

1 ment of Defense Military Retirement Fund,
2 \$41,427,054,000.

3 MILITARY PERSONNEL, NAVY

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

16 MILITARY PERSONNEL, MARINE CORPS

17 For pay, allowances, individual clothing, subsistence,
18 interest on deposits, gratuities, permanent change of sta-
19 tion travel (including all expenses thereof for organiza-
20 tional movements), and expenses of temporary duty travel
21 between permanent duty stations, for members of the Ma-
22 rine Corps on active duty (except members of the Reserve
23 provided for elsewhere); and for payments pursuant to sec-
24 tion 156 of Public Law 97-377, as amended (42 U.S.C.

1 402 note), and to the Department of Defense Military Re-
2 tirement Fund, \$13,165,714,000.

3 MILITARY PERSONNEL, AIR FORCE

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

16 RESERVE PERSONNEL, ARMY

17 For pay, allowances, clothing, subsistence, gratuities,
18 travel, and related expenses for personnel of the Army Re-
19 serve on active duty under sections 10211, 10302, and
20 3038 of title 10, United States Code, or while serving on
21 active duty under section 12301(d) of title 10, United
22 States Code, in connection with performing duty specified
23 in section 12310(a) of title 10, United States Code, or
24 while undergoing reserve training, or while performing
25 drills or equivalent duty or other duty, and expenses au-

1 thORIZED by section 16131 of title 10, United States Code;
2 and for payments to the Department of Defense Military
3 Retirement Fund, \$4,721,128,000.

4 RESERVE PERSONNEL, NAVY

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

17 RESERVE PERSONNEL, MARINE CORPS

18 For pay, allowances, clothing, subsistence, gratuities,
19 travel, and related expenses for personnel of the Marine
20 Corps Reserve on active duty under section 10211 of title
21 10, United States Code, or while serving on active duty
22 under section 12301(d) of title 10, United States Code,
23 in connection with performing duty specified in section
24 12310(a) of title 10, United States Code, or while under-
25 going reserve training, or while performing drills or equiv-

1 alent duty, and for members of the Marine Corps platoon
2 leaders class, and expenses authorized by section 16131
3 of title 10, United States Code; and for payments to the
4 Department of Defense Military Retirement Fund,
5 \$762,793,000.

6 RESERVE PERSONNEL, AIR FORCE

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

19 NATIONAL GUARD PERSONNEL, ARMY

20 For pay, allowances, clothing, subsistence, gratuities,
21 travel, and related expenses for personnel of the Army Na-
22 tional Guard while on duty under sections 10211, 10302,
23 or 12402 of title 10 or section 708 of title 32, United
24 States Code, or while serving on duty under section
25 12301(d) of title 10 or section 502(f) of title 32, United

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

8 NATIONAL GUARD PERSONNEL, AIR FORCE

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

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

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

13 OPERATION AND MAINTENANCE, NAVY

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

1 OPERATION AND MAINTENANCE, MARINE CORPS

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

5 OPERATION AND MAINTENANCE, AIR FORCE

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

14 OPERATION AND MAINTENANCE, DEFENSE-WIDE

15 (INCLUDING TRANSFER OF FUNDS)

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

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

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

22 OPERATION AND MAINTENANCE, ARMY RESERVE

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

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

5 OPERATION AND MAINTENANCE, NAVY RESERVE

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

13 OPERATION AND MAINTENANCE, MARINE CORPS

14 RESERVE

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

22 OPERATION AND MAINTENANCE, AIR FORCE RESERVE

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

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

5 OPERATION AND MAINTENANCE, ARMY NATIONAL
6 GUARD

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

22 OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

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

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

14 UNITED STATES COURT OF APPEALS FOR THE ARMED
15 FORCES

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

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

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

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

15 ENVIRONMENTAL RESTORATION, NAVY

16 (INCLUDING TRANSFER OF FUNDS)

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

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

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

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

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

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

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

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

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

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

1 OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AID

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

8 COOPERATIVE THREAT REDUCTION ACCOUNT

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

15 OPERATION AND MAINTENANCE, NATIONAL DEFENSE

16 RESTORATION FUND

17 (INCLUDING TRANSFER OF FUNDS)

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

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

19

TITLE III

20

PROCUREMENT

21

AIRCRAFT PROCUREMENT, ARMY

22

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

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

11 MISSILE PROCUREMENT, ARMY

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

1 PROCUREMENT OF WEAPONS AND TRACKED COMBAT
2 VEHICLES, ARMY

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

17 PROCUREMENT OF AMMUNITION, ARMY

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

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

7 OTHER PROCUREMENT, ARMY

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

1 AIRCRAFT PROCUREMENT, NAVY

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

14 WEAPONS PROCUREMENT, NAVY

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

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

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

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

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

6 OTHER PROCUREMENT, NAVY

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

20 PROCUREMENT, MARINE CORPS

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

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

10 AIRCRAFT PROCUREMENT, AIR FORCE

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

1 MISSILE PROCUREMENT, AIR FORCE

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

16 SPACE PROCUREMENT, AIR FORCE

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

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

6 PROCUREMENT OF AMMUNITION, AIR FORCE

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

21 OTHER PROCUREMENT, AIR FORCE

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

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

12 PROCUREMENT, DEFENSE-WIDE

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

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

3 DEFENSE PRODUCTION ACT PURCHASES

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

8 PROCUREMENT, NATIONAL DEFENSE RESTORATION

9 FUND

10 (INCLUDING TRANSFER OF FUNDS)

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

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

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

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

1 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,
2 NAVY

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

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

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

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

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

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

10 OPERATIONAL TEST AND EVALUATION, DEFENSE

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

20 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,

21 NATIONAL DEFENSE RESTORATION FUND

22 (INCLUDING TRANSFER OF FUNDS)

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

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

1 TITLE V
2 REVOLVING AND MANAGEMENT FUNDS
3 DEFENSE WORKING CAPITAL FUNDS
4 For the Defense Working Capital Funds,
5 \$1,586,596,000.

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

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

17 CHEMICAL AGENTS AND MUNITIONS DESTRUCTION,
18 DEFENSE

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

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

15 DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES,

16 DEFENSE

17 (INCLUDING TRANSFER OF FUNDS)

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

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

14 OFFICE OF THE INSPECTOR GENERAL

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

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

3 TITLE VII

4 RELATED AGENCIES

5 CENTRAL INTELLIGENCE AGENCY RETIREMENT AND 6 DISABILITY SYSTEM FUND

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

12 INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT

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

15 TITLE VIII

16 GENERAL PROVISIONS

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

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

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

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

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

1 (TRANSFER OF FUNDS)

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

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

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

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

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

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

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

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

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

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

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

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

14 (TRANSFER OF FUNDS)

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 (b) The fiscal year 2019 budget request for the De-
2 partment of Defense as well as all justification material
3 and other documentation supporting the fiscal year 2019
4 Department of Defense budget shall be prepared and sub-
5 mitted to the Congress on the basis that any equipment
6 which was classified as an end item and funded in a pro-
7 curement appropriation contained in this Act shall be
8 budgeted for in a proposed fiscal year 2019 procurement
9 appropriation and not in the supply management business
10 area or any other area or category of the Department of
11 Defense Working Capital Funds.

12 SEC. 8034. None of the funds appropriated by this
13 Act for programs of the Central Intelligence Agency shall
14 remain available for obligation beyond the current fiscal
15 year, except for funds appropriated for the Reserve for
16 Contingencies, which shall remain available until Sep-
17 tember 30, 2019: *Provided*, That funds appropriated,
18 transferred, or otherwise credited to the Central Intel-
19 ligence Agency Central Services Working Capital Fund
20 during this or any prior or subsequent fiscal year shall
21 remain available until expended: *Provided further*, That
22 any funds appropriated or transferred to the Central Intel-
23 ligence Agency for advanced research and development ac-
24 quisition, for agent operations, and for covert action pro-
25 grams authorized by the President under section 503 of

1 the National Security Act of 1947 (50 U.S.C. 3093) shall
2 remain available until September 30, 2019.

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

10 SEC. 8036. Of the funds appropriated to the Depart-
11 ment of Defense under the heading “Operation and Main-
12 tenance, Defense-Wide”, not less than \$12,000,000 shall
13 be made available only for the mitigation of environmental
14 impacts, including training and technical assistance to
15 tribes, related administrative support, the gathering of in-
16 formation, documenting of environmental damage, and de-
17 veloping a system for prioritization of mitigation and cost
18 to complete estimates for mitigation, on Indian lands re-
19 sulting from Department of Defense activities.

20 SEC. 8037. (a) None of the funds appropriated in this
21 Act may be expended by an entity of the Department of
22 Defense unless the entity, in expending the funds, com-
23 plies with the Buy American Act. For purposes of this
24 subsection, the term Buy American Act means chapter 83
25 of title 41, United States Code.

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

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

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

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

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

8 (c) This section does not apply to—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 (INCLUDING TRANSFER OF FUNDS)

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

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

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

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

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

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

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

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

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

1 (INCLUDING TRANSFER OF FUNDS)

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

15 SEC. 8056. None of the funds appropriated in title
16 IV of this Act may be used to procure end-items for deliv-
17 ery to military forces for operational training, operational
18 use or inventory requirements: *Provided*, That this restric-
19 tion does not apply to end-items used in development,
20 prototyping, and test activities preceding and leading to
21 acceptance for operational use: *Provided further*, That this
22 restriction does not apply to programs funded within the
23 National Intelligence Program: *Provided further*, That the
24 Secretary of Defense may waive this restriction on a case-
25 by-case basis by certifying in writing to the Committees

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

4 SEC. 8057. (a) The Secretary of Defense may, on a
5 case-by-case basis, waive with respect to a foreign country
6 each limitation on the procurement of defense items from
7 foreign sources provided in law if the Secretary determines
8 that the application of the limitation with respect to that
9 country would invalidate cooperative programs entered
10 into between the Department of Defense and the foreign
11 country, or would invalidate reciprocal trade agreements
12 for the procurement of defense items entered into under
13 section 2531 of title 10, United States Code, and the
14 country does not discriminate against the same or similar
15 defense items produced in the United States for that coun-
16 try.

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

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

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

1 (c) Subsection (a) does not apply to a limitation re-
2 garding construction of public vessels, ball and roller bear-
3 ings, food, and clothing or textile materials as defined by
4 section XI (chapters 50–65) of the Harmonized Tariff
5 Schedule of the United States and products classified
6 under headings 4010, 4202, 4203, 6401 through 6406,
7 6505, 7019, 7218 through 7229, 7304.41 through
8 7304.49, 7306.40, 7502 through 7508, 8105, 8108, 8109,
9 8211, 8215, and 9404.

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

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

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

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

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

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

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

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

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

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

21 (INCLUDING TRANSFER OF FUNDS)

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

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

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

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

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

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

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

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

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

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

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

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

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

5 (INCLUDING TRANSFER OF FUNDS)

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

9 (1) creates a new start effort;

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

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

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

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

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

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

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

23 (INCLUDING TRANSFER OF FUNDS)

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

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

7 (INCLUDING TRANSFER OF FUNDS)

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

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

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

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

23 (2) the report contains proprietary information.

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

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

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

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

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

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

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

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

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

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

11 (INCLUDING TRANSFER OF FUNDS)

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

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

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

14 SEC. 8092. Appropriations available to the Depart-
15 ment of Defense may be used for the purchase of heavy
16 and light armored vehicles for the physical security of per-
17 sonnel or for force protection purposes up to a limit of
18 \$450,000 per vehicle, notwithstanding price or other limi-
19 tations applicable to the purchase of passenger carrying
20 vehicles.

21 (INCLUDING TRANSFER OF FUNDS)

22 SEC. 8093. Upon a determination by the Director of
23 National Intelligence that such action is necessary and in
24 the national interest, the Director may, with the approval
25 of the Office of Management and Budget, transfer not to

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

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

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

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

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

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

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

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

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

12 (2) is—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

10 (INCLUDING TRANSFER OF FUNDS)

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

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

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

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

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

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

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

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

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

8 (INCLUDING TRANSFER FUND)

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

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

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

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

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

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

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

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

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

12 MILITARY PERSONNEL, NAVY

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

19 MILITARY PERSONNEL, MARINE CORPS

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

1 MILITARY PERSONNEL, AIR FORCE

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

8 RESERVE PERSONNEL, ARMY

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

15 RESERVE PERSONNEL, NAVY

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

22 RESERVE PERSONNEL, MARINE CORPS

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

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

4 RESERVE PERSONNEL, AIR FORCE

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

11 NATIONAL GUARD PERSONNEL, ARMY

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

18 NATIONAL GUARD PERSONNEL, AIR FORCE

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

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

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

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

9 OPERATION AND MAINTENANCE

10 OPERATION AND MAINTENANCE, ARMY

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

17 OPERATION AND MAINTENANCE, NAVY

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

1 OPERATION AND MAINTENANCE, MARINE CORPS

2 For an additional amount for “Operation and Main-
3 tenance, Marine Corps”, \$1,116,640,000: *Provided*, That
4 such amount is designated by the Congress for Overseas
5 Contingency Operations/Global War on Terrorism pursu-
6 ant to section 251(b)(2)(A)(ii) of the Balanced Budget
7 and Emergency Deficit Control Act of 1985.

8 OPERATION AND MAINTENANCE, AIR FORCE

9 For an additional amount for “Operation and Main-
10 tenance, Air Force”, \$10,266,295,000: *Provided*, That
11 such amount is designated by the Congress for Overseas
12 Contingency Operations/Global War on Terrorism pursu-
13 ant to section 251(b)(2)(A)(ii) of the Balanced Budget
14 and Emergency Deficit Control Act of 1985.

15 OPERATION AND MAINTENANCE, DEFENSE-WIDE

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

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

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

12 OPERATION AND MAINTENANCE, ARMY RESERVE

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

19 OPERATION AND MAINTENANCE, NAVY RESERVE

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

1 OPERATION AND MAINTENANCE, MARINE CORPS

2 RESERVE

3 For an additional amount for “Operation and Main-
4 tenance, Marine Corps Reserve”, \$3,367,000: *Provided*,
5 That such amount is designated by the Congress for Over-
6 seas Contingency Operations/Global War on Terrorism
7 pursuant to section 251(b)(2)(A)(ii) of the Balanced
8 Budget and Emergency Deficit Control Act of 1985.

9 OPERATION AND MAINTENANCE, AIR FORCE RESERVE

10 For an additional amount for “Operation and Main-
11 tenance, Air Force Reserve”, \$58,523,000: *Provided*, That
12 such amount is designated by the Congress for Overseas
13 Contingency Operations/Global War on Terrorism pursu-
14 ant to section 251(b)(2)(A)(ii) of the Balanced Budget
15 and Emergency Deficit Control Act of 1985.

16 OPERATION AND MAINTENANCE, ARMY NATIONAL

17 GUARD

18 For an additional amount for “Operation and Main-
19 tenance, Army National Guard”, \$108,111,000: *Provided*,
20 That such amount is designated by the Congress for Over-
21 seas Contingency Operations/Global War on Terrorism
22 pursuant to section 251(b)(2)(A)(ii) of the Balanced
23 Budget and Emergency Deficit Control Act of 1985.

1 OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

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

8 OPERATION AND MAINTENANCE, NATIONAL DEFENSE

9 RESTORATION FUND

10 (INCLUDING TRANSFER OF FUNDS)

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

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

16 AFGHANISTAN SECURITY FORCES FUND

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

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

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

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

9 COUNTER-ISIL TRAIN AND EQUIP FUND

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

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

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

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

21 PROCUREMENT

22 AIRCRAFT PROCUREMENT, ARMY

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

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

5 MISSILE PROCUREMENT, ARMY

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

13 PROCUREMENT OF WEAPONS AND TRACKED COMBAT
14 VEHICLES, ARMY

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

23 PROCUREMENT OF AMMUNITION, ARMY

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

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

6 OTHER PROCUREMENT, ARMY

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

14 AIRCRAFT PROCUREMENT, NAVY

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

22 WEAPONS PROCUREMENT, NAVY

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

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

5 AIRCRAFT PROCUREMENT, AIR FORCE

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

13 MISSILE PROCUREMENT, AIR FORCE

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

21 SPACE PROCUREMENT, AIR FORCE

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

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

4 PROCUREMENT OF AMMUNITION, AIR FORCE

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

12 OTHER PROCUREMENT, AIR FORCE

13 For an additional amount for “Other Procurement,
14 Air Force”, \$3,998,887,000, to remain available until
15 September 30, 2020: *Provided*, That such amount is des-
16 ignated by the Congress for Overseas Contingency Oper-
17 ations/Global War on Terrorism pursuant to section
18 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
19 Deficit Control Act of 1985.

20 PROCUREMENT, DEFENSE-WIDE

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

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

3 NATIONAL GUARD AND RESERVE EQUIPMENT ACCOUNT

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

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

8 RESEARCH, DEVELOPMENT, TEST AND
9 EVALUATION

10 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,
11 ARMY

12 For an additional amount for “Research, Develop-
13 ment, Test and Evaluation, Army”, \$119,368,000 (in-
14 creased by \$6,000,000), to remain available until Sep-
15 tember 30, 2019: *Provided*, That such amount is des-
16 ignated by the Congress for Overseas Contingency Oper-
17 ations/Global War on Terrorism pursuant to section
18 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
19 Deficit Control Act of 1985.

20 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,
21 NAVY

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

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

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

6 For an additional amount for “Research, Develop-
7 ment, Test and Evaluation, Air Force”, \$144,508,000, to
8 remain available until September 30, 2019: *Provided*,
9 That such amount is designated by the Congress for Over-
10 seas Contingency Operations/Global War on Terrorism
11 pursuant to section 251(b)(2)(A)(ii) of the Balanced
12 Budget and Emergency Deficit Control Act of 1985.

13 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,
14 DEFENSE-WIDE

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

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

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

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

9 REVOLVING AND MANAGEMENT FUNDS

10 DEFENSE WORKING CAPITAL FUNDS

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

17 OTHER DEPARTMENT OF DEFENSE PROGRAMS

18 DEFENSE HEALTH PROGRAM

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

1 DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES,
2 DEFENSE

3 For an additional amount for “Drug Interdiction and
4 Counter-Drug Activities, Defense”, \$196,300,000: *Pro-*
5 *vided*, That such amount is designated by the Congress
6 for Overseas Contingency Operations/Global War on Ter-
7 rorism pursuant to section 251(b)(2)(A)(ii) of the Bal-
8 anced Budget and Emergency Deficit Control Act of 1985.

9 JOINT IMPROVISED-THREAT DEFEAT FUND
10 (INCLUDING TRANSFER OF FUNDS)

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

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

11 OFFICE OF THE INSPECTOR GENERAL

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

18 GENERAL PROVISIONS—THIS TITLE

19 SEC. 9001. Notwithstanding any other provision of
20 law, funds made available in this title are in addition to
21 amounts appropriated or otherwise made available for the
22 Department of Defense for fiscal year 2018.

23 (INCLUDING TRANSFER OF FUNDS)

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 (INCLUDING TRANSFER OF FUNDS)

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

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

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

6 SEC. 9020. Each amount designated in this Act by
7 the Congress for Overseas Contingency Operations/Global
8 War on Terrorism pursuant to section 251(b)(2)(A)(ii) of
9 the Balanced Budget and Emergency Deficit Control Act
10 of 1985 shall be available only if the President subse-
11 quently so designates all such amounts and transmits such
12 designations to the Congress.

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

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

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

1 be treated as referring only to the provisions of this divi-
2 sion.

3 REFERENCES TO REPORT

4 SEC. 10002. Any reference to a “report accom-
5 panying this Act” contained in this division shall be treat-
6 ed as a reference to House Report 115–219. The effect
7 of such Report shall be limited to this division and shall
8 apply for purposes of determining the allocation of funds
9 provided by, and the implementation of, this division.

10 SPENDING REDUCTION ACCOUNT

11 SEC. 10003. \$0.

12 SEC. 10004. None of the funds appropriated or other-
13 wise made available under the heading “Afghanistan Secu-
14 rity Forces Fund” may be used to procure uniforms for
15 the Afghan National Army.

16 SEC. 10005. None of the funds made available in this
17 Act may be used for the closure of a biosafety level 4 lab-
18 oratory.

19 SEC. 10006. None of the funds made available by this
20 Act may be used to provide arms, training, or other assist-
21 ance to the Azov Battalion.

22 SEC. 10007. None of the finds made available by this
23 Act may be used to purchase heavy water from Iran.

24 SEC. 10008. None of the funds appropriated by this
25 Act may be used to plan for, begin, continue, complete,

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

3 This division may be cited as the “Department of De-
4 fense Appropriations Act, 2018”.

5 **DIVISION ____—MILITARY CONSTRUCTION,**
6 **VETERANS AFFAIRS, AND RELATED**
7 **AGENCIES APPROPRIATIONS ACT, 2018**

8 The following sums are appropriated, out of any
9 money in the Treasury not otherwise appropriated, for
10 military construction, the Department of Veterans Affairs,
11 and related agencies for the fiscal year ending September
12 30, 2018, and for other purposes, namely:

13 TITLE I

14 DEPARTMENT OF DEFENSE

15 MILITARY CONSTRUCTION, ARMY

16 For acquisition, construction, installation, and equip-
17 ment of temporary or permanent public works, military
18 installations, facilities, and real property for the Army as
19 currently authorized by law, including personnel in the
20 Army Corps of Engineers and other personal services nec-
21 essary for the purposes of this appropriation, and for con-
22 struction and operation of facilities in support of the func-
23 tions of the Commander in Chief, \$923,994,000, to re-
24 main available until September 30, 2022: *Provided*, That,
25 of this amount, not to exceed \$101,470,000 shall be avail-

1 able for study, planning, design, architect and engineer
2 services, and host nation support, as authorized by law,
3 unless the Secretary of the Army determines that addi-
4 tional obligations are necessary for such purposes and no-
5 tifies the Committees on Appropriations of both Houses
6 of Congress of the determination and the reasons therefor.

7 MILITARY CONSTRUCTION, NAVY AND MARINE CORPS

8 For acquisition, construction, installation, and equip-
9 ment of temporary or permanent public works, naval in-
10 stallations, facilities, and real property for the Navy and
11 Marine Corps as currently authorized by law, including
12 personnel in the Naval Facilities Engineering Command
13 and other personal services necessary for the purposes of
14 this appropriation, \$1,558,085,000, to remain available
15 until September 30, 2022: *Provided*, That, of this amount,
16 not to exceed \$219,069,000 shall be available for study,
17 planning, design, and architect and engineer services, as
18 authorized by law, unless the Secretary of the Navy deter-
19 mines that additional obligations are necessary for such
20 purposes and notifies the Committees on Appropriations
21 of both Houses of Congress of the determination and the
22 reasons therefor.

23 MILITARY CONSTRUCTION, AIR FORCE

24 For acquisition, construction, installation, and equip-
25 ment of temporary or permanent public works, military

1 installations, facilities, and real property for the Air Force
2 as currently authorized by law, \$1,540,474,000, to remain
3 available until September 30, 2022: *Provided*, That, of
4 this amount, not to exceed \$97,852,000 shall be available
5 for study, planning, design, and architect and engineer
6 services, as authorized by law, unless the Secretary of the
7 Air Force determines that additional obligations are nec-
8 essary for such purposes and notifies the Committees on
9 Appropriations of both Houses of Congress of the deter-
10 mination and the reasons therefor.

11 MILITARY CONSTRUCTION, DEFENSE-WIDE

12 (INCLUDING TRANSFER OF FUNDS)

13 For acquisition, construction, installation, and equip-
14 ment of temporary or permanent public works, installa-
15 tions, facilities, and real property for activities and agen-
16 cies of the Department of Defense (other than the military
17 departments), as currently authorized by law,
18 \$2,791,272,000, to remain available until September 30,
19 2022: *Provided*, That such amounts of this appropriation
20 as may be determined by the Secretary of Defense may
21 be transferred to such appropriations of the Department
22 of Defense available for military construction or family
23 housing as the Secretary may designate, to be merged with
24 and to be available for the same purposes, and for the
25 same time period, as the appropriation or fund to which

1 transferred: *Provided further*, That, of the amount, not to
2 exceed \$185,717,000 shall be available for study, plan-
3 ning, design, and architect and engineer services, as au-
4 thorized by law, unless the Secretary of Defense deter-
5 mines that additional obligations are necessary for such
6 purposes and notifies the Committees on Appropriations
7 of both Houses of Congress of the determination and the
8 reasons therefor.

9 MILITARY CONSTRUCTION, ARMY NATIONAL GUARD

10 For construction, acquisition, expansion, rehabilita-
11 tion, and conversion of facilities for the training and ad-
12 ministration of the Army National Guard, and contribu-
13 tions therefor, as authorized by chapter 1803 of title 10,
14 United States Code, and Military Construction Authoriza-
15 tion Acts, \$210,652,000, to remain available until Sep-
16 tember 30, 2022: *Provided*, That, of the amount, not to
17 exceed \$16,271,000 shall be available for study, planning,
18 design, and architect and engineer services, as authorized
19 by law, unless the Director of the Army National Guard
20 determines that additional obligations are necessary for
21 such purposes and notifies the Committees on Appropria-
22 tions of both Houses of Congress of the determination and
23 the reasons therefor.

1 MILITARY CONSTRUCTION, AIR NATIONAL GUARD

2 For construction, acquisition, expansion, rehabilita-
3 tion, and conversion of facilities for the training and ad-
4 ministration of the Air National Guard, and contributions
5 therefor, as authorized by chapter 1803 of title 10, United
6 States Code, and Military Construction Authorization
7 Acts, \$161,491,000, to remain available until September
8 30, 2022: *Provided*, That, of the amount, not to exceed
9 \$18,000,000 shall be available for study, planning, design,
10 and architect and engineer services, as authorized by law,
11 unless the Director of the Air National Guard determines
12 that additional obligations are necessary for such purposes
13 and notifies the Committees on Appropriations of both
14 Houses of Congress of the determination and the reasons
15 therefor.

16 MILITARY CONSTRUCTION, ARMY RESERVE

17 For construction, acquisition, expansion, rehabilita-
18 tion, and conversion of facilities for the training and ad-
19 ministration of the Army Reserve as authorized by chapter
20 1803 of title 10, United States Code, and Military Con-
21 struction Authorization Acts, \$73,712,000, to remain
22 available until September 30, 2022: *Provided*, That, of the
23 amount, not to exceed \$6,887,000 shall be available for
24 study, planning, design, and architect and engineer serv-
25 ices, as authorized by law, unless the Chief of the Army

1 Reserve determines that additional obligations are nec-
2 essary for such purposes and notifies the Committees on
3 Appropriations of both Houses of Congress of the deter-
4 mination and the reasons therefor.

5 MILITARY CONSTRUCTION, NAVY RESERVE

6 For construction, acquisition, expansion, rehabilita-
7 tion, and conversion of facilities for the training and ad-
8 ministration of the reserve components of the Navy and
9 Marine Corps as authorized by chapter 1803 of title 10,
10 United States Code, and Military Construction Authoriza-
11 tion Acts, \$65,271,000, to remain available until Sep-
12 tember 30, 2022: *Provided*, That, of the amount, not to
13 exceed \$4,430,000 shall be available for study, planning,
14 design, and architect and engineer services, as authorized
15 by law, unless the Secretary of the Navy determines that
16 additional obligations are necessary for such purposes and
17 notifies the Committees on Appropriations of both Houses
18 of Congress of the determination and the reasons therefor.

19 MILITARY CONSTRUCTION, AIR FORCE RESERVE

20 For construction, acquisition, expansion, rehabilita-
21 tion, and conversion of facilities for the training and ad-
22 ministration of the Air Force Reserve as authorized by
23 chapter 1803 of title 10, United States Code, and Military
24 Construction Authorization Acts, \$63,535,000, to remain
25 available until September 30, 2022: *Provided*, That, of the

1 amount, not to exceed \$4,725,000 shall be available for
2 study, planning, design, and architect and engineer serv-
3 ices, as authorized by law, unless the Chief of the Air
4 Force Reserve determines that additional obligations are
5 necessary for such purposes and notifies the Committees
6 on Appropriations of both Houses of Congress of the de-
7 termination and the reasons therefor: *Provided further,*
8 That, the Chief of the Air Force Reserve shall take imme-
9 diate action to address unfunded military construction re-
10 quirements for access control points and security issues
11 at Air Force Reserve facilities.

12 NORTH ATLANTIC TREATY ORGANIZATION

13 SECURITY INVESTMENT PROGRAM

14 For the United States share of the cost of the North
15 Atlantic Treaty Organization Security Investment Pro-
16 gram for the acquisition and construction of military fa-
17 cilities and installations (including international military
18 headquarters) and for related expenses for the collective
19 defense of the North Atlantic Treaty Area as authorized
20 by section 2806 of title 10, United States Code, and Mili-
21 tary Construction Authorization Acts, \$177,932,000, to
22 remain available until expended.

23 DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT

24 For deposit into the Department of Defense Base
25 Closure Account, established by section 2906(a) of the De-

1 fense Base Closure and Realignment Act of 1990 (10
2 U.S.C. 2687 note), \$290,867,000, to remain available
3 until expended.

4 FAMILY HOUSING CONSTRUCTION, ARMY

5 For expenses of family housing for the Army for con-
6 struction, including acquisition, replacement, addition, ex-
7 pansion, extension, and alteration, as authorized by law,
8 \$182,662,000, to remain available until September 30,
9 2022.

10 FAMILY HOUSING OPERATION AND MAINTENANCE,

11 ARMY

12 For expenses of family housing for the Army for op-
13 eration and maintenance, including debt payment, leasing,
14 minor construction, principal and interest charges, and in-
15 surance premiums, as authorized by law, \$346,625,000.

16 FAMILY HOUSING CONSTRUCTION, NAVY AND MARINE

17 CORPS

18 For expenses of family housing for the Navy and Ma-
19 rine Corps for construction, including acquisition, replace-
20 ment, addition, expansion, extension, and alteration, as
21 authorized by law, \$83,682,000, to remain available until
22 September 30, 2022.

1 FAMILY HOUSING OPERATION AND MAINTENANCE,
2 NAVY AND MARINE CORPS

3 For expenses of family housing for the Navy and Ma-
4 rine Corps for operation and maintenance, including debt
5 payment, leasing, minor construction, principal and inter-
6 est charges, and insurance premiums, as authorized by
7 law, \$328,282,000.

8 FAMILY HOUSING CONSTRUCTION, AIR FORCE

9 For expenses of family housing for the Air Force for
10 construction, including acquisition, replacement, addition,
11 expansion, extension, and alteration, as authorized by law,
12 \$85,062,000, to remain available until September 30,
13 2022.

14 FAMILY HOUSING OPERATION AND MAINTENANCE, AIR
15 FORCE

16 For expenses of family housing for the Air Force for
17 operation and maintenance, including debt payment, leas-
18 ing, minor construction, principal and interest charges,
19 and insurance premiums, as authorized by law,
20 \$318,324,000.

21 FAMILY HOUSING OPERATION AND MAINTENANCE,
22 DEFENSE-WIDE

23 For expenses of family housing for the activities and
24 agencies of the Department of Defense (other than the
25 military departments) for operation and maintenance,

1 leasing, and minor construction, as authorized by law,
2 \$59,169,000.

3 DEPARTMENT OF DEFENSE FAMILY HOUSING
4 IMPROVEMENT FUND

5 For the Department of Defense Family Housing Im-
6 provement Fund, \$2,726,000, to remain available until ex-
7 pended, for family housing initiatives undertaken pursu-
8 ant to section 2883 of title 10, United States Code, pro-
9 viding alternative means of acquiring and improving mili-
10 tary family housing and supporting facilities.

11 DEPARTMENT OF DEFENSE MILITARY UNACCOMPANIED
12 HOUSING IMPROVEMENT FUND

13 For the Department of Defense Military Unaccom-
14 panied Housing Improvement Fund, \$623,000, to remain
15 available until expended, for unaccompanied housing ini-
16 tiatives undertaken pursuant to section 2883 of title 10,
17 United States Code, providing alternative means of acquir-
18 ing and improving military unaccompanied housing and
19 supporting facilities.

20 ADMINISTRATIVE PROVISIONS

21 SEC. 101. None of the funds made available in this
22 title shall be expended for payments under a cost-plus-a-
23 fixed-fee contract for construction, where cost estimates
24 exceed \$25,000, to be performed within the United States,
25 except Alaska, without the specific approval in writing of

1 the Secretary of Defense setting forth the reasons there-
2 for.

3 SEC. 102. Funds made available in this title for con-
4 struction shall be available for hire of passenger motor ve-
5 hicles.

6 SEC. 103. Funds made available in this title for con-
7 struction may be used for advances to the Federal High-
8 way Administration, Department of Transportation, for
9 the construction of access roads as authorized by section
10 210 of title 23, United States Code, when projects author-
11 ized therein are certified as important to the national de-
12 fense by the Secretary of Defense.

13 SEC. 104. None of the funds made available in this
14 title may be used to begin construction of new bases in
15 the United States for which specific appropriations have
16 not been made.

17 SEC. 105. None of the funds made available in this
18 title shall be used for purchase of land or land easements
19 in excess of 100 percent of the value as determined by
20 the Army Corps of Engineers or the Naval Facilities Engi-
21 neering Command, except: (1) where there is a determina-
22 tion of value by a Federal court; (2) purchases negotiated
23 by the Attorney General or the designee of the Attorney
24 General; (3) where the estimated value is less than

1 \$25,000; or (4) as otherwise determined by the Secretary
2 of Defense to be in the public interest.

3 SEC. 106. None of the funds made available in this
4 title shall be used to: (1) acquire land; (2) provide for site
5 preparation; or (3) install utilities for any family housing,
6 except housing for which funds have been made available
7 in annual Acts making appropriations for military con-
8 struction.

9 SEC. 107. None of the funds made available in this
10 title for minor construction may be used to transfer or
11 relocate any activity from one base or installation to an-
12 other, without prior notification to the Committees on Ap-
13 propriations of both Houses of Congress.

14 SEC. 108. None of the funds made available in this
15 title may be used for the procurement of steel for any con-
16 struction project or activity for which American steel pro-
17 ducers, fabricators, and manufacturers have been denied
18 the opportunity to compete for such steel procurement.

19 SEC. 109. None of the funds available to the Depart-
20 ment of Defense for military construction or family hous-
21 ing during the current fiscal year may be used to pay real
22 property taxes in any foreign nation.

23 SEC. 110. None of the funds made available in this
24 title may be used to initiate a new installation overseas

1 without prior notification to the Committees on Appro-
2 priations of both Houses of Congress.

3 SEC. 111. None of the funds made available in this
4 title may be obligated for architect and engineer contracts
5 estimated by the Government to exceed \$500,000 for
6 projects to be accomplished in Japan, in any North Atlan-
7 tic Treaty Organization member country, or in countries
8 bordering the Arabian Gulf, unless such contracts are
9 awarded to United States firms or United States firms
10 in joint venture with host nation firms.

11 SEC. 112. None of the funds made available in this
12 title for military construction in the United States terri-
13 tories and possessions in the Pacific and on Kwajalein
14 Atoll, or in countries bordering the Arabian Gulf, may be
15 used to award any contract estimated by the Government
16 to exceed \$1,000,000 to a foreign contractor: *Provided*,
17 That this section shall not be applicable to contract
18 awards for which the lowest responsive and responsible bid
19 of a United States contractor exceeds the lowest respon-
20 sive and responsible bid of a foreign contractor by greater
21 than 20 percent: *Provided further*, That this section shall
22 not apply to contract awards for military construction on
23 Kwajalein Atoll for which the lowest responsive and re-
24 sponsible bid is submitted by a Marshallese contractor.

1 SEC. 113. The Secretary of Defense shall inform the
2 appropriate committees of both Houses of Congress, in-
3 cluding the Committees on Appropriations, of plans and
4 scope of any proposed military exercise involving United
5 States personnel 30 days prior to its occurring, if amounts
6 expended for construction, either temporary or permanent,
7 are anticipated to exceed \$100,000.

8 SEC. 114. Funds appropriated to the Department of
9 Defense for construction in prior years shall be available
10 for construction authorized for each such military depart-
11 ment by the authorizations enacted into law during the
12 current session of Congress.

13 SEC. 115. For military construction or family housing
14 projects that are being completed with funds otherwise ex-
15 pired or lapsed for obligation, expired or lapsed funds may
16 be used to pay the cost of associated supervision, inspec-
17 tion, overhead, engineering and design on those projects
18 and on subsequent claims, if any.

19 SEC. 116. Notwithstanding any other provision of
20 law, any funds made available to a military department
21 or defense agency for the construction of military projects
22 may be obligated for a military construction project or
23 contract, or for any portion of such a project or contract,
24 at any time before the end of the fourth fiscal year after
25 the fiscal year for which funds for such project were made

1 available, if the funds obligated for such project: (1) are
2 obligated from funds available for military construction
3 projects; and (2) do not exceed the amount appropriated
4 for such project, plus any amount by which the cost of
5 such project is increased pursuant to law.

6 (INCLUDING TRANSFER OF FUNDS)

7 SEC. 117. Subject to 30 days prior notification, or
8 14 days for a notification provided in an electronic me-
9 dium pursuant to sections 480 and 2883 of title 10,
10 United States Code, to the Committees on Appropriations
11 of both Houses of Congress, such additional amounts as
12 may be determined by the Secretary of Defense may be
13 transferred to: (1) the Department of Defense Family
14 Housing Improvement Fund from amounts appropriated
15 for construction in “Family Housing” accounts, to be
16 merged with and to be available for the same purposes
17 and for the same period of time as amounts appropriated
18 directly to the Fund; or (2) the Department of Defense
19 Military Unaccompanied Housing Improvement Fund
20 from amounts appropriated for construction of military
21 unaccompanied housing in “Military Construction” ac-
22 counts, to be merged with and to be available for the same
23 purposes and for the same period of time as amounts ap-
24 propriated directly to the Fund: *Provided*, That appropria-
25 tions made available to the Funds shall be available to

1 cover the costs, as defined in section 502(5) of the Con-
2 gressional Budget Act of 1974, of direct loans or loan
3 guarantees issued by the Department of Defense pursuant
4 to the provisions of subchapter IV of chapter 169 of title
5 10, United States Code, pertaining to alternative means
6 of acquiring and improving military family housing, mili-
7 tary unaccompanied housing, and supporting facilities.

8 (INCLUDING TRANSFER OF FUNDS)

9 SEC. 118. In addition to any other transfer authority
10 available to the Department of Defense, amounts may be
11 transferred from the Department of Defense Base Closure
12 Account to the fund established by section 1013(d) of the
13 Demonstration Cities and Metropolitan Development Act
14 of 1966 (42 U.S.C. 3374) to pay for expenses associated
15 with the Homeowners Assistance Program incurred under
16 42 U.S.C. 3374(a)(1)(A). Any amounts transferred shall
17 be merged with and be available for the same purposes
18 and for the same time period as the fund to which trans-
19 ferred.

20 SEC. 119. Notwithstanding any other provision of
21 law, funds made available in this title for operation and
22 maintenance of family housing shall be the exclusive
23 source of funds for repair and maintenance of all family
24 housing units, including general or flag officer quarters:
25 *Provided*, That not more than \$15,000 per unit may be

1 spent annually for the maintenance and repair of any gen-
2 eral or flag officer quarters without 30 days prior notifica-
3 tion, or 14 days for a notification provided in an electronic
4 medium pursuant to sections 480 and 2883 of title 10,
5 United States Code, to the Committees on Appropriations
6 of both Houses of Congress, except that an after-the-fact
7 notification shall be submitted if the limitation is exceeded
8 solely due to costs associated with environmental remedi-
9 ation that could not be reasonably anticipated at the time
10 of the budget submission.

11 SEC. 120. Amounts contained in the Ford Island Im-
12 provement Account established by subsection (h) of sec-
13 tion 2814 of title 10, United States Code, are appro-
14 priated and shall be available until expended for the pur-
15 poses specified in subsection (i)(1) of such section or until
16 transferred pursuant to subsection (i)(3) of such section.

17 (INCLUDING TRANSFER OF FUNDS)

18 SEC. 121. During the 5-year period after appropria-
19 tions available in this Act to the Department of Defense
20 for military construction and family housing operation and
21 maintenance and construction have expired for obligation,
22 upon a determination that such appropriations will not be
23 necessary for the liquidation of obligations or for making
24 authorized adjustments to such appropriations for obliga-
25 tions incurred during the period of availability of such ap-

1 appropriations, unobligated balances of such appropriations
2 may be transferred into the appropriation “Foreign Cur-
3 rency Fluctuations, Construction, Defense”, to be merged
4 with and to be available for the same time period and for
5 the same purposes as the appropriation to which trans-
6 ferred.

7 SEC. 122. (a) Except as provided in subsection (b),
8 none of the funds made available in this Act may be used
9 by the Secretary of the Army to relocate a unit in the
10 Army that—

11 (1) performs a testing mission or function that
12 is not performed by any other unit in the Army and
13 is specifically stipulated in title 10, United States
14 Code; and

15 (2) is located at a military installation at which
16 the total number of civilian employees of the Depart-
17 ment of the Army and Army contractor personnel
18 employed exceeds 10 percent of the total number of
19 members of the regular and reserve components of
20 the Army assigned to the installation.

21 (b) EXCEPTION.—Subsection (a) shall not apply if
22 the Secretary of the Army certifies to the congressional
23 defense committees that in proposing the relocation of the
24 unit of the Army, the Secretary complied with Army Regu-

1 lation 5–10 relating to the policy, procedures, and respon-
2 sibilities for Army stationing actions.

3 SEC. 123. Amounts appropriated or otherwise made
4 available in an account funded under the headings in this
5 title may be transferred among projects and activities
6 within the account in accordance with the reprogramming
7 guidelines for military construction and family housing
8 construction contained in Department of Defense Finan-
9 cial Management Regulation 7000.14–R, Volume 3, Chap-
10 ter 7, of March 2011, as in effect on the date of enactment
11 of this Act.

12 SEC. 124. None of the funds made available in this
13 title may be obligated or expended for planning and design
14 and construction of projects at Arlington National Ceme-
15 tery.

16 SEC. 125. For an additional amount for the accounts
17 and in the amounts specified, to remain available until
18 September 30, 2022:

19 “Military Construction, Army”, \$43,800,000;

20 “Military Construction, Navy and Marine
21 Corps”, \$126,900,000;

22 “Military Construction, Air Force”,
23 \$70,300,000;

24 “Military Construction, Army National Guard”,
25 \$56,000,000;

1 “Military Construction, Navy and Marine
2 Corps”, \$10,000,000;

3 “Military Construction, Defense-Wide”,
4 \$27,440,000;

5 “North Atlantic Treaty Organization Security
6 Investment Program”, \$25,000,000;

7 “Family Housing Construction, Army”,
8 \$18,000,000;

9 “Family Housing Construction, Navy and Ma-
10 rine Corps”, \$8,000,000; and

11 “Family Housing Construction, Air Force”,
12 \$20,000,000:

13 *Provided*, That no amounts may be rescinded from
14 amounts that were designated by the Congress for Over-
15 seas Contingency Operations/Global War on Terrorism or
16 as an emergency requirement pursuant to a concurrent
17 resolution on the budget or the Balanced Budget and
18 Emergency Deficit Control Act of 1985, as amended.

19 SEC. 127. For the purposes of this Act, the term
20 “congressional defense committees” means the Commit-
21 tees on Armed Services of the House of Representatives
22 and the Senate, the Subcommittee on Military Construc-
23 tion and Veterans Affairs of the Committee on Appropria-
24 tions of the Senate, and the Subcommittee on Military

1 Construction and Veterans Affairs of the Committee on
2 Appropriations of the House of Representatives.

3 SEC. 128. None of the funds made available by this
4 Act may be used to carry out the closure or realignment
5 of the United States Naval Station, Guantánamo Bay,
6 Cuba.

7 TITLE II

8 DEPARTMENT OF VETERANS AFFAIRS

9 VETERANS BENEFITS ADMINISTRATION

10 COMPENSATION AND PENSIONS

11 (INCLUDING TRANSFER OF FUNDS)

12 For the payment of compensation benefits to or on
13 behalf of veterans and a pilot program for disability ex-
14 aminations as authorized by section 107 and chapters 11,
15 13, 18, 51, 53, 55, and 61 of title 38, United States Code;
16 pension benefits to or on behalf of veterans as authorized
17 by chapters 15, 51, 53, 55, and 61 of title 38, United
18 States Code; and burial benefits, the Reinstated Entitle-
19 ment Program for Survivors, emergency and other offi-
20 cers' retirement pay, adjusted-service credits and certifi-
21 cates, payment of premiums due on commercial life insur-
22 ance policies guaranteed under the provisions of title IV
23 of the Servicemembers Civil Relief Act (50 U.S.C. App.
24 541 et seq.) and for other benefits as authorized by sec-
25 tions 107, 1312, 1977, and 2106, and chapters 23, 51,

1 53, 55, and 61 of title 38, United States Code,
2 \$95,768,462,000, to remain available until expended and
3 to become available on October 1, 2018: *Provided*, That
4 not to exceed \$17,882,000 of the amount made available
5 for fiscal year 2019 under this heading shall be reim-
6 bursed to “General Operating Expenses, Veterans Bene-
7 fits Administration”, and “Information Technology Sys-
8 tems” for necessary expenses in implementing the provi-
9 sions of chapters 51, 53, and 55 of title 38, United States
10 Code, the funding source for which is specifically provided
11 as the “Compensation and Pensions” appropriation: *Pro-*
12 *vided further*, That such sums as may be earned on an
13 actual qualifying patient basis, shall be reimbursed to
14 “Medical Care Collections Fund” to augment the funding
15 of individual medical facilities for nursing home care pro-
16 vided to pensioners as authorized.

17 READJUSTMENT BENEFITS

18 For the payment of readjustment and rehabilitation
19 benefits to or on behalf of veterans as authorized by chap-
20 ters 21, 30, 31, 33, 34, 35, 36, 39, 41, 51, 53, 55, and
21 61 of title 38, United States Code, \$11,832,175,000, to
22 remain available until expended and to become available
23 on October 1, 2018: *Provided*, That expenses for rehabili-
24 tation program services and assistance which the Sec-
25 retary is authorized to provide under subsection (a) of sec-

1 tion 3104 of title 38, United States Code, other than
2 under paragraphs (1), (2), (5), and (11) of that sub-
3 section, shall be charged to this account.

4 VETERANS INSURANCE AND INDEMNITIES

5 For military and naval insurance, national service life
6 insurance, servicemen's indemnities, service-disabled vet-
7 erans insurance, and veterans mortgage life insurance as
8 authorized by chapters 19 and 21, title 38, United States
9 Code, \$121,529,000, which shall be in addition to remain
10 available until expended, which shall be in addition to
11 funds previously appropriated under this heading that be-
12 came available on October 1, 2017, of which \$109,090,000
13 shall become available on October 1, 2018.

14 VETERANS HOUSING BENEFIT PROGRAM FUND

15 For the cost of direct and guaranteed loans, such
16 sums as may be necessary to carry out the program, as
17 authorized by subchapters I through III of chapter 37 of
18 title 38, United States Code: *Provided*, That such costs,
19 including the cost of modifying such loans, shall be as de-
20 fined in section 502 of the Congressional Budget Act of
21 1974: *Provided further*, That, during fiscal year 2018,
22 within the resources available, not to exceed \$500,000 in
23 gross obligations for direct loans are authorized for spe-
24 cially adapted housing loans.

1 In addition, for administrative expenses to carry out
2 the direct and guaranteed loan programs, \$178,626,000.

3 VOCATIONAL REHABILITATION LOANS PROGRAM ACCOUNT

4 For the cost of direct loans, \$30,000, as authorized
5 by chapter 31 of title 38, United States Code: *Provided*,
6 That such costs, including the cost of modifying such
7 loans, shall be as defined in section 502 of the Congres-
8 sional Budget Act of 1974: *Provided further*, That funds
9 made available under this heading are available to sub-
10 sidize gross obligations for the principal amount of direct
11 loans not to exceed \$2,356,000.

12 In addition, for administrative expenses necessary to
13 carry out the direct loan program, \$395,000, which may
14 be paid to the appropriation for “General Operating Ex-
15 penses, Veterans Benefits Administration”.

16 NATIVE AMERICAN VETERAN HOUSING LOAN PROGRAM
17 ACCOUNT

18 For administrative expenses to carry out the direct
19 loan program authorized by subchapter V of chapter 37
20 of title 38, United States Code, \$1,163,000.

21 GENERAL OPERATING EXPENSES, VETERANS BENEFITS
22 ADMINISTRATION

23 For necessary operating expenses of the Veterans
24 Benefits Administration, not otherwise provided for, in-
25 cluding hire of passenger motor vehicles, reimbursement

1 of the General Services Administration for security guard
2 services, and reimbursement of the Department of De-
3 fense for the cost of overseas employee mail,
4 \$2,894,000,000 (increased by \$5,000,000): *Provided*,
5 That expenses for services and assistance authorized
6 under paragraphs (1), (2), (5), and (11) of section
7 3104(a) of title 38, United States Code, that the Secretary
8 of Veterans Affairs determines are necessary to enable en-
9 titled veterans: (1) to the maximum extent feasible, to be-
10 come employable and to obtain and maintain suitable em-
11 ployment; or (2) to achieve maximum independence in
12 daily living, shall be charged to this account: *Provided fur-*
13 *ther*, That, of the funds made available under this heading,
14 not to exceed 5 percent shall remain available until Sep-
15 tember 30, 2019.

16 VETERANS HEALTH ADMINISTRATION

17 MEDICAL SERVICES

18 For necessary expenses for furnishing, as authorized
19 by law, inpatient and outpatient care and treatment to
20 beneficiaries of the Department of Veterans Affairs and
21 veterans described in section 1705(a) of title 38, United
22 States Code, including care and treatment in facilities not
23 under the jurisdiction of the Department, and including
24 medical supplies and equipment, bioengineering services,
25 food services, and salaries and expenses of healthcare em-

1 ployees hired under title 38, United States Code, aid to
2 State homes as authorized by section 1741 of title 38,
3 United States Code, assistance and support services for
4 caregivers as authorized by section 1720G of title 38,
5 United States Code, loan repayments authorized by sec-
6 tion 604 of the Caregivers and Veterans Omnibus Health
7 Services Act of 2010 (Public Law 111–163; 124 Stat.
8 1174; 38 U.S.C. 7681 note), and hospital care and med-
9 ical services authorized by section 1787 of title 38, United
10 States Code; \$1,031,808,000 (reduced by
11 \$1,031,808,000) (increased by \$1,031,808,000) (reduced
12 by \$2,500,000) (increased by \$2,500,000) (reduced by
13 \$2,000,000) (increased by \$2,000,000) (reduced by
14 \$5,000,000) (increased by \$5,000,000), which shall be in
15 addition to funds previously appropriated under this head-
16 ing that became available on October 1, 2017; and, in ad-
17 dition, \$49,161,165,000, plus reimbursements, shall be-
18 come available on October 1, 2018, and shall remain avail-
19 able until September 30, 2019: *Provided*, That, of the
20 amount made available on October 1, 2018, under this
21 heading, \$1,400,000,000 shall remain available until Sep-
22 tember 30, 2020: *Provided further*, That, notwithstanding
23 any other provision of law, the Secretary of Veterans Af-
24 fairs shall establish a priority for the provision of medical
25 treatment for veterans who have service-connected disabil-

1 ities, lower income, or have special needs: *Provided further,*
2 That, notwithstanding any other provision of law, the Sec-
3 retary of Veterans Affairs shall give priority funding for
4 the provision of basic medical benefits to veterans in en-
5 rollment priority groups 1 through 6: *Provided further,*
6 That, notwithstanding any other provision of law, the Sec-
7 retary of Veterans Affairs may authorize the dispensing
8 of prescription drugs from Veterans Health Administra-
9 tion facilities to enrolled veterans with privately written
10 prescriptions based on requirements established by the
11 Secretary: *Provided further,* That the implementation of
12 the program described in the previous proviso shall incur
13 no additional cost to the Department of Veterans Affairs.

14 MEDICAL COMMUNITY CARE

15 For necessary expenses for furnishing health care to
16 individuals pursuant to chapter 17 of title 38, United
17 States Code, at non-Department facilities, \$254,000,000
18 (reduced by \$5,000,000) (increased by \$5,000,000), which
19 shall be in addition to funds previously appropriated under
20 this heading that became available on October 1, 2017;
21 and, in addition, \$8,384,704,000, plus reimbursements,
22 shall become available on October 1, 2018, and shall re-
23 main available until September 30, 2019: *Provided,* That
24 of the amount made available on October 1, 2018, under

1 this heading, \$2,000,000,000 shall remain available until
2 September 30, 2022.

3 MEDICAL SUPPORT AND COMPLIANCE

4 For necessary expenses in the administration of the
5 medical, hospital, nursing home, domiciliary, construction,
6 supply, and research activities, as authorized by law; ad-
7 ministrative expenses in support of capital policy activi-
8 ties; and administrative and legal expenses of the Depart-
9 ment for collecting and recovering amounts owed the De-
10 partment as authorized under chapter 17 of title 38,
11 United States Code, and the Federal Medical Care Recov-
12 ery Act (42 U.S.C. 2651 et seq.), \$284,397,000, which
13 shall be in addition to funds previously appropriated under
14 this heading that became available on October 1, 2017;
15 and, in addition, \$7,239,156,000, plus reimbursements,
16 shall become available on October 1, 2018, and shall re-
17 main available until September 30, 2019: *Provided*, That,
18 of the amount made available on October 1, 2018, under
19 this heading, \$100,000,000 shall remain available until
20 September 30, 2020.

21 MEDICAL FACILITIES

22 For necessary expenses for the maintenance and op-
23 eration of hospitals, nursing homes, domiciliary facilities,
24 and other necessary facilities of the Veterans Health Ad-
25 ministration; for administrative expenses in support of

1 planning, design, project management, real property ac-
2 quisition and disposition, construction, and renovation of
3 any facility under the jurisdiction or for the use of the
4 Department; for oversight, engineering, and architectural
5 activities not charged to project costs; for repairing, alter-
6 ing, improving, or providing facilities in the several hos-
7 pitals and homes under the jurisdiction of the Depart-
8 ment, not otherwise provided for, either by contract or by
9 the hire of temporary employees and purchase of mate-
10 rials; for leases of facilities; and for laundry services;
11 \$1,079,795,000, which shall be in addition to funds pre-
12 viously appropriated under this heading that became avail-
13 able on October 1, 2017; and, in addition,
14 \$5,914,288,000, plus reimbursements, shall become avail-
15 able on October 1, 2018, and shall remain available until
16 September 30, 2019: *Provided*, That, of the amount made
17 available on October 1, 2018, under this heading,
18 \$250,000,000 shall remain available until September 30,
19 2020.

20 MEDICAL AND PROSTHETIC RESEARCH

21 For necessary expenses in carrying out programs of
22 medical and prosthetic research and development as au-
23 thorized by chapter 73 of title 38, United States Code,
24 \$698,228,000, plus reimbursements, shall remain avail-
25 able until September 30, 2019.

1 NATIONAL CEMETERY ADMINISTRATION

2 For necessary expenses of the National Cemetery Ad-
3 ministration for operations and maintenance, not other-
4 wise provided for, including uniforms or allowances there-
5 for; cemeterial expenses as authorized by law; purchase
6 of one passenger motor vehicle for use in cemeterial oper-
7 ations; hire of passenger motor vehicles; and repair, alter-
8 ation or improvement of facilities under the jurisdiction
9 of the National Cemetery Administration, \$306,193,000,
10 of which not to exceed 10 percent shall remain available
11 until September 30, 2019.

12 DEPARTMENTAL ADMINISTRATION

13 GENERAL ADMINISTRATION

14 (INCLUDING TRANSFER OF FUNDS)

15 For necessary operating expenses of the Department
16 of Veterans Affairs, not otherwise provided for, including
17 administrative expenses in support of Department-wide
18 capital planning, management and policy activities, uni-
19 forms, or allowances therefor; not to exceed \$25,000 for
20 official reception and representation expenses; hire of pas-
21 senger motor vehicles; and reimbursement of the General
22 Services Administration for security guard services,
23 \$346,891,000 (reduced by \$5,000,000), of which not to
24 exceed 5 percent shall remain available until September
25 30, 2019: *Provided*, That funds provided under this head-

1 ing may be transferred to “General Operating Expenses,
2 Veterans Benefits Administration”.

3 BOARD OF VETERANS APPEALS

4 For necessary operating expenses of the Board of
5 Veterans Appeals, \$156,096,000, of which not to exceed
6 10 percent shall remain available until September 30,
7 2019.

8 INFORMATION TECHNOLOGY SYSTEMS

9 (INCLUDING TRANSFER OF FUNDS)

10 For necessary expenses for information technology
11 systems and telecommunications support, including devel-
12 opmental information systems and operational information
13 systems; for pay and associated costs; and for the capital
14 asset acquisition of information technology systems, in-
15 cluding management and related contractual costs of said
16 acquisitions, including contractual costs associated with
17 operations authorized by section 3109 of title 5, United
18 States Code, \$4,135,500,000, plus reimbursements: *Pro-*
19 *vided*, That \$1,230,320,000 shall be for pay and associ-
20 ated costs, of which not to exceed \$36,000,000 shall re-
21 main available until September 30, 2019: *Provided further*,
22 That \$2,486,650,000 shall be for operations and mainte-
23 nance, of which not to exceed \$174,000,000 shall remain
24 available until September 30, 2019: *Provided further*, That
25 \$418,530,000 shall be for information technology systems

1 development, modernization, and enhancement, and shall
2 remain available until September 30, 2019: *Provided fur-*
3 *ther*, That amounts made available for information tech-
4 nology systems development, modernization, and enhance-
5 ment may not be obligated or expended until the Secretary
6 of Veterans Affairs or the Chief Information Officer of
7 the Department of Veterans Affairs submits to the Com-
8 mittees on Appropriations of both Houses of Congress a
9 certification of the amounts, in parts or in full, to be obli-
10 gated and expended for each development project: *Pro-*
11 *vided further*, That amounts made available for salaries
12 and expenses, operations and maintenance, and informa-
13 tion technology systems development, modernization, and
14 enhancement may be transferred among the three sub-
15 accounts after the Secretary of Veterans Affairs requests
16 from the Committees on Appropriations of both Houses
17 of Congress the authority to make the transfer and an
18 approval is issued: *Provided further*, That amounts made
19 available for the “Information Technology Systems” ac-
20 count for development, modernization, and enhancement
21 may be transferred among projects or to newly defined
22 projects: *Provided further*, That no project may be in-
23 creased or decreased by more than \$1,000,000 of cost
24 prior to submitting a request to the Committees on Appro-
25 priations of both Houses of Congress to make the transfer

1 and an approval is issued, or absent a response, a period
2 of 30 days has elapsed: *Provided further*, That funds under
3 this heading may be used by the Interagency Program Of-
4 fice through the Department of Veterans Affairs to define
5 data standards, code sets, and value sets used to enable
6 interoperability: *Provided further*, That, of the funds made
7 available for information technology systems development,
8 modernization, and enhancement for the development of
9 an electronic health record, not more than 25 percent may
10 be obligated or expended until the Secretary of Veterans
11 Affairs submits to the Committees on Appropriations of
12 both Houses of Congress:

13 (1) a detailed explanation of the solicitation
14 submitted to Cerner Corporation for development of
15 an electronic health record for the Department of
16 Veterans Affairs;

17 (2) an explanation of how the electronic health
18 record would replicate the Military Health System
19 (MHS) Genesis record developed by Cerner for the
20 Department of Defense, as well as the enhanced ca-
21 pabilities the Department of Veterans Affairs re-
22 quires to achieve complete interoperability with the
23 Department of Defense system and non-Department
24 of Veterans Affairs providers who participate in the
25 Department of Veterans Affairs healthcare system;

1 CONSTRUCTION, MAJOR PROJECTS

2 For constructing, altering, extending, and improving
3 any of the facilities, including parking projects, under the
4 jurisdiction or for the use of the Department of Veterans
5 Affairs, or for any of the purposes set forth in sections
6 316, 2404, 2406 and chapter 81 of title 38, United States
7 Code, not otherwise provided for, including planning, ar-
8 chitectural and engineering services, construction manage-
9 ment services, maintenance or guarantee period services
10 costs associated with equipment guarantees provided
11 under the project, services of claims analysts, offsite utility
12 and storm drainage system construction costs, and site ac-
13 quisition, where the estimated cost of a project is more
14 than the amount set forth in section 8104(a)(3)(A) of title
15 38, United States Code, or where funds for a project were
16 made available in a previous major project appropriation,
17 \$410,530,000, of which \$372,000,000 shall remain avail-
18 able until September 30, 2022, and of which \$38,530,000
19 shall remain available until expended: *Provided*, That ex-
20 cept for advance planning activities, including needs as-
21 sessments which may or may not lead to capital invest-
22 ments, and other capital asset management related activi-
23 ties, including portfolio development and management ac-
24 tivities, and investment strategy studies funded through
25 the advance planning fund and the planning and design

1 activities funded through the design fund, including needs
2 assessments which may or may not lead to capital invest-
3 ments, and salaries and associated costs of the resident
4 engineers who oversee those capital investments funded
5 through this account and contracting officers who manage
6 specific major construction projects, and funds provided
7 for the purchase, security, and maintenance of land for
8 the National Cemetery Administration through the land
9 acquisition line item, none of the funds made available
10 under this heading shall be used for any project that has
11 not been notified to Congress through the budgetary pro-
12 cess or that has not been approved by the Congress through
13 statute, joint resolution, or in the explanatory statement
14 accompanying such Act and presented to the President at
15 the time of enrollment: *Provided further*, That funds made
16 available under this heading for fiscal year 2018, for each
17 approved project shall be obligated: (1) by the awarding
18 of a construction documents contract by September 30,
19 2018; and (2) by the awarding of a construction contract
20 by September 30, 2019: *Provided further*, That the Sec-
21 retary of Veterans Affairs shall promptly submit to the
22 Committees on Appropriations of both Houses of Congress
23 a written report on any approved major construction
24 project for which obligations are not incurred within the
25 time limitations established above: *Provided further*, That,

1 of the amount made available under this heading,
2 \$117,300,000 for Veterans Health Administration major
3 construction projects shall not be available until the De-
4 partment of Veterans Affairs—

5 (1) enters into an agreement with an appro-
6 priate non-Department of Veterans Affairs Federal
7 entity to serve as the design and/or construction
8 agent for any Veterans Health Administration major
9 construction project with a Total Estimated Cost of
10 \$100,000,000 or above by providing full project
11 management services, including management of the
12 project design, acquisition, construction, and con-
13 tract changes, consistent with section 502 of Public
14 Law 114–58; and

15 (2) certifies in writing that such an agreement
16 is executed and intended to minimize or prevent sub-
17 sequent major construction project cost overruns
18 and provides a copy of the agreement entered into
19 and any required supplementary information to the
20 Committees on Appropriations of both Houses of
21 Congress.

22 CONSTRUCTION, MINOR PROJECTS

23 For constructing, altering, extending, and improving
24 any of the facilities, including parking projects, under the
25 jurisdiction or for the use of the Department of Veterans

1 Affairs, including planning and assessments of needs
2 which may lead to capital investments, architectural and
3 engineering services, maintenance or guarantee period
4 services costs associated with equipment guarantees pro-
5 vided under the project, services of claims analysts, offsite
6 utility and storm drainage system construction costs, and
7 site acquisition, or for any of the purposes set forth in
8 sections 316, 2404, 2406 and chapter 81 of title 38,
9 United States Code, not otherwise provided for, where the
10 estimated cost of a project is equal to or less than the
11 amount set forth in section 8104(a)(3)(A) of title 38,
12 United States Code, \$342,570,000, to remain available
13 until September 30, 2022, along with unobligated balances
14 of previous “Construction, Minor Projects” appropriations
15 which are hereby made available for any project where the
16 estimated cost is equal to or less than the amount set forth
17 in such section: *Provided*, That funds made available
18 under this heading shall be for: (1) repairs to any of the
19 nonmedical facilities under the jurisdiction or for the use
20 of the Department which are necessary because of loss or
21 damage caused by any natural disaster or catastrophe;
22 and (2) temporary measures necessary to prevent or to
23 minimize further loss by such causes.

1 GRANTS FOR CONSTRUCTION OF STATE EXTENDED CARE
2 FACILITIES

3 For grants to assist States to acquire or construct
4 State nursing home and domiciliary facilities and to re-
5 model, modify, or alter existing hospital, nursing home,
6 and domiciliary facilities in State homes, for furnishing
7 care to veterans as authorized by sections 8131 through
8 8137 of title 38, United States Code, \$90,000,000, to re-
9 main available until expended.

10 GRANTS FOR CONSTRUCTION OF VETERANS CEMETERIES

11 For grants to assist States and tribal organizations
12 in establishing, expanding, or improving veterans ceme-
13 teries as authorized by section 2408 of title 38, United
14 States Code, \$45,000,000, to remain available until ex-
15 pended.

16 ADMINISTRATIVE PROVISIONS

17 (INCLUDING TRANSFER OF FUNDS)

18 SEC. 201. Any appropriation for fiscal year 2018 for
19 “Compensation and Pensions”, “Readjustment Benefits”,
20 and “Veterans Insurance and Indemnities” may be trans-
21 ferred as necessary to any other of the mentioned appro-
22 priations: *Provided*, That, before a transfer may take
23 place, the Secretary of Veterans Affairs shall request from
24 the Committees on Appropriations of both Houses of Con-
25 gress the authority to make the transfer and such Com-

1 mittees issue an approval, or absent a response, a period
2 of 30 days has elapsed.

3 (INCLUDING TRANSFER OF FUNDS)

4 SEC. 202. Amounts made available for the Depart-
5 ment of Veterans Affairs for fiscal year 2018, in this or
6 any other Act, under the “Medical Services”, “Medical
7 Community Care”, “Medical Support and Compliance”,
8 and “Medical Facilities” accounts may be transferred
9 among the accounts: *Provided*, That any transfers among
10 the “Medical Services”, “Medical Community Care”, and
11 “Medical Support and Compliance” accounts of 1 percent
12 or less of the total amount appropriated to the account
13 in this or any other Act may take place subject to notifica-
14 tion from the Secretary of Veterans Affairs to the Com-
15 mittees on Appropriations of both Houses of Congress of
16 the amount and purpose of the transfer: *Provided further*,
17 That any transfers among the “Medical Services”, “Med-
18 ical Community Care”, and “Medical Support and Compli-
19 ance” accounts in excess of 1 percent, or exceeding the
20 cumulative 1 percent for the fiscal year, may take place
21 only after the Secretary requests from the Committees on
22 Appropriations of both Houses of Congress the authority
23 to make the transfer and an approval is issued: *Provided*
24 *further*, That any transfers to or from the “Medical Facili-
25 ties” account may take place only after the Secretary re-

1 quests from the Committees on Appropriations of both
2 Houses of Congress the authority to make the transfer
3 and an approval is issued.

4 SEC. 203. Appropriations available in this title for
5 salaries and expenses shall be available for services au-
6 thorized by section 3109 of title 5, United States Code;
7 hire of passenger motor vehicles; lease of a facility or land
8 or both; and uniforms or allowances therefore, as author-
9 ized by sections 5901 through 5902 of title 5, United
10 States Code.

11 SEC. 204. No appropriations in this title (except the
12 appropriations for “Construction, Major Projects”, and
13 “Construction, Minor Projects”) shall be available for the
14 purchase of any site for or toward the construction of any
15 new hospital or home.

16 SEC. 205. No appropriations in this title shall be
17 available for hospitalization or examination of any persons
18 (except beneficiaries entitled to such hospitalization or ex-
19 amination under the laws providing such benefits to vet-
20 erans, and persons receiving such treatment under sec-
21 tions 7901 through 7904 of title 5, United States Code,
22 or the Robert T. Stafford Disaster Relief and Emergency
23 Assistance Act (42 U.S.C. 5121 et seq.)), unless reim-
24 bursement of the cost of such hospitalization or examina-

1 tion is made to the “Medical Services” account at such
2 rates as may be fixed by the Secretary of Veterans Affairs.

3 SEC. 206. Appropriations available in this title for
4 “Compensation and Pensions”, “Readjustment Benefits”,
5 and “Veterans Insurance and Indemnities” shall be avail-
6 able for payment of prior year accrued obligations re-
7 quired to be recorded by law against the corresponding
8 prior year accounts within the last quarter of fiscal year
9 2017.

10 SEC. 207. Appropriations available in this title shall
11 be available to pay prior year obligations of corresponding
12 prior year appropriations accounts resulting from sections
13 3328(a), 3334, and 3712(a) of title 31, United States
14 Code, except that if such obligations are from trust fund
15 accounts they shall be payable only from “Compensation
16 and Pensions”.

17 (INCLUDING TRANSFER OF FUNDS)

18 SEC. 208. Notwithstanding any other provision of
19 law, during fiscal year 2018, the Secretary of Veterans
20 Affairs shall, from the National Service Life Insurance
21 Fund under section 1920 of title 38, United States Code,
22 the Veterans’ Special Life Insurance Fund under section
23 1923 of title 38, United States Code, and the United
24 States Government Life Insurance Fund under section
25 1955 of title 38, United States Code, reimburse the “Gen-

1 eral Operating Expenses, Veterans Benefits Administra-
2 tion” and “Information Technology Systems” accounts for
3 the cost of administration of the insurance programs fi-
4 nanced through those accounts: *Provided*, That reimburse-
5 ment shall be made only from the surplus earnings accu-
6 mulated in such an insurance program during fiscal year
7 2018 that are available for dividends in that program after
8 claims have been paid and actuarially determined reserves
9 have been set aside: *Provided further*, That if the cost of
10 administration of such an insurance program exceeds the
11 amount of surplus earnings accumulated in that program,
12 reimbursement shall be made only to the extent of such
13 surplus earnings: *Provided further*, That the Secretary
14 shall determine the cost of administration for fiscal year
15 2018 which is properly allocable to the provision of each
16 such insurance program and to the provision of any total
17 disability income insurance included in that insurance pro-
18 gram.

19 SEC. 209. Amounts deducted from enhanced-use
20 lease proceeds to reimburse an account for expenses in-
21 curred by that account during a prior fiscal year for pro-
22 viding enhanced-use lease services, may be obligated dur-
23 ing the fiscal year in which the proceeds are received.

1 (INCLUDING TRANSFER OF FUNDS)

2 SEC. 210. Funds available in this title or funds for
3 salaries and other administrative expenses shall also be
4 available to reimburse the Office of Resolution Manage-
5 ment, the Office of Employment Discrimination Complaint
6 Adjudication, the Office of Accountability Review, the
7 Central Whistleblower Office, the Office of Diversity and
8 Inclusion, and the Office of the Executive Director of Ac-
9 countability and Whistleblower Protection, for all services
10 provided at rates which will recover actual costs but not
11 to exceed \$47,668,000 for the Office of Resolution Man-
12 agement, \$3,932,000 for the Office of Employment Dis-
13 crimination Complaint Adjudication, \$10,057,000 for the
14 Office of Accountability Review, \$6,646,000 for the Cen-
15 tral Whistleblower Office, \$2,973,000 for the Office of Di-
16 versity and Inclusion, and \$917,000 for the Office of the
17 Executive Director of Accountability and Whistleblower
18 Protection: *Provided*, That payments may be made in ad-
19 vance for services to be furnished based on estimated
20 costs: *Provided further*, That amounts received shall be
21 credited to the “General Administration” and “Informa-
22 tion Technology Systems” accounts for use by the office
23 that provided the service.

24 SEC. 211. No funds of the Department of Veterans
25 Affairs shall be available for hospital care, nursing home

1 care, or medical services provided to any person under
2 chapter 17 of title 38, United States Code, for a non-serv-
3 ice-connected disability described in section 1729(a)(2) of
4 such title, unless that person has disclosed to the Sec-
5 retary of Veterans Affairs, in such form as the Secretary
6 may require, current, accurate third-party reimbursement
7 information for purposes of section 1729 of such title: *Pro-*
8 *vided*, That the Secretary may recover, in the same man-
9 ner as any other debt due the United States, the reason-
10 able charges for such care or services from any person who
11 does not make such disclosure as required: *Provided fur-*
12 *ther*, That any amounts so recovered for care or services
13 provided in a prior fiscal year may be obligated by the
14 Secretary during the fiscal year in which amounts are re-
15 ceived.

16 (INCLUDING TRANSFER OF FUNDS)

17 SEC. 212. Notwithstanding any other provision of
18 law, proceeds or revenues derived from enhanced-use leas-
19 ing activities (including disposal) may be deposited into
20 the “Construction, Major Projects” and “Construction,
21 Minor Projects” accounts and be used for construction
22 (including site acquisition and disposition), alterations,
23 and improvements of any medical facility under the juris-
24 diction or for the use of the Department of Veterans Af-
25 fairs. Such sums as realized are in addition to the amount

1 provided for in “Construction, Major Projects” and “Con-
2 struction, Minor Projects”.

3 SEC. 213. Amounts made available under “Medical
4 Services” are available—

5 (1) for furnishing recreational facilities, sup-
6 plies, and equipment; and

7 (2) for funeral expenses, burial expenses, and
8 other expenses incidental to funerals and burials for
9 beneficiaries receiving care in the Department.

10 (INCLUDING TRANSFER OF FUNDS)

11 SEC. 214. Such sums as may be deposited to the
12 Medical Care Collections Fund pursuant to section 1729A
13 of title 38, United States Code, may be transferred to the
14 “Medical Services” and “Medical Community Care” ac-
15 counts to remain available until expended for the purposes
16 of these accounts.

17 SEC. 215. The Secretary of Veterans Affairs may
18 enter into agreements with Federally Qualified Health
19 Centers in the State of Alaska and Indian tribes and tribal
20 organizations which are party to the Alaska Native Health
21 Compact with the Indian Health Service, to provide
22 healthcare, including behavioral health and dental care, to
23 veterans in rural Alaska. The Secretary shall require par-
24 ticipating veterans and facilities to comply with all appro-
25 priate rules and regulations, as established by the Sec-

1 retary. The term “rural Alaska” shall mean those lands
2 which are not within the boundaries of the municipality
3 of Anchorage or the Fairbanks North Star Borough.

4 (INCLUDING TRANSFER OF FUNDS)

5 SEC. 216. Such sums as may be deposited to the De-
6 partment of Veterans Affairs Capital Asset Fund pursu-
7 ant to section 8118 of title 38, United States Code, may
8 be transferred to the “Construction, Major Projects” and
9 “Construction, Minor Projects” accounts, to remain avail-
10 able until expended for the purposes of these accounts.

11 SEC. 217. Not later than 30 days after the end of
12 each fiscal quarter, the Secretary of Veterans Affairs shall
13 submit to the Committees on Appropriations of both
14 Houses of Congress a report on the financial status of the
15 Department of Veterans Affairs for the preceding quarter:
16 *Provided*, That, at a minimum, the report shall include
17 the direction contained in the paragraph entitled “Quar-
18 terly reporting”, under the heading “General Administra-
19 tion” in the joint explanatory statement accompanying
20 Public Law 114–223.

21 (INCLUDING TRANSFER OF FUNDS)

22 SEC. 218. Amounts made available under the “Med-
23 ical Services”, “Medical Community Care”, “Medical Sup-
24 port and Compliance”, “Medical Facilities”, “General Op-
25 erating Expenses, Veterans Benefits Administration”,

1 “Board of Veterans Appeals”, “General Administration”,
2 and “National Cemetery Administration” accounts for fis-
3 cal year 2018 may be transferred to or from the “Informa-
4 tion Technology Systems” account: *Provided*, That such
5 transfers may not result in a more than 10 percent aggre-
6 gate increase in the total amount made available by this
7 Act for the “Information Technology Systems” account:
8 *Provided further*, That, before a transfer may take place,
9 the Secretary of Veterans Affairs shall request from the
10 Committees on Appropriations of both Houses of Congress
11 the authority to make the transfer and an approval is
12 issued.

13 (INCLUDING TRANSFER OF FUNDS)

14 SEC. 219. Of the amounts appropriated to the De-
15 partment of Veterans Affairs for fiscal year 2018 for
16 “Medical Services”, “Medical Community Care”, “Medical
17 Support and Compliance”, “Medical Facilities”, “Con-
18 struction, Minor Projects”, and “Information Technology
19 Systems”, up to \$297,137,000, plus reimbursements, may
20 be transferred to the Joint Department of Defense-De-
21 partment of Veterans Affairs Medical Facility Demonstra-
22 tion Fund, established by section 1704 of the National De-
23 fense Authorization Act for Fiscal Year 2010 (Public Law
24 111–84; 123 Stat. 3571) and may be used for operation
25 of the facilities designated as combined Federal medical

1 facilities as described by section 706 of the Duncan
2 Hunter National Defense Authorization Act for Fiscal
3 Year 2009 (Public Law 110–417; 122 Stat. 4500): *Pro-*
4 *vided*, That additional funds may be transferred from ac-
5 counts designated in this section to the Joint Department
6 of Defense-Department of Veterans Affairs Medical Facil-
7 ity Demonstration Fund upon written notification by the
8 Secretary of Veterans Affairs to the Committees on Ap-
9 propriations of both Houses of Congress: *Provided further*,
10 That section 222 of title II of division A of Military Con-
11 struction, Veterans Affairs, and Related Agencies Appro-
12 priations Act, 2017 (Public Law 114–223) is repealed.

13 (INCLUDING TRANSFER OF FUNDS)

14 SEC. 220. Of the amounts appropriated to the De-
15 partment of Veterans Affairs which become available on
16 October 1, 2018, for “Medical Services”, “Medical Com-
17 munity Care”, “Medical Support and Compliance”, and
18 “Medical Facilities”, up to \$306,378,000, plus reimburse-
19 ments, may be transferred to the Joint Department of De-
20 fense-Department of Veterans Affairs Medical Facility
21 Demonstration Fund, established by section 1704 of the
22 National Defense Authorization Act for Fiscal Year 2010
23 (Public Law 111–84; 123 Stat. 3571) and may be used
24 for operation of the facilities designated as combined Fed-
25 eral medical facilities as described by section 706 of the

1 Duncan Hunter National Defense Authorization Act for
2 Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4500):
3 *Provided*, That additional funds may be transferred from
4 accounts designated in this section to the Joint Depart-
5 ment of Defense-Department of Veterans Affairs Medical
6 Facility Demonstration Fund upon written notification by
7 the Secretary of Veterans Affairs to the Committees on
8 Appropriations of both Houses of Congress.

9 (INCLUDING TRANSFER OF FUNDS)

10 SEC. 221. Such sums as may be deposited to the
11 Medical Care Collections Fund pursuant to section 1729A
12 of title 38, United States Code, for healthcare provided
13 at facilities designated as combined Federal medical facili-
14 ties as described by section 706 of the Duncan Hunter
15 National Defense Authorization Act for Fiscal Year 2009
16 (Public Law 110–417; 122 Stat. 4500) shall also be avail-
17 able: (1) for transfer to the Joint Department of Defense-
18 Department of Veterans Affairs Medical Facility Dem-
19 onstration Fund, established by section 1704 of the Na-
20 tional Defense Authorization Act for Fiscal Year 2010
21 (Public Law 111–84; 123 Stat. 3571); and (2) for oper-
22 ations of the facilities designated as combined Federal
23 medical facilities as described by section 706 of the Dun-
24 can Hunter National Defense Authorization Act for Fiscal
25 Year 2009 (Public Law 110–417; 122 Stat. 4500).

1 (INCLUDING TRANSFER OF FUNDS)

2 SEC. 222. Of the amounts available in this title for
3 “Medical Services”, “Medical Community Care”, “Medical
4 Support and Compliance”, and “Medical Facilities”, a
5 minimum of \$15,000,000 shall be transferred to the
6 DOD–VA Health Care Sharing Incentive Fund, as au-
7 thorized by section 8111(d) of title 38, United States
8 Code, to remain available until expended, for any purpose
9 authorized by section 8111 of title 38, United States Code.

10 SEC. 223. None of the funds available to the Depart-
11 ment of Veterans Affairs, in this or any other Act, may
12 be used to replace the current system by which the Vet-
13 erans Integrated Service Networks select and contract for
14 diabetes monitoring supplies and equipment.

15 SEC. 224. The Secretary of Veterans Affairs shall no-
16 tify the Committees on Appropriations of both Houses of
17 Congress of all bid savings in a major construction project
18 that total at least \$5,000,000, or 5 percent of the pro-
19 grammed amount of the project, whichever is less: *Pro-*
20 *vided*, That such notification shall occur within 14 days
21 of a contract identifying the programmed amount: *Pro-*
22 *vided further*, That the Secretary shall notify the Commit-
23 tees on Appropriations of both Houses of Congress 14
24 days prior to the obligation of such bid savings and shall
25 describe the anticipated use of such savings.

1 SEC. 225. None of the funds made available for
2 “Construction, Major Projects” may be used for a project
3 in excess of the scope specified for that project in the origi-
4 nal justification data provided to the Congress as part of
5 the request for appropriations unless the Secretary of Vet-
6 erans Affairs receives approval from the Committees on
7 Appropriations of both Houses of Congress.

8 SEC. 226. Not later than 30 days after the end of
9 each fiscal quarter, the Secretary of Veterans Affairs shall
10 submit to the Committees on Appropriations of both
11 Houses of Congress a quarterly report containing perform-
12 ance measures and data from each Veterans Benefits Ad-
13 ministration Regional Office: *Provided*, That, at a min-
14 imum, the report shall include the direction contained in
15 the section entitled “Disability claims backlog”, under the
16 heading “General Operating Expenses, Veterans Benefits
17 Administration” in the joint explanatory statement accom-
18 panying Public Law 114–223: *Provided further*, That the
19 report shall also include information on the number of ap-
20 peals pending at the Veterans Benefits Administration as
21 well as the Board of Veterans Appeals on a quarterly
22 basis.

23 SEC. 227. Of the amounts made available for fiscal
24 year 2018 for the “Medical Services” and “Medical Sup-
25 port and Compliance” accounts, not more than

1 \$226,012,000 shall be available to develop an electronic
2 health record: *Provided*, That not more than 25 percent
3 of the amount made available for such purpose may be
4 obligated or expended until the Secretary of Veterans Af-
5 fairs submits to the Committees on Appropriations of both
6 House of Congress a detailed explanation of the activities
7 to develop the Military Health System Genesis electronic
8 health record to be funded by the Veterans Health Admin-
9 istration rather than the Office of Information Tech-
10 nology, a timeline for completion, master schedule, per-
11 formance milestones, and annual and life-cycle Veterans
12 Health Administration cost estimates.

13 SEC. 228. The Secretary of Veterans Affairs shall
14 provide written notification to the Committees on Appro-
15 priations of both Houses of Congress 15 days prior to or-
16 ganizational changes which result in the transfer of 25 or
17 more full-time equivalents from one organizational unit of
18 the Department of Veterans Affairs to another.

19 SEC. 229. The Secretary of Veterans Affairs shall
20 provide on a quarterly basis to the Committees on Appro-
21 priations of both Houses of Congress notification of any
22 single national outreach and awareness marketing cam-
23 paign in which obligations exceed \$2,000,000.

1 (INCLUDING TRANSFER OF FUNDS)

2 SEC. 230. The Secretary of Veterans Affairs, upon
3 determination that such action is necessary to address
4 needs of the Veterans Health Administration, may trans-
5 fer to the “Medical Services” account any discretionary
6 appropriations made available for fiscal year 2018 in this
7 title (except appropriations made to the “General Oper-
8 ating Expenses, Veterans Benefits Administration” ac-
9 count) or any discretionary unobligated balances within
10 the Department of Veterans Affairs, including those ap-
11 propriated for fiscal year 2018, that were provided in ad-
12 vance by appropriations Acts: *Provided*, That transfers
13 shall be made only with the approval of the Office of Man-
14 agement and Budget: *Provided further*, That the transfer
15 authority provided in this section is in addition to any
16 other transfer authority provided by law: *Provided further*,
17 That no amounts may be transferred from amounts that
18 were designated by Congress as an emergency requirement
19 pursuant to a concurrent resolution on the budget or the
20 Balanced Budget and Emergency Deficit Control Act of
21 1985: *Provided further*, That such authority to transfer
22 may not be used unless for higher priority items, based
23 on emergent healthcare requirements, than those for
24 which originally appropriated and in no case where the
25 item for which funds are requested has been denied by

1 Congress: *Provided further*, That, upon determination that
2 all or part of the funds transferred from an appropriation
3 are not necessary, such amounts may be transferred back
4 to that appropriation and shall be available for the same
5 purposes as originally appropriated: *Provided further*,
6 That before a transfer may take place, the Secretary of
7 Veterans Affairs shall request from the Committees on
8 Appropriations of both Houses of Congress the authority
9 to make the transfer and receive approval of that request.

10 (INCLUDING TRANSFER OF FUNDS)

11 SEC. 231. Amounts made available for the Depart-
12 ment of Veterans Affairs for fiscal year 2018, under the
13 “Board of Veterans Appeals” and the “General Operating
14 Expenses, Veterans Benefits Administration” accounts
15 may be transferred between such accounts: *Provided*, That
16 before a transfer may take place, the Secretary of Vet-
17 erans Affairs shall request from the Committees on Appro-
18 priations of both Houses of Congress the authority to
19 make the transfer and receive approval of that request.

20 SEC. 232. The Secretary of Veterans Affairs may not
21 reprogram funds among major construction projects or
22 programs if such instance of reprogramming will exceed
23 \$5,000,000, unless such reprogramming is approved by
24 the Committees on Appropriations of both Houses of Con-
25 gress.

1 (RESCISSIONS OF FUNDS)

2 SEC. 233. Of the discretionary funds made available
3 in Public Law 114–223 for the Department of Veterans
4 Affairs for fiscal year 2018, \$313,730,000 are rescinded
5 from “Medical Services”, \$63,282,000 are rescinded from
6 “Medical Support and Compliance”, and \$22,960,000 are
7 rescinded from “Medical Facilities”.

8 SEC. 234. The amounts otherwise made available by
9 this Act for the following accounts of the Department of
10 Veterans Affairs are hereby reduced by the following
11 amounts:

12 (1) “Veterans Health Administration—Medical
13 and Prosthetic Research”, \$6,823,000.

14 (2) “National Cemetery Administration”,
15 \$3,003,000.

16 (3) “Departmental Administration—General
17 Administration”, \$3,600,000.

18 (4) “Departmental Administration—Board of
19 Veterans Appeals”, \$1,579,000.

20 (5) “Departmental Administration—General
21 Operating Expenses, Veterans Benefits Administra-
22 tion”, \$35,470,000.

23 (6) “Departmental Administration—Informa-
24 tion Technology Systems”, \$18,997,000.

1 (7) “Departmental Administration—Office of
2 Inspector General”, \$1,716,000.

3 SEC. 235. (a) The Secretary of Veterans Affairs shall
4 ensure that the toll-free suicide hotline under section
5 1720F(h) of title 38, United States Code—

6 (1) provides to individuals who contact the hot-
7 line immediate assistance from a trained profes-
8 sional; and

9 (2) adheres to all requirements of the American
10 Association of Suicidology.

11 (b)(1) None of the funds made available by this Act
12 may be used to enforce or otherwise carry out any Execu-
13 tive action that prohibits the Secretary of Veterans Affairs
14 from appointing an individual to occupy a vacant civil
15 service position, or establishing a new civil service position,
16 at the Department of Veterans Affairs with respect to
17 such a position relating to the hotline specified in sub-
18 section (a).

19 (2) In this subsection—

20 (A) the term “civil service” has the meaning
21 given such term in section 2101(1) of title 5, United
22 States Code; and

23 (B) the term “Executive action” includes—

24 (i) any Executive order, presidential memo-
25 randum, or other action by the President; and

1 (ii) any agency policy, order, or other di-
2 rective.

3 SEC. 236. None of the funds in this or any other Act
4 may be used to close Department of Veterans Affairs (VA)
5 hospitals, domiciliaries, or clinics, conduct an environ-
6 mental assessment, or to diminish healthcare services at
7 existing Veterans Health Administration medical facilities
8 located in Veterans Integrated Service Network 8 or 23
9 as part of a planned realignment of VA services until the
10 Secretary provides to the Committees on Appropriations
11 of both Houses of Congress a report including the fol-
12 lowing elements:

13 (1) a national realignment strategy that in-
14 cludes a detailed description of realignment plans
15 within each Veterans Integrated Services Network
16 (VISN), including an updated Long Range Capital
17 Plan to implement realignment requirements;

18 (2) an explanation of the process by which
19 those plans were developed and coordinated within
20 each VISN;

21 (3) a cost versus benefit analysis of each
22 planned realignment, including the cost of replacing
23 Veterans Health Administration services with con-
24 tract care or other outsourced services;

1 (4) an analysis of how any such planned re-
2 alignment of services will impact access to care for
3 veterans living in rural or highly rural areas, includ-
4 ing travel distances and transportation costs to ac-
5 cess a VA medical facility and availability of local
6 specialty and primary care;

7 (5) an inventory of VA buildings with historic
8 designation and the methodology used to determine
9 the buildings' condition and utilization;

10 (6) a description of how any realignment will be
11 consistent with requirements under the National
12 Historic Preservation Act; and

13 (7) consideration given for reuse of historic
14 buildings within newly identified realignment re-
15 quirements: *Provided*, That, this provision shall not
16 apply to capital projects in VISN 23, or any other
17 VISN, which have been authorized or approved by
18 Congress.

19 SEC. 237. Section 8109(b) of title 38, United States
20 Code, is amended—

21 (1) in paragraph (2), by striking “and” at the
22 end;

23 (2) in paragraph (3), by striking the period and
24 inserting “; and”; and

1 (3) by adding at the end the following new
2 paragraph:

3 “(4) notwithstanding subsection (a) of section 1344
4 of title 31, may use a passenger carrier (as such term is
5 defined in subsection (h)(1) of such section) to transport
6 such an employee between a parking facility and the med-
7 ical facility of the Department at which the employee
8 works.”.

9 SEC. 238. None of the funds made available to the
10 Secretary of Veterans Affairs by this or any other Act may
11 be obligated or expended in contravention of the “Veterans
12 Health Administration Clinical Preventive Services Guid-
13 ance Statement on the Veterans Health Administration’s
14 Screening for Breast Cancer Guidance” published on May
15 10, 2017, as issued by the Veterans Health Administra-
16 tion National Center for Health Promotion and Disease
17 Prevention.

18 SEC. 239. (a) Notwithstanding any other provision
19 of law, the amounts appropriated or otherwise made avail-
20 able to the Department of Veterans Affairs for the “Med-
21 ical Services” account may be used to provide—

22 (1) fertility counseling and treatment using as-
23 sisted reproductive technology to a covered veteran
24 or the spouse of a covered veteran; or

1 (2) adoption reimbursement to a covered vet-
2 eran.

3 (b) In this section:

4 (1) The term “service-connected” has the
5 meaning given such term in section 101 of title 38,
6 United States Code.

7 (2) The term “covered veteran” means a vet-
8 eran, as such term is defined in section 101 of title
9 38, United States Code, who has a service-connected
10 disability that results in the inability of the veteran
11 to procreate without the use of fertility treatment.

12 (3) The term “assisted reproductive tech-
13 nology” means benefits relating to reproductive as-
14 sistance provided to a member of the Armed Forces
15 who incurs a serious injury or illness on active duty
16 pursuant to section 1074(c)(4)(A) of title 10, United
17 States Code, as described in the memorandum on
18 the subject of “Policy for Assisted Reproductive
19 Services for the Benefit of Seriously or Severely Ill/
20 Injured (Category II or III) Active Duty Service
21 Members” issued by the Assistant Secretary of De-
22 fense for Health Affairs on April 3, 2012, and the
23 guidance issued to implement such policy, including
24 any limitations on the amount of such benefits avail-
25 able to such a member except that—

1 (A) the time periods regarding embryo
2 cryopreservation and storage set forth in part
3 III(G) and in part IV(H) of such memorandum
4 shall not apply; and

5 (B) such term includes embryo
6 cryopreservation and storage without limitation
7 on the duration of such cryopreservation and
8 storage.

9 (4) The term “adoption reimbursement” means
10 reimbursement for the adoption-related expenses for
11 an adoption that is finalized after the date of the en-
12 actment of this Act under the same terms as apply
13 under the adoption reimbursement program of the
14 Department of Defense, as authorized in Depart-
15 ment of Defense Instruction 1341.09, including the
16 reimbursement limits and requirements set forth in
17 such instruction.

18 (c) Amounts made available for the purposes speci-
19 fied in subsection (a) of this section are subject to the
20 requirements for funds contained in section 508 of division
21 H of the Consolidated Appropriations Act, 2017 (Public
22 Law 115–31).

1 TITLE III
2 RELATED AGENCIES
3 AMERICAN BATTLE MONUMENTS COMMISSION
4 SALARIES AND EXPENSES

5 For necessary expenses, not otherwise provided for,
6 of the American Battle Monuments Commission, including
7 the acquisition of land or interest in land in foreign coun-
8 tries; purchases and repair of uniforms for caretakers of
9 national cemeteries and monuments outside of the United
10 States and its territories and possessions; rent of office
11 and garage space in foreign countries; purchase (one-for-
12 one replacement basis only) and hire of passenger motor
13 vehicles; not to exceed \$7,500 for official reception and
14 representation expenses; and insurance of official motor
15 vehicles in foreign countries, when required by law of such
16 countries, \$75,100,000, to remain available until ex-
17 pended.

18 FOREIGN CURRENCY FLUCTUATIONS ACCOUNT

19 For necessary expenses, not otherwise provided for,
20 of the American Battle Monuments Commission, such
21 sums as may be necessary, to remain available until ex-
22 pended, for purposes authorized by section 2109 of title
23 36, United States Code.

1 UNITED STATES COURT OF APPEALS FOR VETERANS

2 CLAIMS

3 SALARIES AND EXPENSES

4 (INCLUDING TRANSFER OF FUNDS)

5 For necessary expenses for the operation of the
6 United States Court of Appeals for Veterans Claims as
7 authorized by sections 7251 through 7298 of title 38,
8 United States Code, \$33,600,000: *Provided*, That of the
9 amount, \$800,000 shall be transferred to the General
10 Services Administration for planning and design of a
11 courthouse: *Provided further*, That \$2,580,000 shall be
12 available for the purpose of providing financial assistance
13 as described and in accordance with the process and re-
14 porting procedures set forth under this heading in Public
15 Law 102-229.

16 DEPARTMENT OF DEFENSE—CIVIL

17 CEMETERIAL EXPENSES, ARMY

18 SALARIES AND EXPENSES

19 For necessary expenses for maintenance, operation,
20 and improvement of Arlington National Cemetery and Sol-
21 diers' and Airmen's Home National Cemetery, including
22 the purchase or lease of passenger motor vehicles for re-
23 placement on a one-for-one basis only, and not to exceed
24 \$1,000 for official reception and representation expenses,
25 \$78,800,000, of which not to exceed \$15,000,000 shall re-

1 main available until September 30, 2020. In addition,
2 such sums as may be necessary for parking maintenance,
3 repairs and replacement, to be derived from the “Lease
4 of Department of Defense Real Property for Defense
5 Agencies” account.

6 ARMED FORCES RETIREMENT HOME

7 TRUST FUND

8 For expenses necessary for the Armed Forces Retire-
9 ment Home to operate and maintain the Armed Forces
10 Retirement Home—Washington, District of Columbia,
11 and the Armed Forces Retirement Home—Gulfport, Mis-
12 sissippi, to be paid from funds available in the Armed
13 Forces Retirement Home Trust Fund, \$64,300,000, of
14 which \$1,000,000 shall remain available until expended
15 for construction and renovation of the physical plants at
16 the Armed Forces Retirement Home—Washington, Dis-
17 trict of Columbia, and the Armed Forces Retirement
18 Home—Gulfport, Mississippi: *Provided*, That of the
19 amounts made available under this heading from funds
20 available in the Armed Forces Retirement Home Trust
21 Fund, \$22,000,000 shall be paid from the general fund
22 of the Treasury to the Trust Fund.

23 ADMINISTRATIVE PROVISIONS

24 SEC. 301. Funds appropriated in this Act under the
25 heading “Department of Defense—Civil, Cemeterial Ex-

1 penses, Army”, may be provided to Arlington County, Vir-
2 ginia, for the relocation of the federally owned water main
3 at Arlington National Cemetery, making additional land
4 available for ground burials.

5 SEC. 302. Amounts deposited into the special account
6 established under 10 U.S.C. 4727 are appropriated and
7 shall be available until expended to support activities at
8 the Army National Military Cemeteries.

9 TITLE IV

10 OVERSEAS CONTINGENCY OPERATIONS

11 DEPARTMENT OF DEFENSE

12 MILITARY CONSTRUCTION, ARMY

13 For an additional amount for “Military Construction,
14 Army”, \$147,158,000, to remain available until Sep-
15 tember 30, 2022, for projects outside of the United States:
16 *Provided*, That such amount is designated by the Congress
17 for Overseas Contingency Operations/Global War on Ter-
18 rorism pursuant to section 251(b)(2)(A)(ii) of the Bal-
19 anced Budget and Emergency Deficit Control Act of 1985.

20 MILITARY CONSTRUCTION, NAVY AND MARINE CORPS

21 For an additional amount for “Military Construction,
22 Navy and Marine Corps”, \$31,890,000, to remain avail-
23 able until September 30, 2022, for projects outside of the
24 United States: *Provided*, That such amount is designated
25 by the Congress for Overseas Contingency Operations/

1 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 CONSTRUCTION, AIR FORCE

5 For an additional amount for “Military Construction,
6 Air Force” \$434,652,000, to remain available until Sep-
7 tember 30, 2022, for projects outside of the United States:
8 *Provided*, That such amount is designated by the Congress
9 for Overseas Contingency Operations/Global War on Ter-
10 rorism pursuant to section 251(b)(2)(A)(ii) of the Bal-
11 anced Budget and Emergency Deficit Control Act of 1985.

12 MILITARY CONSTRUCTION, DEFENSE-WIDE

13 For an additional amount for “Military Construction,
14 Defense-Wide”, \$24,300,000, to remain available until
15 September 30, 2022, for projects outside of the United
16 States: *Provided*, That such amount is designated by the
17 Congress for Overseas Contingency Operations/Global
18 War on Terrorism pursuant to section 251(b)(2)(A)(ii) of
19 the Balanced Budget and Emergency Deficit Control Act
20 of 1985.

21 ADMINISTRATIVE PROVISION

22 SEC. 401. Each amount designated in this Act by the
23 Congress for Overseas Contingency Operations/Global
24 War on Terrorism pursuant to section 251(b)(2)(A)(ii) of
25 the Balanced Budget and Emergency Deficit Control Act

1 of 1985 shall be available only if the President subse-
2 quently so designates all such amounts and transmits such
3 designations to the Congress.

4 TITLE V

5 GENERAL PROVISIONS

6 SEC. 501. No part of any appropriation contained in
7 this Act shall remain available for obligation beyond the
8 current fiscal year unless expressly so provided herein.

9 SEC. 502. None of the funds made available in this
10 Act may be used for any program, project, or activity,
11 when it is made known to the Federal entity or official
12 to which the funds are made available that the program,
13 project, or activity is not in compliance with any Federal
14 law relating to risk assessment, the protection of private
15 property rights, or unfunded mandates.

16 SEC. 503. All departments and agencies funded under
17 this Act are encouraged, within the limits of the existing
18 statutory authorities and funding, to expand their use of
19 “E-Commerce” technologies and procedures in the con-
20 duct of their business practices and public service activi-
21 ties.

22 SEC. 504. Unless stated otherwise, all reports and no-
23 tifications required by this Act shall be submitted to the
24 Subcommittee on Military Construction and Veterans Af-
25 fairs, and Related Agencies of the Committee on Appro-

1 priations of the House of Representatives and the Sub-
2 committee on Military Construction and Veterans Affairs,
3 and Related Agencies of the Committee on Appropriations
4 of the Senate.

5 SEC. 505. None of the funds made available in this
6 Act may be transferred to any department, agency, or in-
7 strumentality of the United States Government except
8 pursuant to a transfer made by, or transfer authority pro-
9 vided in, this or any other appropriations Act.

10 SEC. 506. None of the funds made available in this
11 Act may be used for a project or program named for an
12 individual serving as a Member, Delegate, or Resident
13 Commissioner of the United States House of Representa-
14 tives.

15 SEC. 507. (a) Any agency receiving funds made avail-
16 able in this Act, shall, subject to subsections (b) and (c),
17 post on the public Web site of that agency any report re-
18 quired to be submitted by the Congress in this or any
19 other Act, upon the determination by the head of the agen-
20 cy that it shall serve the national interest.

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

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

24 (2) the report contains confidential or propri-
25 etary 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. 508. (a) None of the funds made available in
6 this Act may be used to maintain or establish a computer
7 network unless such network blocks the viewing,
8 downloading, and exchanging of pornography.

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

13 SEC. 509. None of the funds made available in this
14 Act may be used by an agency of the executive branch
15 to pay for first-class travel by an employee of the agency
16 in contravention of sections 301–10.122 through 301–
17 10.124 of title 41, Code of Federal Regulations.

18 SEC. 510. None of the funds made available in this
19 Act may be used to execute a contract for goods or serv-
20 ices, including construction services, where the contractor
21 has not complied with Executive Order No. 12989.

22 SEC. 511. None of the funds made available by this
23 Act may be used by the Department of Defense or the
24 Department of Veterans Affairs to lease or purchase new
25 light duty vehicles for any executive fleet, or for an agen-

1 cy's fleet inventory, except in accordance with Presidential
2 Memorandum—Federal Fleet Performance, dated May
3 24, 2011.

4 SEC. 512. (a) IN GENERAL.—None of the funds ap-
5 propriated or otherwise made available to the Department
6 of Defense in this Act may be used to construct, renovate,
7 or expand any facility in the United States, its territories,
8 or possessions to house any individual detained at United
9 States Naval Station, Guantánamo Bay, Cuba, for the
10 purposes of detention or imprisonment in the custody or
11 under the control of the Department of Defense.

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

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

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

21 (2) is—

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

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

1 REFERENCES TO ACT

2 SEC. 513. Except as expressly provided otherwise,
3 any reference to “this Act” contained in this division shall
4 be treated as referring only to the provisions of this divi-
5 sion.

6 REFERENCE TO REPORT

7 SEC. 514. Any reference to a “report accompanying
8 this Act” contained in this division shall be treated as a
9 reference to House Report 115–188. The effect of such
10 Report shall be limited to this division and shall apply for
11 purposes of determining the allocation of funds provided
12 by, and the implementation of, this division.

13 SPENDING REDUCTION ACCOUNT

14 SEC. 515. \$0.

15 SEC. 516. The amounts otherwise provided by this
16 Act are revised by reducing the amount made available
17 for “Department of Veterans Affairs—Departmental Ad-
18 ministration—Information Technology Services” (and the
19 amount specified under such heading for operations and
20 maintenance), and by increasing the amount made avail-
21 able in fiscal year 2018 for “Veterans Health Administra-
22 tion—Medical Services”, by \$2,500,000 and \$2,000,000,
23 respectively.

24 SEC. 517. None of the funds made available by this
25 Act may be used by the Secretary of Veterans Affairs in

1 contravention of subchapter III of chapter 20 of title 38,
2 United States Code.

3 SEC. 518. None of the funds made available by this
4 Act may be used to charge a veteran a fee for a veterans
5 identification card pursuant to section 5706(e) of title 38,
6 United States Code, if the veteran uses form DD-214 to
7 apply for the identification card and indicates on the form
8 that the veteran is “homeless”.

9 SEC. 519. None of the funds made available by this
10 Act may be used to propose, plan for, or execute a new
11 or additional Base Realignment and Closure (BRAC)
12 round.

13 SEC. 520. (a) None of the funds appropriated or oth-
14 erwise made available by this Act may be used by the Sec-
15 retary of Veterans Affairs to purchase, breed, transport,
16 house, feed, maintain, dispose of, or experiment on dogs
17 as part of the conduct of any study assigned to pain cat-
18 egory D or E, as defined by the Department of Agri-
19 culture.

20 (b) This section shall not apply to training programs
21 or studies of service dogs described in section 1714 of title
22 38 United States Code or section 17.148 of title 38 of
23 the Code of Federal Regulations.

1 This division may be cited as the “Military Construc-
2 tion, Veterans Affairs, and Related Agencies Appropria-
3 tions Act, 2018”.

