Surveillance Act of  
5       1978 for the purpose of targeting a United States  
6       person; or

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

14      SEC. 8104. 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 with-  
21 out the express authorization of Congress: *Provided*, That  
22 this limitation shall not apply to transfers of funds ex-  
23 pressly provided for in Defense Appropriations Acts, or  
24 provisions of Acts providing supplemental appropriations  
25 for the Department of Defense.

1        SEC. 8105. Of the amounts appropriated in this Act  
2 for “Operation and Maintenance, Navy”, \$352,044,000,  
3 to remain available until expended, may be used for any  
4 purposes related to the National Defense Reserve Fleet  
5 established under section 11 of the Merchant Ship Sales  
6 Act of 1946 (46 U.S.C. 57100): *Provided*, That such  
7 amounts are available for reimbursements to the Ready  
8 Reserve Force, Maritime Administration account of the  
9 United States Department of Transportation for pro-  
10 grams, projects, activities, and expenses related to the Na-  
11 tional Defense Reserve Fleet.

12        SEC. 8106. None of the funds made available in this  
13 Act may be obligated for activities authorized under sec-  
14 tion 1208 of the Ronald W. Reagan National Defense Au-  
15 thorization Act for Fiscal Year 2005 (Public Law 112–  
16 81; 125 Stat. 1621) to initiate support for, or expand sup-  
17 port to, foreign forces, irregular forces, groups, or individ-  
18 uals unless the congressional defense committees are noti-  
19 fied in accordance with the direction contained in the clas-  
20 sified annex accompanying this Act, not less than 15 days  
21 before initiating such support: *Provided*, That none of the  
22 funds made available in this Act may be used under sec-  
23 tion 1208 for any activity that is not in support of an  
24 ongoing military operation being conducted by United  
25 States Special Operations Forces to combat terrorism:

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

7       SEC. 8107. None of the funds made available by this  
8 Act may be used with respect to Iraq in contravention of  
9 the War Powers Resolution (50 U.S.C. 1541 et seq.), in-  
10 cluding for the introduction of United States armed forces  
11 into hostilities in Iraq, into situations in Iraq where immi-  
12 nent involvement in hostilities is clearly indicated by the  
13 circumstances, or into Iraqi territory, airspace, or waters  
14 while equipped for combat, in contravention of the con-  
15 gressional consultation and reporting requirements of sec-  
16 tions 3 and 4 of such Resolution (50 U.S.C. 1542 and  
17 1543).

18       SEC. 8108. None of the funds provided in this Act  
19 for the TAO Fleet Oiler program or the FFG-Frigate pro-  
20 gram shall be used to award a new contract that provides  
21 for the acquisition of the following components unless  
22 those components are manufactured in the United States:  
23 Auxiliary equipment (including pumps) for shipboard serv-  
24 ices; propulsion equipment (including engines, reduction

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

3 SEC. 8109. No amounts credited or otherwise made  
4 available in this or any other Act to the Department of  
5 Defense Acquisition Workforce Development Fund may be  
6 transferred to:

7 (1) the Rapid Prototyping Fund established  
8 under section 804(d) of the National Defense Au-  
9 thorization Act for Fiscal Year 2016 (10 U.S.C.  
10 2302 note); or

11 (2) credited to a military-department specific  
12 fund established under section 804(d)(2) of the Na-  
13 tional Defense Authorization Act for Fiscal Year  
14 2016 (as amended by section 897 of the National  
15 Defense Authorization Act for Fiscal Year 2017).

16 SEC. 8110. None of the funds made available by this  
17 Act may be used for Government Travel Charge Card ex-  
18 penses by military or civilian personnel of the Department  
19 of Defense for gaming, or for entertainment that includes  
20 topless or nude entertainers or participants, as prohibited  
21 by Department of Defense FMR, Volume 9, Chapter 3  
22 and Department of Defense Instruction 1015.10 (enclo-  
23 sure 3, 14a and 14b).

24 SEC. 8111. None of the funds appropriated by this  
25 or any other Act may be made available to deliver F-35

1 air vehicles or any other F-35 weapon system equipment  
2 to the Republic of Turkey.

3 (INCLUDING TRANSFER OF FUNDS)

4 SEC. 8112. Of the amounts appropriated in this Act,  
5 the Secretary of Defense may use up to \$82,046,000  
6 under the heading “Operation and Maintenance, Defense-  
7 Wide”, and up to \$44,001,000 under the heading “Re-  
8 search, Development, Test and Evaluation, Defense-  
9 Wide” to develop, replace, and sustain Federal Govern-  
10 ment security and suitability background investigation in-  
11 formation technology systems of the Office of Personnel  
12 Management or other Federal agency responsible for con-  
13 ducting such investigations: *Provided*, That the Secretary  
14 may transfer additional amounts into these headings or  
15 into “Procurement, Defense-Wide” using established re-  
16 programming procedures prescribed in the Department of  
17 Defense Financial Management Regulation 7000.14, Vol-  
18 ume 3, Chapter 6, dated September 2015: *Provided fur-*  
19 *ther*, That such funds shall supplement, not supplant any  
20 other amounts made available to other Federal agencies  
21 for such purposes.

22 SEC. 8113. (a) None of the funds made available in  
23 this Act may be used to maintain or establish a computer  
24 network unless such network is designed to block access  
25 to pornography websites.



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

7 SEC. 8114. Notwithstanding any other provision of  
8 law, any transfer of funds appropriated or otherwise made  
9 available by this Act to the Global Engagement Center es-  
10 tablished by section 1287 of the National Defense Author-  
11 ization Act for Fiscal Year 2017 (Public Law 114–328;  
12 130 Stat. 22 U.S.C. 2656 note) shall be made in accord-  
13 ance with section 8005 or 9002 of this Act, as applicable.

14 SEC. 8115. In addition to amounts provided else-  
15 where in this Act, there is appropriated \$270,000,000, for  
16 an additional amount for “Operation and Maintenance,  
17 Defense-Wide”, to remain available until expended: *Pro-*  
18 *vided*, That such funds shall only be available to the Sec-  
19 retary of Defense, acting through the Office of Economic  
20 Adjustment of the Department of Defense, or for transfer  
21 to the Secretary of Education, notwithstanding any other  
22 provision of law, to make grants, conclude cooperative  
23 agreements, or supplement other Federal funds to con-  
24 struct, renovate, repair, or expand elementary and sec-  
25 ondary public schools on military installations in order to

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

23 SEC. 8116. In carrying out the program described in  
24 the memorandum on the subject of “Policy for Assisted  
25 Reproductive Services for the Benefit of Seriously or Se-

1 verely Ill/Injured (Category II or III) Active Duty Service  
2 Members” issued by the Assistant Secretary of Defense  
3 for Health Affairs on April 3, 2012, and the guidance  
4 issued to implement such memorandum, the Secretary of  
5 Defense shall apply such policy and guidance, except  
6 that—

7 (1) the limitation on periods regarding embryo  
8 cryopreservation and storage set forth in part III(G)  
9 and in part IV(H) of such memorandum shall not  
10 apply; and

11 (2) the term “assisted reproductive technology”  
12 shall include embryo cryopreservation and storage  
13 without limitation on the duration of such  
14 cryopreservation and storage.

15 SEC. 8117. None of the funds made available by this  
16 Act may be used to provide arms, training, or other assist-  
17 ance to the Azov Battalion.

18 SEC. 8118. None of the funds provided for, or other-  
19 wise made available, in this or any other Act, may be obli-  
20 gated or expended by the Secretary of Defense to provide  
21 motorized vehicles, aviation platforms, munitions other  
22 than small arms and munitions appropriate for customary  
23 ceremonial honors, operational military units, or oper-  
24 ational military platforms if the Secretary determines that  
25 providing such units, platforms, or equipment would un-

1 dermine the readiness of such units, platforms, or equip-  
2 ment.

3       SEC. 8119. The Secretary of Defense may obligate  
4 and expend funds made available under this Act for pro-  
5 curement or for research, development, test and evaluation  
6 for the F-35 Joint Strike Fighter to modify up to six F-  
7 35 aircraft, including up to two F-35 aircraft of each vari-  
8 ant, to a test configuration: *Provided*, That the Secretary  
9 of Defense shall, with the concurrence of the Secretary  
10 of the Air Force and the Secretary of the Navy, notify  
11 the congressional defense committees not fewer than 30  
12 days prior to obligating and expending funds under this  
13 section: *Provided further*, That any transfer of funds pur-  
14 suant to the authority provided in this section shall be  
15 made in accordance with sections 8005 or 9002 of this  
16 Act, as appropriate, if applicable: *Provided further*, That  
17 aircraft referred to previously in this section are not addi-  
18 tional to aircraft referred to in section 8135 of the Depart-  
19 ment of Defense Appropriations Act, 2019.

20       SEC. 8120. Amounts appropriated for “Defense  
21 Health Program” in this Act and hereafter may be obli-  
22 gated to make death gratuity payments, as authorized in  
23 subchapter II of chapter 75 of title 10, United States  
24 Code, if no appropriation for “Military Personnel” is avail-  
25 able for obligation for such payments: *Provided*, That such

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

3       SEC. 8121. (a) None of the funds made available by  
4 this or any other Act may be used to enter into a contract,  
5 memorandum of understanding, or cooperative agreement  
6 with, make a grant to, or provide a loan or loan guarantee  
7 to any corporation that has any unpaid Federal tax liabil-  
8 ity that has been assessed, for which all judicial and ad-  
9 ministrative remedies have been exhausted or have lapsed,  
10 and that is not being paid in a timely manner pursuant  
11 to an agreement with the authority responsible for col-  
12 lecting such tax liability, provided that the applicable Fed-  
13 eral agency is aware of the unpaid Federal tax liability.

14       (b) Subsection (a) shall not apply if the applicable  
15 Federal agency has considered suspension or debarment  
16 of the corporation described in such subsection and has  
17 made a determination that such suspension or debarment  
18 is not necessary to protect the interests of the Federal  
19 Government.

20       SEC. 8122. None of the funds made available by this  
21 Act may be used in contravention of—

22               (1) Executive Order No. 13175 (65 Fed. Reg.  
23       67249; relating to consultation and coordination  
24       with Indian Tribal governments); or

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

3       SEC. 8123. Funds appropriated for the Next Genera-  
4       tion Aerial Refueling Aircraft (KC-46), Missile Segment  
5       Enhancement (MSE) Missile, and Trident missile pro-  
6       grams by the Department of Defense Appropriations Act,  
7       2014 (division C of Public Law 113-76) and the Depart-  
8       ment of Defense Appropriations Act, 2015 (division C of  
9       Public Law 113-235) are to remain available through fis-  
10      cal year 2024 for the liquidation of valid obligations in-  
11      curred for the programs specified in this section as of Sep-  
12      tember 30, 2016.

13      SEC. 8124. During fiscal year 2020, any advance bill-  
14      ing for background investigation services and related serv-  
15      ices purchased from activities financed using Defense  
16      Working Capital Funds shall be excluded from the calcula-  
17      tion of cumulative advance billings under section  
18      2208(l)(3) of title 10, United States Code.

19      SEC. 8125. None of the funds appropriated or other-  
20      wise made available by this Act may be obligated or ex-  
21      pended by the Department of Defense for the Space De-  
22      velopment Agency (SDA), and not more than 50 percent  
23      of the funds appropriated or otherwise made available by  
24      this Act may be obligated or expended by the Department  
25      of Defense for the Next Generation Overhead Persistent

1 Infrared program (PE 1206442F) until a period of 90  
2 days has elapsed following the date on which the Secretary  
3 of Defense, in consultation with the Secretary of the Air  
4 Force and the Under Secretary of Defense for Research  
5 and Engineering, submits to the congressional defense  
6 committees—

7           (1) the proposed plan to establish the SDA, and  
8           a description of the programs and projects the SDA  
9           plans to carry out over the next three years, includ-  
10          ing associated funding requirements;

11          (2) a description of how the Air Force and the  
12          SDA will coordinate and cooperate to develop an  
13          agreed-upon integrated space architecture that will  
14          guide both SDA and Air Force investments;

15          (3) the process by which the SDA and the Air  
16          Force will cooperate in demonstrating and proto-  
17          typing new capabilities, and transition to programs  
18          of record;

19          (4) the proposed physical location of the SDA  
20          and the proposed number of government and con-  
21          tractor personnel expected to comprise the SDA in  
22          the first three years; and

23          (5) a plan to transition the SDA into the Air  
24          Force not later than fiscal year 2022, or into a  
25          Space Force.

1       SEC. 8126. None of the funds appropriated or other-  
2 wise made available by this or any other Act may be used  
3 to transfer any element, personnel, property, or resources  
4 of the intelligence community, as defined in section 3 of  
5 the National Security Act of 1947 (50 U.S.C. 3003), to  
6 the Space Force.

7       SEC. 8127. None of the funds appropriated or other-  
8 wise made available by this Act or any prior appropria-  
9 tions Acts may be used to construct a wall, fence, border  
10 barriers, or border security infrastructure along the south-  
11 ern land border of the United States.

## 12                                   TITLE IX

### 13           OVERSEAS CONTINGENCY OPERATIONS

#### 14                   MILITARY PERSONNEL

##### 15                           MILITARY PERSONNEL, ARMY

16       For an additional amount for “Military Personnel,  
17 Army”, \$2,743,132,000: *Provided*, That such amount is  
18 designated by the Congress for Overseas Contingency Op-  
19 erations/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                           MILITARY PERSONNEL, NAVY

23       For an additional amount for “Military Personnel,  
24 Navy”, \$356,392,000: *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 MILITARY PERSONNEL, MARINE CORPS

5 For an additional amount for “Military Personnel,  
6 Marine Corps”, \$104,213,000: *Provided*, That such  
7 amount is designated by the Congress for Overseas Con-  
8 tingency Operations/Global War on Terrorism pursuant to  
9 section 251(b)(2)(A)(ii) of the Balanced Budget and  
10 Emergency Deficit Control Act of 1985.

11 MILITARY PERSONNEL, AIR FORCE

12 For an additional amount for “Military Personnel,  
13 Air Force”, \$1,007,594,000: *Provided*, That such amount  
14 is designated by the Congress for Overseas Contingency  
15 Operations/Global War on Terrorism pursuant to section  
16 251(b)(2)(A)(ii) of the Balanced Budget and Emergency  
17 Deficit Control Act of 1985.

18 RESERVE PERSONNEL, ARMY

19 For an additional amount for “Reserve Personnel,  
20 Army”, \$34,812,000: *Provided*, That such amount is des-  
21 ignated by the Congress for Overseas Contingency Oper-  
22 ations/Global War on Terrorism pursuant to section  
23 251(b)(2)(A)(ii) of the Balanced Budget and Emergency  
24 Deficit Control Act of 1985.

## 1 RESERVE PERSONNEL, NAVY

2 For an additional amount for “Reserve Personnel,  
3 Navy”, \$11,370,000: *Provided*, That such amount is des-  
4 ignated by the Congress for Overseas Contingency Oper-  
5 ations/Global War on Terrorism pursuant to section  
6 251(b)(2)(A)(ii) of the Balanced Budget and Emergency  
7 Deficit Control Act of 1985.

## 8 RESERVE PERSONNEL, MARINE CORPS

9 For an additional amount for “Reserve Personnel,  
10 Marine Corps”, \$3,599,000: *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, AIR FORCE

16 For an additional amount for “Reserve Personnel,  
17 Air Force”, \$16,428,000: *Provided*, That such amount is  
18 designated by the Congress for Overseas Contingency Op-  
19 erations/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 NATIONAL GUARD PERSONNEL, ARMY

23 For an additional amount for “National Guard Per-  
24 sonnel, Army”, \$202,644,000: *Provided*, That such  
25 amount is designated by the Congress for Overseas Con-

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

4 NATIONAL GUARD PERSONNEL, AIR FORCE

5 For an additional amount for “National Guard Per-  
 6 sonnel, Air Force”, \$5,624,000: *Provided*, That such  
 7 amount is designated by the Congress for Overseas Con-  
 8 tingency Operations/Global War on Terrorism pursuant to  
 9 section 251(b)(2)(A)(ii) of the Balanced Budget and  
 10 Emergency Deficit Control Act of 1985.

11 OPERATION AND MAINTENANCE

12 OPERATION AND MAINTENANCE, ARMY

13 For an additional amount for “Operation and Main-  
 14 tenance, Army”, \$18,507,827,000: *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 OPERATION AND MAINTENANCE, NAVY

20 For an additional amount for “Operation and Main-  
 21 tenance, Navy”, \$6,561,650,000, of which up to  
 22 \$190,000,000 may be transferred to the Coast Guard  
 23 “Operating Expenses” account: *Provided*, That such  
 24 amount is designated by the Congress for Overseas Con-  
 25 tingency Operations/Global War on Terrorism pursuant to

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

3 OPERATION AND MAINTENANCE, MARINE CORPS

4 For an additional amount for “Operation and Main-  
5 tenance, Marine Corps”, \$1,124,791,000: *Provided*, That  
6 such amount is designated by the Congress for Overseas  
7 Contingency Operations/Global War on Terrorism pursu-  
8 ant to section 251(b)(2)(A)(ii) of the Balanced Budget  
9 and Emergency Deficit Control Act of 1985.

10 OPERATION AND MAINTENANCE, AIR FORCE

11 For an additional amount for “Operation and Main-  
12 tenance, Air Force”, \$9,314,379,000: *Provided*, That such  
13 amount is designated by the Congress for Overseas Con-  
14 tingency Operations/Global War on Terrorism pursuant to  
15 section 251(b)(2)(A)(ii) of the Balanced Budget and  
16 Emergency Deficit Control Act of 1985.

17 OPERATION AND MAINTENANCE, DEFENSE-WIDE

18 For an additional amount for “Operation and Main-  
19 tenance, Defense-Wide”, \$8,105,206,000: *Provided*, That  
20 of the funds provided under this heading, not to exceed  
21 \$450,000,000, to remain available until September 30,  
22 2021, shall be for payments to reimburse key cooperating  
23 nations for logistical, military, and other support, includ-  
24 ing access, provided to United States military and stability  
25 operations in Afghanistan and to counter the Islamic

1 State of Iraq and Syria: *Provided further*, That such reim-  
2 bursement payments may be made in such amounts as the  
3 Secretary of Defense, with the concurrence of the Sec-  
4 retary of State, and in consultation with the Director of  
5 the Office of Management and Budget, may determine,  
6 based on documentation determined by the Secretary of  
7 Defense to adequately account for the support provided,  
8 and such determination is final and conclusive upon the  
9 accounting officers of the United States, and 15 days fol-  
10 lowing written notification to the appropriate congres-  
11 sional committees: *Provided further*, That these funds may  
12 be used for the purpose of providing specialized training  
13 and procuring supplies and specialized equipment and pro-  
14 viding such supplies and loaning such equipment on a non-  
15 reimbursable basis to coalition forces supporting United  
16 States military and stability operations in Afghanistan  
17 and to counter the Islamic State of Iraq and Syria, and  
18 15 days following written notification to the appropriate  
19 congressional committees: *Provided further*, That these  
20 funds may be used to support the Government of Jordan  
21 in such amounts as the Secretary of Defense may deter-  
22 mine, to enhance the ability of the armed forces of Jordan  
23 to increase or sustain security along its borders, upon 15  
24 days prior written notification to the congressional defense  
25 committees outlining the amounts intended to be provided

1 and the nature of the expenses incurred: *Provided further*,  
2 That of the funds provided under this heading, not to ex-  
3 ceed \$749,178,000 to remain available until September  
4 30, 2021, shall be available to provide support and assist-  
5 ance to foreign security forces or other groups or individ-  
6 uals to conduct, support or facilitate counterterrorism, cri-  
7 sis response, or other Department of Defense security co-  
8 operation programs: *Provided further*, That the Secretary  
9 of Defense shall provide quarterly reports to the congres-  
10 sional defense committees on the use of funds provided  
11 in this paragraph: *Provided further*, That such amount is  
12 designated by the Congress for Overseas Contingency Op-  
13 erations/Global War on Terrorism pursuant to section  
14 251(b)(2)(A)(ii) of the Balanced Budget and Emergency  
15 Deficit Control Act of 1985.

16 OPERATION AND MAINTENANCE, ARMY RESERVE

17 For an additional amount for “Operation and Main-  
18 tenance, Army Reserve”, \$37,592,000: *Provided*, That  
19 such amount is designated by the Congress for Overseas  
20 Contingency Operations/Global War on Terrorism pursu-  
21 ant to section 251(b)(2)(A)(ii) of the Balanced Budget  
22 and Emergency Deficit Control Act of 1985.

23 OPERATION AND MAINTENANCE, NAVY RESERVE

24 For an additional amount for “Operation and Main-  
25 tenance, Navy Reserve”, \$23,036,000: *Provided*, That

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

5 OPERATION AND MAINTENANCE, MARINE CORPS  
6 RESERVE

7 For an additional amount for “Operation and Main-  
8 tenance, Marine Corps Reserve”, \$8,707,000: *Provided*,  
9 That such amount is designated by the Congress for Over-  
10 seas Contingency Operations/Global War on Terrorism  
11 pursuant to section 251(b)(2)(A)(ii) of the Balanced  
12 Budget and Emergency Deficit Control Act of 1985.

13 OPERATION AND MAINTENANCE, AIR FORCE RESERVE

14 For an additional amount for “Operation and Main-  
15 tenance, Air Force Reserve”, \$29,758,000: *Provided*, That  
16 such amount is designated by the Congress for Overseas  
17 Contingency Operations/Global War on Terrorism pursu-  
18 ant to section 251(b)(2)(A)(ii) of the Balanced Budget  
19 and Emergency Deficit Control Act of 1985.

20 OPERATION AND MAINTENANCE, ARMY NATIONAL  
21 GUARD

22 For an additional amount for “Operation and Main-  
23 tenance, Army National Guard”, \$83,291,000: *Provided*,  
24 That such amount is designated by the Congress for Over-  
25 seas Contingency Operations/Global War on Terrorism

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

3 OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

4 For an additional amount for “Operation and Main-  
5 tenance, Air National Guard”, \$176,909,000: *Provided*,  
6 That such amount is designated by the Congress for Over-  
7 seas Contingency Operations/Global War on Terrorism  
8 pursuant to section 251(b)(2)(A)(ii) of the Balanced  
9 Budget and Emergency Deficit Control Act of 1985.

10 AFGHANISTAN SECURITY FORCES FUND

11 For the “Afghanistan Security Forces Fund”,  
12 \$4,503,978,000, to remain available until September 30,  
13 2021: *Provided*, That such funds shall be available to the  
14 Secretary of Defense for the purpose of allowing the Com-  
15 mander, Combined Security Transition Command—Af-  
16 ghanistan, or the Secretary’s designee, to provide assist-  
17 ance, with the concurrence of the Secretary of State, to  
18 the security forces of Afghanistan, including the provision  
19 of equipment, supplies, services, training, facility and in-  
20 frastructure repair, renovation, construction, and funding:  
21 *Provided further*, That the Secretary of Defense may obli-  
22 gate and expend funds made available to the Department  
23 of Defense in this title for additional costs associated with  
24 existing projects previously funded with amounts provided  
25 under the heading “Afghanistan Infrastructure Fund” in



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

tees in writing of the details of any such obligation: *Provided further*, That the Secretary of Defense shall notify the congressional defense committees in writing and not fewer than 15 days prior to obligating funds for any proposed new projects or transfer of funds between budget sub-activity groups in excess of \$20,000,000: *Provided further*, That the United States may accept equipment procured using funds provided under this heading in this or prior Acts that was transferred to the security forces of Afghanistan and returned by such forces to the United States: *Provided further*, That equipment procured using funds provided under this heading in this or prior Acts, and not yet transferred to the security forces of Afghanistan or transferred to the security forces of Afghanistan and returned by such forces to the United States, may be treated as stocks of the Department of Defense upon written notification to the congressional defense committees: *Provided further*, That of the funds provided under this heading, not less than \$10,000,000 shall be for recruitment and retention of women in the Afghanistan National Security Forces, and the recruitment and training of female security personnel: *Provided further*, That funds appropriated under this heading and made available for the salaries and benefits of personnel of the Afghanistan Security Forces may only be used for personnel who are

1 enrolled in the Afghanistan Personnel and Pay System:  
2 *Provided further*, That such amount is designated by the  
3 Congress for Overseas Contingency Operations/Global  
4 War on Terrorism pursuant to section 251(b)(2)(A)(ii) of  
5 the Balanced Budget and Emergency Deficit Control Act  
6 of 1985.

7 COUNTER-ISIS TRAIN AND EQUIP FUND

8 For the “Counter-Islamic State of Iraq and Syria  
9 Train and Equip Fund”, \$1,295,000,000, to remain avail-  
10 able until September 30, 2021: *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”, \$482,091,000, to remain available until Sep-  
 22 tember 30, 2022: *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”, \$1,414,218,000, to remain available until Sep-  
6 tember 30, 2022: *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”, \$353,454,000,  
15 to remain available until September 30, 2022: *Provided*,  
16 That such amount is designated by the Congress for Over-  
17 seas Contingency Operations/Global War on Terrorism  
18 pursuant to section 251(b)(2)(A)(ii) of the Balanced  
19 Budget and Emergency Deficit Control Act of 1985.

20 PROCUREMENT OF AMMUNITION, ARMY

21 For an additional amount for “Procurement of Am-  
22 munition, Army”, \$148,682,000, to remain available until  
23 September 30, 2022: *Provided*, That such amount is des-  
24 ignated by the Congress for Overseas Contingency Oper-  
25 ations/Global War on Terrorism pursuant to section

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

3 OTHER PROCUREMENT, ARMY

4 For an additional amount for “Other Procurement,  
5 Army”, \$1,105,850,000, to remain available until Sep-  
6 tember 30, 2022: *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 AIRCRAFT PROCUREMENT, NAVY

12 For an additional amount for “Aircraft Procurement,  
13 Navy”, \$119,045,000, to remain available until September  
14 30, 2022: *Provided*, That such amount is designated by  
15 the Congress for Overseas Contingency Operations/Global  
16 War on Terrorism pursuant to section 251(b)(2)(A)(ii) of  
17 the Balanced Budget and Emergency Deficit Control Act  
18 of 1985.

19 WEAPONS PROCUREMENT, NAVY

20 For an additional amount for “Weapons Procure-  
21 ment, Navy”, \$116,429,000, to remain available until  
22 September 30, 2022: *Provided*, That such amount is des-  
23 ignated by the Congress for Overseas Contingency Oper-  
24 ations/Global War on Terrorism pursuant to section



5 For an additional amount for “Procurement of Am-  
6 munition, Navy and Marine Corps”, \$204,814,000, to re-  
7 main available until September 30, 2022: *Provided*, That  
8 such amount is designated by the Congress for Overseas  
9 Contingency Operations/Global War on Terrorism pursu-  
10 ant to section 251(b)(2)(A)(ii) of the Balanced Budget  
11 and Emergency Deficit Control Act of 1985.

For an additional amount for “Other Procurement,  
Navy”, \$351,300,000, to remain available until September  
30, 2022: *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  
the Balanced Budget and Emergency Deficit Control Act  
of 1985.

For an additional amount for “Procurement, Marine Corps”, \$20,589,000, to remain available until September 30, 2022: *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”, \$513,310,000, to remain available until Sep-  
6 tember 30, 2022: *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”, \$201,671,000, to remain available until Sep-  
14 tember 30, 2022: *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”, \$939,433,000 to remain available  
22 until September 30, 2022: *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”, \$4,011,201,000, to remain available until  
6 September 30, 2022: *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”, \$465,987,000, to remain available until Sep-  
14 tember 30, 2022: *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 NATIONAL GUARD AND RESERVE EQUIPMENT ACCOUNT

20 For procurement of rotary-wing aircraft; combat, tac-  
21 tical and support vehicles; other weapons; and other pro-  
22 curement items for the reserve components of the Armed  
23 Forces, \$1,300,000,000, to remain available for obligation  
24 until September 30, 2022: *Provided*, That the Chiefs of  
25 National Guard and Reserve components shall, not later

1 than 30 days after enactment of this Act, individually sub-  
2 mit to the congressional defense committees the mod-  
3 ernization priority assessment for their respective Na-  
4 tional Guard or Reserve component: *Provided further*,  
5 That none of the funds made available by this paragraph  
6 may be used to procure manned fixed wing aircraft, or  
7 procure or modify missiles, munitions, or ammunition:  
8 Provided further, That such amount is designated by the  
9 Congress for Overseas Contingency Operations/Global  
10 War on Terrorism pursuant to section 251(b)(2)(A)(ii) of  
11 the Balanced Budget and Emergency Deficit Control Act  
12 of 1985.

13 RESEARCH, DEVELOPMENT, TEST AND  
14 EVALUATION

15 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,  
16 ARMY

17 For an additional amount for “Research, Develop-  
18 ment, Test and Evaluation, Army”, \$169,074,000, to re-  
19 main available until September 30, 2021: *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.

1 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,  
2 NAVY

3 For an additional amount for “Research, Develop-  
4 ment, Test and Evaluation, Navy”, \$164,410,000, to re-  
5 main available until September 30, 2021: *Provided*, That  
6 such amount is designated by the Congress for Overseas  
7 Contingency Operations/Global War on Terrorism pursu-  
8 ant to section 251(b)(2)(A)(ii) of the Balanced Budget  
9 and Emergency Deficit Control Act of 1985.

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

12 For an additional amount for “Research, Develop-  
13 ment, Test and Evaluation, Air Force”, \$128,248,000, to  
14 remain available until September 30, 2021: *Provided*,  
15 That such amount is designated by the Congress for Over-  
16 seas Contingency Operations/Global War on Terrorism  
17 pursuant to section 251(b)(2)(A)(ii) of the Balanced  
18 Budget and Emergency Deficit Control Act of 1985.

19 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,  
20 DEFENSE-WIDE

21 For an additional amount for “Research, Develop-  
22 ment, Test and Evaluation, Defense-Wide”, \$382,636,000  
23 , to remain available until September 30, 2021: *Provided*,  
24 That such amount is designated by the Congress for Over-  
25 seas Contingency Operations/Global War on Terrorism

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

3 REVOLVING AND MANAGEMENT FUNDS

4 DEFENSE WORKING CAPITAL FUNDS

5 For an additional amount for “Defense Working  
6 Capital Funds”, \$20,100,000: *Provided*, That such  
7 amount is designated by the Congress for Overseas Con-  
8 tingency Operations/Global War on Terrorism pursuant to  
9 section 251(b)(2)(A)(ii) of the Balanced Budget and  
10 Emergency Deficit Control Act of 1985.

11 OTHER DEPARTMENT OF DEFENSE PROGRAMS

12 DEFENSE HEALTH PROGRAM

13 For an additional amount for “Defense Health Pro-  
14 gram”, \$347,746,000, which shall be for operation and  
15 maintenance: *Provided*, That such amount is designated  
16 by the Congress for Overseas Contingency Operations/  
17 Global War on Terrorism pursuant to section  
18 251(b)(2)(A)(ii) of the Balanced Budget and Emergency  
19 Deficit Control Act of 1985.

20 DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES,

21 DEFENSE

22 For an additional amount for “Drug Interdiction and  
23 Counter-Drug Activities, Defense”, \$153,100,000: *Pro-*  
24 *vided*, That the transfer authority contained in section  
25 9002 in title IX of this Act shall not apply to amounts

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

6 OFFICE OF THE INSPECTOR GENERAL

7 For an additional amount for the “Office of the In-  
 8 spector General”, \$24,254,000: *Provided*, That such  
 9 amount is designated by the Congress for Overseas Con-  
 10 tingency Operations/Global War on Terrorism pursuant to  
 11 section 251(b)(2)(A)(ii) of the Balanced Budget and  
 12 Emergency Deficit Control Act of 1985.

13 GENERAL PROVISIONS—THIS TITLE

14 SEC. 9001. Notwithstanding any other provision of  
 15 law, funds made available in this title are in addition to  
 16 amounts appropriated or otherwise made available for the  
 17 Department of Defense for fiscal year 2020.

18 (INCLUDING TRANSFER OF FUNDS)

19 SEC. 9002. Upon the determination of the Secretary  
 20 of Defense that such action is necessary in the national  
 21 interest, the Secretary may, with the approval of the Of-  
 22 fice of Management and Budget, transfer up to  
 23 \$500,000,000 between the appropriations or funds made  
 24 available to the Department of Defense in this title: *Pro-*  
 25 *vided*, That the Secretary shall notify the Congress

1 promptly of each transfer made pursuant to the authority  
2 in this section: *Provided further*, That the authority pro-  
3 vided in this section is in addition to any other transfer  
4 authority available to the Department of Defense and is  
5 subject to the same terms and conditions as the authority  
6 provided in section 8005 of this Act.

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

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



1 withstanding price or other limitations applicable to the  
2 purchase of passenger carrying vehicles.

3       SEC. 9005. Not to exceed \$5,000,000 of the amounts  
4 appropriated by this title under the heading “Operation  
5 and Maintenance, Army” may be used, notwithstanding  
6 any other provision of law, to fund the Commanders’  
7 Emergency Response Program (CERP), for the purpose  
8 of enabling military commanders in Afghanistan to re-  
9 spond to urgent, small-scale, humanitarian relief and re-  
10 construction requirements within their areas of responsi-  
11 bility: *Provided*, That each project (including any ancillary  
12 or related elements in connection with such project) exe-  
13 cuted under this authority shall not exceed \$2,000,000:  
14 *Provided further*, That not later than 45 days after the  
15 end of each 6 months of the fiscal year, the Secretary of  
16 Defense shall submit to the congressional defense commit-  
17 tees a report regarding the source of funds and the alloca-  
18 tion and use of funds during that 6-month period that  
19 were made available pursuant to the authority provided  
20 in this section or under any other provision of law for the  
21 purposes described herein: *Provided further*, That, not  
22 later than 30 days after the end of each fiscal year quar-  
23 ter, the Army shall submit to the congressional defense  
24 committees quarterly commitment, obligation, and expend-  
25 iture data for the CERP in Afghanistan: *Provided further*,

1 That, not less than 15 days before making funds available  
2 pursuant to the authority provided in this section or under  
3 any other provision of law for the purposes described here-  
4 in for a project with a total anticipated cost for completion  
5 of \$500,000 or more, the Secretary shall submit to the  
6 congressional defense committees a written notice con-  
7 taining each of the following:

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

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

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

24      SEC. 9006. Funds available to the Department of De-  
25      fense for operation and maintenance may be used, not-

1 withstanding any other provision of law, to provide sup-  
2 plies, services, transportation, including airlift and sealift,  
3 and other logistical support to allied forces participating  
4 in a combined operation with the armed forces of the  
5 United States and coalition forces supporting military and  
6 stability operations in Afghanistan and to counter the Is-  
7 lamic State of Iraq and Syria: *Provided*, That the Sec-  
8 retary of Defense shall provide quarterly reports to the  
9 congressional defense committees regarding support pro-  
10 vided under this section.

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

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

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

20 (3) To establish any military installation or  
21 base for the purpose of providing for the permanent  
22 stationing of United States Armed Forces in Af-  
23 ghanistan.

24 SEC. 9008. None of the funds made available in this  
25 Act may be used in contravention of the following laws

1 enacted or regulations promulgated to implement the  
2 United Nations Convention Against Torture and Other  
3 Cruel, Inhuman or Degrading Treatment or Punishment  
4 (done at New York on December 10, 1984):

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

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

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

19 SEC. 9009. None of the funds provided for the “Af-  
20 ghanistan Security Forces Fund” (ASFF) may be obli-  
21 gated prior to the approval of a financial and activity plan  
22 by the Afghanistan Resources Oversight Council (AROC)  
23 of the Department of Defense: *Provided*, That the AROC  
24 must approve the requirement and acquisition plan for any  
25 service requirements in excess of \$50,000,000 annually

1 and any non-standard equipment requirements in excess  
2 of \$100,000,000 using ASFF: *Provided further*, That the  
3 Department of Defense must certify to the congressional  
4 defense committees that the AROC has convened and ap-  
5 proved a process for ensuring compliance with the require-  
6 ments in the preceding proviso and accompanying report  
7 language for the ASFF.

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

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

24       SEC. 9012. None of the funds made available by this  
25 Act under the heading “Counter-ISIS Train and Equip

1 Fund” may be used to procure or transfer man-portable  
2 air defense systems.

3 SEC. 9013. For the “Ukraine Security Assistance Ini-  
4 tiative”, \$250,000,000 is hereby appropriated, to remain  
5 available until September 30, 2020: *Provided*, That such  
6 funds shall be available to the Secretary of Defense, in  
7 coordination with the Secretary of State, to provide assist-  
8 ance, including training; equipment; lethal assistance; lo-  
9 gistics support, supplies and services; sustainment; and in-  
10 telligence support to the military and national security  
11 forces of Ukraine, and for replacement of any weapons  
12 or articles provided to the Government of Ukraine from  
13 the inventory of the United States: *Provided further*, That  
14 of the amounts made available in this section,  
15 \$50,000,000 shall be available only for lethal assistance  
16 described in paragraphs (2) and (3) of section 1250(b)  
17 of the National Defense Authorization Act for Fiscal Year  
18 2016 (Public Law 114–92; 129 Stat. 1068): *Provided fur-*  
19 *ther*, That the Secretary of Defense shall, not less than  
20 15 days prior to obligating funds provided under this  
21 heading, notify the congressional defense committees in  
22 writing of the details of any such obligation: *Provided fur-*  
23 *ther*, That the United States may accept equipment pro-  
24 cured using funds provided under this heading in this or  
25 prior Acts that was transferred to the security forces of

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

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

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

21 SEC. 9016. Equipment procured using funds provided  
22 in prior Acts under the heading “Counterterrorism Part-  
23 nerships Fund” for the program authorized by section  
24 1209 of the Carl Levin and Howard P. “Buck” McKeon  
25 National Defense Authorization Act for Fiscal Year 2015

1 (Public Law 113–291), and not yet transferred to author-  
2 ized recipients may be transferred to foreign security  
3 forces, irregular forces, groups, or individuals, authorized  
4 to receive assistance using amounts provided under the  
5 heading “Counter-ISIS Train and Equip Fund” in this  
6 Act: *Provided*, That such equipment may be transferred  
7 15 days following written notification to the congressional  
8 defense committees.

9 SEC. 9017. (a) None of the funds appropriated or  
10 otherwise made available by this Act under the heading  
11 “Operation and Maintenance, Defense-Wide” for pay-  
12 ments under section 1233 of Public Law 110–181 for re-  
13 imbursement to the Government of Pakistan may be made  
14 available unless the Secretary of Defense, in coordination  
15 with the Secretary of State, certifies to the congressional  
16 defense committees that the Government of Pakistan is—

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



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

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

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

11          (5) implementing policies to protect judicial  
12      independence and due process of law;

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

16          (7) providing humanitarian organizations access  
17      to detainees, internally displaced persons, and other  
18      Pakistani civilians affected by the conflict.

19      (b) The Secretary of Defense, in coordination with  
20      the Secretary of State, may waive the restriction in sub-  
21      section (a) on a case-by-case basis by certifying in writing  
22      to the congressional defense committees that it is in the  
23      national security interest to do so: *Provided*, That if the  
24      Secretary of Defense, in coordination with the Secretary  
25      of State, exercises such waiver authority, the Secretaries

1 shall report to the congressional defense committees on  
2 both the justification for the waiver and on the require-  
3 ments of this section that the Government of Pakistan was  
4 not able to meet: *Provided further*, That such report may  
5 be submitted in classified form if necessary.

6 (INCLUDING TRANSFER OF FUNDS)

7 SEC. 9018. In addition to amounts otherwise made  
8 available in this Act, \$500,000,000 is hereby appropriated  
9 to the Department of Defense and made available for  
10 transfer only to the operation and maintenance, military  
11 personnel, and procurement accounts, to improve near-  
12 term intelligence, surveillance, and reconnaissance capa-  
13 bilities and related processing, exploitation, and dissemi-  
14 nation functions of the Department of Defense: *Provided*,  
15 That the transfer authority provided in this section is in  
16 addition to any other transfer authority provided else-  
17 where in this Act: *Provided further*, That not later than  
18 30 days prior to exercising the transfer authority provided  
19 in this section, the Secretary of Defense shall submit a  
20 report to the congressional defense committees on the pro-  
21 posed uses of these funds: *Provided further*, That the  
22 funds provided in this section may not be transferred to  
23 any program, project, or activity specifically limited or de-  
24 nied by this Act: *Provided further*, That such funds may  
25 not be obligated for new start efforts: *Provided further*,

1 That amounts made available by this section are des-  
2 ignated by the Congress for Overseas Contingency Oper-  
3 ations/Global War on Terrorism pursuant to section  
4 251(b)(2)(A)(ii) of the Balanced Budget and Emergency  
5 Deficit Control Act of 1985: *Provided further*, That the  
6 authority to provide funding under this section shall termi-  
7 nate on September 30, 2020.

8       SEC. 9019. None of the funds made available by this  
9 Act may be used with respect to Syria in contravention  
10 of the War Powers Resolution (50 U.S.C. 1541 et seq.),  
11 including for the introduction of United States armed or  
12 military forces into hostilities in Syria, into situations in  
13 Syria where imminent involvement in hostilities is clearly  
14 indicated by the circumstances, or into Syrian territory,  
15 airspace, or waters while equipped for combat, in con-  
16 travention of the congressional consultation and reporting  
17 requirements of sections 3 and 4 of that law (50 U.S.C.  
18 1542 and 1543).

19       SEC. 9020. None of the funds in this Act may be  
20 made available for the transfer of additional C-130 cargo  
21 aircraft to the Afghanistan National Security Forces or  
22 the Afghanistan Air Force until the Department of De-  
23 fense provides a report to the congressional defense com-  
24 mittees of the Afghanistan Air Force's medium airlift re-  
25 quirements. The report should identify Afghanistan's abil-

1 ity to utilize and maintain existing medium lift aircraft  
2 in the inventory and the best alternative platform, if nec-  
3 essary, to provide additional support to the Afghanistan  
4 Air Force's current medium airlift capacity.

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

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

9 SEC. 9022. None of the funds made available by this  
10 Act may be used to pay the expenses of any member of  
11 the Taliban to participate in any meeting that does not  
12 include the participation of members of the Government  
13 of Afghanistan or that restricts the participation of  
14 women.

15 (RESCISSIONS)

16 SEC. 9023. Of the funds appropriated in Department  
17 of Defense Appropriations Acts, the following funds are  
18 hereby rescinded from the following accounts and pro-  
19 grams in the specified amounts: *Provided*, That such  
20 amounts are 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:

24 “Operation and Maintenance, Defense-Wide: Defense  
25 Security Cooperation Account”, 2019/2020, \$7,000,000;

1 “Afghanistan Security Forces Fund”, 2019/2020,  
2 \$30,000,000;

3 “Counter-ISIS Train and Equip Fund”, 2019/2020,  
4 \$13,000,000; and

5 “Procurement of Ammunition, Navy and Marine  
6 Corps”, 2019/2021, \$16,574,000.

7 SEC. 9024. Each amount designated in this Act by  
8 the Congress for Overseas Contingency Operations/Global  
9 War on Terrorism pursuant to section 251(b)(2)(A)(ii) of  
10 the Balanced Budget and Emergency Deficit Control Act  
11 of 1985 shall be available (or rescinded, if applicable) only  
12 if the President subsequently so designates all such  
13 amounts and transmits such designations to the Congress.

14 SEC. 9025. (a) The Authorization for Use of Military  
15 Force (Public Law 107–40; 50 U.S.C. 1541 note) is here-  
16 by repealed.

17 (b) The repeal contained in subsection (a)—

18 (1) takes effect on the date that is 240 days  
19 after the date of the enactment of this Act; and

20 (2) applies with respect to each operation or  
21 other action that is being carried out pursuant to  
22 the Authorization for Use of Military Force initiated  
23 before such effective date.

24 SEC. 9026. Nothing in this Act may be construed as  
25 authorizing the use of force against Iran.

1 **TITLE X—TO DIRECT THE RE-**  
2 **MOVAL OF UNITED STATES**  
3 **ARMED FORCES FROM HOS-**  
4 **TILITIES IN THE REPUBLIC**  
5 **OF YEMEN THAT HAVE NOT**  
6 **BEEN AUTHORIZED BY CON-**  
7 **GRESS**

8 **SEC. 10001. FINDINGS.**

9 Congress makes the following findings:

10 (1) Congress has the sole power to declare war  
11 under article I, section 8, clause 11 of the United  
12 States Constitution.

13 (2) Congress has not declared war with respect  
14 to, or provided a specific statutory authorization for,  
15 the conflict between military forces led by Saudi  
16 Arabia, including forces from the United Arab Emir-  
17 ates, Bahrain, Kuwait, Egypt, Jordan, Morocco,  
18 Senegal, and Sudan (the Saudi-led coalition),  
19 against the Houthis, also known as Ansar Allah, in  
20 the Republic of Yemen.

21 (3) Since March 2015, members of the United  
22 States Armed Forces have been introduced into hos-  
23 tilities between the Saudi-led coalition and the  
24 Houthis, including providing to the Saudi-led coali-

1       tion aerial targeting assistance, intelligence sharing,  
2       and mid-flight aerial refueling.

3           (4) The United States has established a Joint  
4       Combined Planning Cell with Saudi Arabia, in which  
5       members of the United States Armed Forces assist  
6       in aerial targeting and help to coordinate military  
7       and intelligence activities.

8           (5) In December 2017, Secretary of Defense  
9       James N. Mattis stated, “We have gone in to be  
10      very—to be helpful where we can in identifying how  
11      you do target analysis and how you make certain  
12      you hit the right thing.”.

13          (6) The conflict between the Saudi-led coalition  
14      and the Houthis constitutes, within the meaning of  
15      section 4(a) of the War Powers Resolution (50  
16      U.S.C. 1543(a)), either hostilities or a situation  
17      where imminent involvement in hostilities is clearly  
18      indicated by the circumstances into which United  
19      States Armed Forces have been introduced.

20          (7) Section 5(c) of the War Powers Resolution  
21      (50 U.S.C. 1544(c)) states that “at any time that  
22      United States Armed Forces are engaged in hos-  
23      tilities outside the territory of the United States, its  
24      possessions and territories without a declaration of  
25      war or specific statutory authorization, such forces



1 shall be removed by the President if the Congress so  
2 directs”.

3 (8) Section 8(c) of the War Powers Resolution  
4 (50 U.S.C. 1547(c)) defines the introduction of  
5 United States Armed Forces to include “the assign-  
6 ment of members of such armed forces to command,  
7 coordinate, participate in the movement of, or ac-  
8 company the regular or irregular military forces of  
9 any foreign country or government when such mili-  
10 tary forces are engaged, or there exists an imminent  
11 threat that such forces will become engaged, in hos-  
12 tilities,” and activities that the United States is con-  
13 ducting in support of the Saudi-led coalition, includ-  
14 ing aerial refueling and targeting assistance, fall  
15 within this definition.

16 (9) Section 1013 of the Department of State  
17 Authorization Act, Fiscal Years 1984 and 1985 (50  
18 U.S.C. 1546a) provides that any joint resolution or  
19 bill to require the removal of United States Armed  
20 Forces engaged in hostilities without a declaration of  
21 war or specific statutory authorization shall be con-  
22 sidered in accordance with the expedited procedures  
23 of section 601(b) of the International Security and  
24 Arms Export Control Act of 1976 (Public Law 94–  
25 329; 90 Stat. 765).

1           (10) No specific statutory authorization for the  
2       use of United States Armed Forces with respect to  
3       the conflict between the Saudi-led coalition and the  
4       Houthis in Yemen has been enacted, and no provi-  
5       sion of law explicitly authorizes the provision of tar-  
6       geting assistance or of midair refueling services to  
7       warplanes of Saudi Arabia or the United Arab Emir-  
8       ates that are engaged in such conflict.

9   **SEC. 10002. REMOVAL OF UNITED STATES ARMED FORCES**  
10                   **FROM HOSTILITIES IN THE REPUBLIC OF**  
11                   **YEMEN THAT HAVE NOT BEEN AUTHORIZED**  
12                   **BY CONGRESS.**

13       Pursuant to section 1013 of the Department of State  
14   Authorization Act, Fiscal Years 1984 and 1985 (50  
15   U.S.C. 1546a) and in accordance with the provisions of  
16   section 601(b) of the International Security Assistance  
17   and Arms Export Control Act of 1976 (Public Law 94–  
18   329; 90 Stat. 765), Congress hereby directs the President  
19   to remove United States Armed Forces from hostilities in  
20   or affecting the Republic of Yemen, except United States  
21   Armed Forces engaged in operations directed at al Qaeda  
22   or associated forces, by not later than the date that is  
23   30 days after the date of the enactment of this Act (unless  
24   the President requests and Congress authorizes a later  
25   date), and unless and until a declaration of war or specific

1 authorization for such use of United States Armed Forces  
2 has been enacted. For purposes of this title, in this sec-  
3 tion, the term “hostilities” includes in-flight refueling of  
4 non-United States aircraft conducting missions as part of  
5 the ongoing civil war in Yemen.

6 **SEC. 10003. RULE OF CONSTRUCTION REGARDING CONTIN-**  
7 **UED MILITARY OPERATIONS AND COOPERA-**  
8 **TION WITH ISRAEL.**

9 Nothing in this title shall be construed to influence  
10 or disrupt any military operations and cooperation with  
11 Israel.

12 **SEC. 10004. RULE OF CONSTRUCTION REGARDING INTEL-**  
13 **LIGENCE SHARING.**

14 Nothing in this title may be construed to influence  
15 or disrupt any intelligence, counterintelligence, or inves-  
16 tigative activities relating to threats in or emanating from  
17 Yemen conducted by, or in conjunction with, the United  
18 States Government involving—

- 19 (1) the collection of intelligence;  
20 (2) the analysis of intelligence; or  
21 (3) the sharing of intelligence between the  
22 United States and any coalition partner if the Presi-  
23 dent determines such sharing is appropriate and in  
24 the national security interests of the United States.

1 **SEC. 10005. REPORT ON RISKS POSED BY CEASING SAUDI**  
2 **ARABIA SUPPORT OPERATIONS.**

3 Not later than 90 days after the date of the enact-  
4 ment of this Act, the President shall submit to Congress  
5 a report assessing the risks posed to United States citizens  
6 and the civilian population of Saudi Arabia and the risk  
7 of regional humanitarian crises if the United States were  
8 to cease support operations with respect to the conflict be-  
9 tween the Saudi-led coalition and the Houthis in Yemen.

10 **SEC. 10006. REPORT ON INCREASED RISK OF TERRORIST**  
11 **ATTACKS TO UNITED STATES ARMED FORCES**  
12 **ABROAD, ALLIES, AND THE CONTINENTAL**  
13 **UNITED STATES IF SAUDI ARABIA CEASES**  
14 **YEMEN-RELATED INTELLIGENCE SHARING**  
15 **WITH THE UNITED STATES.**

16 Not later than 90 days after the date of the enact-  
17 ment of this Act, the President shall submit to Congress  
18 a report assessing the increased risk of terrorist attacks  
19 on United States Armed Forces abroad, allies, and to the  
20 continental United States if the Government of Saudi Ara-  
21 bia were to cease Yemen-related intelligence sharing with  
22 the United States.

1 **SEC. 10007. RULE OF CONSTRUCTION REGARDING NO AU-**  
2 **THORIZATION FOR USE OF MILITARY FORCE.**

3 Consistent with section 8(a)(1) of the War Powers  
4 Resolution (50 U.S.C. 1547(a)(1)), nothing in this title  
5 may be construed as authorizing the use of military force.

6 This Act may be cited as the “Department of Defense  
7 Appropriations Act, 2020”.

Union Calendar No. 59

116TH CONGRESS  
1ST Session

**H. R. 2968**

[Report No. 116-84]

**A BILL**

Making appropriations for the Department of Defense for the fiscal year ending September 30, 2020, and for other purposes.

MAY 23, 2019

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